Policy Committee

Monday, December 5, 2016 6:00 PM
Policy Committee, L.P. Wilson Community Center, Room 17, 601 Matianuck Avenue, Windsor, CT 06095

1. **Call to Order, Pledge to the Flag and Moment of Silence**
2. **Audience to Visitors**
3. **Review new P/AR 2260 Policy Regarding Retention of Electronic Records and Information**
4. **Review new P 3524.2 Policy Regarding Green Cleaning Programs**
5. **Review new P 4111.3 Plan for Staff of Color Recruitment**
6. **Review new P/AR 4118.4 Policy Regarding Employee Use of the District's Computer Systems and Electronic Communications**
7. **Review revised P/AR 4118.5 Social Media**
8. **Review revised AR 4311.2 Family and Medical Leave**
9. **Review revised P 4600 Reports of Suspected Abuse or Neglect of Adults with an Intellectual Disability or Autism Spectrum Disorder**
10. **Review revised P 5141.231 Psychotropic Drug Use**
11. **Review revised P 5145.1 Student Privacy**
12. **Review revised P/AR 6143 Student Wellness**
13. **Review new AR 3510.1 Murals and Artistic Displays in School Buildings**
14. **Discussion regarding P 5125 Confidentiality and Access to Education Records**
15. **Adjournment**

Rational for New Policy and Regulation:

P 2260 POLICY REGARDING RETENTION OF ELECTRONIC RECORDS AND INFORMATION

This is a new policy and administrative regulation.

The Office of the Public Records Administrator, Connecticut State Library, issued a new policy and guidelines for digital imagining and the retention of documents, which guidance became effective August 11, 2014. The new policy and guidelines apply to all various public agencies including boards of education, and pertain to the scanning of records either in-house or through vendor services. Specifically, *Public Records Policy 2* now permits state agencies and municipalities to scan and destroy original paper records that have a retention period of "less than permanent" under the state's classification system. After the approved disposition of original public records in paper format, the digital images must be maintained in compliance with the retention requirements listed on the applicable records retention schedule issued by the Public Records Administrator. Our model policy in this area has been updated to reflect these new changes.

POLICY REGARDING RETENTION OF ELECTRONIC RECORDS AND INFORMATION

I. POLICY

The Board of Education (the "Board") complies with all state and federal regulations regarding the retention, storage and destruction of electronic information and records. The Superintendent or his/her designee shall be responsible for developing and implementing administrative regulations concerning the retention, storage, and destruction of electronic information and the dissemination of such administrative regulations to all employees.

II. USE OF E-MAIL AND ELECTRONIC COMMUNICATIONS

The Board of Education provides computers, a computer network, including Internet access and an e-mail system, as well as any electronic devices that access the network such as wireless and/or portable electronic hand-held equipment that can be used for word processing, wireless Internet access, image capture and recording, sound recording, information transmitting and/or receiving, storing, etc. (including but not limited to, personal laptops, Smartphones, network access devices, Kindles, Nooks, cellular telephones, radios, CD players, I-Pads or other tablet computers, walkie-talkies, Blackberries, personal data assistants, I-Phones, Androids and other electronic signaling devices), (referred to collectively as "the computer systems"), in order to enhance both the educational opportunities for our students and the business operations of the district.

Electronic messages sent by school officials and employees as part of their work and/or by using the district's computer systems and/or network are not private communications and are potentially subject to disclosure. Employees must understand that the Board has reserved the right to conduct monitoring of these computer systems and may do so *despite* the assignment to individual employees of passwords for system security. Any password systems implemented by the District are designed solely to provide system security from unauthorized users, not to provide privacy to the individual system user.

The system's security aspects, message delete function and personal passwords may be bypassed for monitoring purposes. Therefore, *employees must be aware that they should not have any expectation of personal privacy in the use of these computer systems.* This provision applies to any and all uses of the District's computer systems, including any incidental personal use permitted in accordance with the Board's policy and regulations regarding computer use by employees.

Any retained messages may be retrieved as part of routine monitoring by the Board, an employee investigation or a formal discovery process as part of litigation. Employees should bear in mind that e-mail messages may be retained at different locations within the computer network and that these messages are subject to retrieval. Consequently, employees should use discretion when using computers or other electronic technology to send, record or retain electronic communications and information.

III. RETENTION OF ELECTRONICALLY STORED INFORMATION

Electronic communications on District computers or electronic communication systems shall be retained only as long as necessary. The same record retention policy that applies to paper records applies to electronically stored information, including e-mail communications. Therefore, like paper records, the content and function of an electronic record, including e-mail communications, determines the retention period for that document. The District will comply with all of the minimum standards set forth in the Municipal Records Retention Schedules, as issued by the Office of the Public Records Administrator for the State of Connecticut.

In addition to the retention guidelines established by the Board and used by school district officials and employees, all school officials and employees have a duty to preserve all records and electronic information, including records and electronic information that might otherwise be deleted or destroyed, that relate to any matter that is currently in litigation or may be anticipated to involve future litigation.

Legal References:

Conn. Gen. Stat. §§ 1-200(5); 1-211; 1-213(b)(3)
Conn. Gen. Stat. § 7-109
Conn. Gen. Stat. § 11-8 et seq.
General Letters 98-1, 96-2, 2001-1 and 2009-2 of the Public Records Administrator
Record Retention Schedules Towns, Municipalities and Boards of Education

ADOPTED:_____

ADMINISTRATIVE REGULATIONS REGARDING THE RETENTION OF ELECTRONIC RECORDS AND INFORMATION

I. RECORDS CUSTODIAN

These regulations are designed to assist in implementation of Board Policy 2260 regarding the retention of electronic records and information. These regulations supplement and do not replace District policy relating to education records.

The Superintendent of Schools shall designate a Records Custodian who will be responsible for implementation of District policies and regulations for the retention of records, including e-mails and electronically stored information.

II. DEFINITIONS

A. E-mail is a means of sending messages between computers using a computer network or over a modem connected to a telephone line. This information consists primarily of messages, but may also include attachments such as calendars, directories, distribution lists, sound recordings, photographs, images, word-processing documents, spreadsheets, and other electronic documents. E-mail is stored in a digital format rather than on paper and is retrievable at a future date.

B. Electronically stored information is information that is fixed in a tangible form and is stored in a medium from which it can be retrieved and examined. It can consist of writings, drawings, graphs, charts, photographs, sound recordings, images, and other data or data compilations stored in any medium from which information can be obtained into useable form.

C. Public Records are any recorded data or information relating to the conduct of the public's business prepared, owned, used, or received by a public agency, whether such data or information is handwritten, typed, tape-recorded, printed, photostated, photographed or recorded by any method.

D. Digital Imaging is the process of converting original records on paper or film into electronic images. The process typically requires a document scanner or digital camera, a computer and software to capture the image, and indexing of the digitized images.

III. E-MAIL CLASSIFICATION

The same record retention policy that applies to paper records applies to electronically stored information, including e-mail communications. Therefore, like paper records, the content and function of an electronic record, including e-mail communications, determines

the retention period for that document. The District will comply with all of the minimum standards set forth in the Municipal Records Retention Schedules, as issued by the Office of the Public Records Administrator for the State of Connecticut.

Further guidance on the retention of e-mail messages sent and received by school officials is provided by classifying e-mails into one of three categories. Retention guidelines for each of these categories are as follows:

Transitory	Transitory messages are not essential to the fulfillment of statutory obligations or to the documentation of District functions. Employees and Board elected officials who receive or retain transitory communications may delete them at will without obtaining prior approval from the Records Custodian.
Less than Permanent	Messages other than transitory messages may fall into the category for less than permanent or permanent retention based on the District records policy. Follow the retention period for equivalent hard copy records as specified in the District's records retention guidelines. The retained record must be in hard copy or in an electronic format which can be retrieved and interpreted for the retention period. When there is doubt over the retrievability of an electronic record during the duration of that record's retention, the record should be printed out. Electronic records falling into the Less than Permanent category may be deleted only after making and retaining a hard copy or after obtaining signed approval from the Office of the Public Records Administrator. Either the hard copy or the electronically stored information must be retained for the minimum retention period as set out in the Municipal Records Retention Schedules.
Permanent	Records must be retained permanently. The electronic record may be deleted after a hard copy printout is made or after it is stored as microfilm that meets microfilm standards issued in General Letter 96-2 of the Public Records Administrator. The retained information must be readable without further decoding.

IV. DIGITAL IMAGING OF PAPER/HARD COPY RECORDS

Paper records may be digitized and maintained as electronic records pursuant to the following guidelines.

Permanent	If records are to be retained permanently or have been designated as archival, they may be digitally scanned and retained in an electronic format, but security copies of the records must be retained in a "human-readable" format, such as paper or microfilm. The Records Custodian must first verify

with the Office of the Public Records Administrator for approval of the security copy storage format.

Less than Permanent	These records may be transferred to a digital imaging format with disposal of the original, paper records. To dispose of the original records following their digital imaging, the Records Custodian must first obtain prior authorization from the Public Records Administrator and State Archivist (using Form RC-075.1, available from the Office of the Public Records Administrator). Following destruction of the original records, the Records Custodian must document that the paper records were destroyed lawfully.

All digitized images of records must be indexed to ensure their proper identification and later retrieval. A backup copy of the digital images shall be stored in a location that is geographically separate from the location where the original digital images are stored. As with paper records, digital images of records shall be retained for the minimum retention period as specified for the records retention scheduled currently in effect. Should Cloud Storage be utilized for the storage of digital images or electronic information, the service agreement with the provider must contain a provision that ensures any data or records remain the legal property of the Board of Education.

To dispose of digital images once the minimum retention period has expired, the Records Custodian shall obtain prior authorization from the Public Records Administrator and State Archivist. Digital images must be destroyed in a manner that ensures that any confidential or sensitive information cannot be practically read or reconstructed. Recorded media that has been used for electronic records containing confidential information shall not be reused.

V. RETENTION OF ELECTRONIC RECORDS

E-mail and electronically stored information will be archived by the District for their required retention period using method(s) approved by the Records Custodian, which may include the following:

1. Print message or record and store in appropriate hard copy file.
2. Place in computer folders and save on hard drive.
3. Save to a removable disk which is then stored in an appropriate location.
4. Transfer to an automated records management software application.
5. Manage at the server by an automated classification system.

The Records Custodian will be responsible for working with the District Systems Administrator to implement a schedule and system for reviewing electronically stored information. This review shall occur at least annually. No system wide process for automatic deletion of electronic information will be implemented without notice to any individual who may have such information and each such individual will verify that they

have reviewed and archived information that must be retained. Following this review, all e-mails and/or electronically stored information that have not been archived according to District policies and procedures shall be designated for deletion or archiving, and the affected District employees will be notified about the procedures to be followed to implement this process. The Records Custodian or his/her designee shall follow up with notified employees to ensure compliance.

Additionally, the Records Custodian, working with the District Systems Administrator, shall ensure than any process for automatic deletion of electronic information from the system will not delete information stored in folders and/or system locations that have been designated as appropriate for archiving electronically stored information.

Legal References:

Conn. Gen. Stat. §§ 1-200(5); 1-211; 1-213(b)(3)
Conn. Gen. Stat. § 7-109
Conn. Gen. Stat. § 11-8a et seq.
General Letters 98-1, 96-2, 2001-1 and 2009-2 of the Public Records Administrator
Record Retention Schedules Towns, Municipalities and Boards of Education
Public Records Policy 02: Digital Imaging
Office of Public Records Administrator: Digital Imaging Standards, 2014

ADOPTED:_____

Rational for New Policy:

P3524.2 POLICY REGARDING GREEN CLEANING PROGRAMS

This is a new policy.

POLICY REGARDING GREEN CLEANING PROGRAMS

It is the policy of the Windsor Board of Education to implement a green cleaning program in which the Board procures and properly uses environmentally preferable cleaning products in school buildings and facilities.

The Windsor Board of Education shall provide the staff of each school and, upon request, the parents and guardians of each child enrolled in each school with a written statement of the school district's green cleaning program. Such notice shall include (1) the types and names of environmentally preferable cleaning products being applied in schools, (2) the location of the application of such cleaning products in the school buildings and facilities, (3) the schedule of when such cleaning products are applied in the school buildings and facilities, (4) the statement, "No parent, guardian, teacher or staff member may bring into the school facility any consumer product which is intended to clean, deodorize, sanitize or disinfect." and (5) the name of the school administrator, or a designee, who may be contacted for further information. Such notice shall be provided to the parents or guardians of any child who transfers to a school during the school year and to staff hired during the school year.

The Windsor Board of Education shall make such notice, as well as the report submitted to the Department of Education pursuant to subsection (a) of section 10-220 of the Connecticut General Statutes (i.e. required report on condition of facilities, action taken to implement the Board's long-term school building program, indoor air quality and green cleaning program), available on its web site and the web site of each school under such board's jurisdiction. If no such web site exists, the board shall make such notice otherwise publicly available.

Legal References:

Connecticut General Statutes:

§ 10-220(a)
§ 10-231g

ADOPTED:_____
REVISED:_____

Rational for New Policy:

P 4111.3 PLAN FOR STAFF OF COLOR RECRUITMENT

This is a new policy includes Public Act 16-41, An Act Concerning the Recommendations of the Minority Teacher Recruitment Task Force, includes requirements for the state universities to develop programming for 11th and 12th grade students.

PLAN FOR STAFF OF COLOR RECRUITMENT

In accordance with Sections 10-4a(3) and Section 10-220(a) of the Connecticut General Statutes, the Board of Education has developed the following written plan for minority staff recruitment:

1. All recruiting sources will be informed in writing of the Board's non-discrimination policy.

2. The Board will develop contacts with local training and educational institutions, including those with high enrollment of students of color, to publicize job openings within the school district and to solicit referrals of qualified candidates of color.

3. The Board will develop contacts with local community organizations who work with people of color to publicize job openings within the school district and to solicit referrals of qualified candidates.

4. The Board will maintain, or expand, as appropriate, its postings advertising to include print, online and social media that is focused towards people of color.

5. The Board will participate in job fairs, including those that are sponsored by community organizations or otherwise targeted toward people of color.

6. The Board, or its designee, will maintain records documenting all actions taken pursuant to this plan, including correspondence with recruitment agencies and other referral sources, job fair brochures and advertising copy.

7. The Board will review on an annual basis the effectiveness of this plan in increasing educators of color and attracting qualified candidates for employment.

Legal References:

Connecticut General Statutes §10-4a (3)
Connecticut General Statutes §10-220(a)
Public Act 16-41, An Act Concerning the Recommendations of the Minority Teacher Recruitment Task Force.

ADOPTED:_____

Rational for New Policy and Regulation:

P/AR 4118.4 POLICY REGARDING EMPLOYEE USE OF THE DISTRICT'S COMPUTER SYSTEMS AND ELECTRONIC COMMUNICATIONS

This is a new policy and administrative regulation.

POLICY REGARDING EMPLOYEE USE OF THE DISTRICT'S COMPUTER SYSTEMS AND ELECTRONIC COMMUNICATIONS

Computers, computer networks, electronic devices, Internet access, and e-mail are effective and important technological resources. The Board of Education provides computers, a computer network, including Internet access and an e-mail system, and other electronic devices that access the network such as wireless and/or portable electronic hand-held equipment that can be used for word processing, wireless Internet access, image capture and recording, sound recording, information transmitting and/or receiving, storing, etc. (including, but not limited to, personal laptops, Smartphones, network access devices, Kindles, Nooks, cellular telephones, radios, CD players, iPads or other tablet computers, walkie-talkies, Blackberries, personal data assistants, iPhones, Androids and other electronic signaling devices) (referred to collectively as "the computer systems"), in order to enhance both the educational opportunities for our students and the business operations of the district.

These computer systems are business and educational tools. As such, they are made available to Board employees for business and education related uses. The Administration shall develop regulations setting forth procedures to be used by the Administration in an effort to ensure that such computer systems are used for appropriate business and education related purposes.

In accordance with applicable laws and the Administrative Regulations associated with this Policy, the system administrator and others managing the computer systems may access email or monitor activity on the computer system or electronic devices accessing the computer systems at any time and for any reason or no reason. Typical examples include when there is reason to suspect inappropriate conduct or there is a problem with the computer systems needing correction. Further, the system administrator and others managing the computer systems can access or monitor activity on the systems despite the use of passwords by individual users, and can bypass such passwords. In addition, review of emails, messages or information stored on the computer systems, which can be forensically retrieved, includes those messages and/or electronic data sent, posted and/or retrieved using social networking sites, including, but not limited to, Twitter, Facebook, LinkedIn, YouTube, and MySpace.

Incidental personal use of the computer systems may be permitted solely for the purpose of e-mail transmissions and access to the Internet on a limited, occasional basis. Such incidental personal use of the computer systems, however, is subject to all rules, including monitoring of all such use, as the Superintendent may establish through regulation. Moreover, any such incidental personal use shall not interfere in any manner with work responsibilities.

Users should not have any expectation of personal privacy in the use of the computer system or other electronic devices that access the computer system. Use of the computer system represents an employee's acknowledgement that the employee has read and understands this policy and any applicable regulations in their entirety, including the provisions regarding monitoring and review of computer activity.

Legal References:

Conn. Gen. Stat. § 31-40x
Conn. Gen. Stat. § 31-48d
Conn. Gen. Stat. §§ 53a-182; 53a-183; 53a-250

Electronic Communication Privacy Act, 18 U.S.C. §§ 2510 through 2520

ADOPTED:_____
REVISED:_____

8/1/16

ADMINISTRATIVE REGULATIONS REGARDING EMPLOYEE USE OF THE DISTRICT'S COMPUTER SYSTEMS AND ELECTRONIC COMMUNICATIONS

Introduction

Computers, computer networks, electronic devices, Internet access, and electronic mail are effective and important technological resources. The Board of Education has installed computers, a computer network, including Internet access and an e-mail system, and may provide electronic devices that access the system, such as personal laptops, Smartphones, I-Pads or other tablet computers, I-Phones, Androids or other mobile or handheld electronic devices, to enhance the educational and business operations of the district. In these regulations, the computers, computer network, electronic devices, Internet access and e-mail system are referred to collectively as "the computer systems."

These computer systems are business and educational tools. As such, they are being made available to employees of the district for district-related educational and business purposes. *All users of the computer systems must restrict themselves to appropriate district-related educational and business purposes.* Incidental personal use of the computer systems may be permitted solely for the purpose of e-mail transmissions and similar communications, including access to the Internet on a limited, occasional basis. Such incidental personal use of the computer systems is subject to all rules, including monitoring of all such use, set out in these regulations. Moreover, any such incidental personal use shall not interfere in any manner with work responsibilities.

These computer systems are expensive to install, own and maintain. Unfortunately, these computer systems can be misused in a variety of ways, some of which are innocent and others deliberate. Therefore, in order to maximize the benefits of these technologies to the district, our employees and all our students, this regulation shall govern *all* use of these computer systems.

Monitoring

It is important for all users of these computer systems to understand that the Board of Education, as the owner of the computer systems, reserves the right to monitor the use of the computer systems to ensure that they are being used in accordance with these regulations. The Board of Education intends to monitor in a limited fashion, but will do so as needed to ensure that the systems are being used appropriately for district-related educational and business purposes and to maximize utilization of the systems for such business and educational purposes. The Superintendent reserves the right to eliminate personal use of the district's computer systems by any or all employees at any time.

The system administrator and others managing the computer systems may access email or monitor activity on the computer system or electronic devices accessing the computer systems at any time and for any reason or no reason. Typical examples include when there is reason to suspect inappropriate conduct or there is a problem with the computer systems needing correction. Further, the system administrator and others managing the computer systems can access or monitor activity on the systems despite the use of passwords by individual users, and can bypass such passwords. In addition, review of emails, messages or information stored on the computer systems, which can be forensically retrieved, includes those messages and/or electronic data sent, posted and/or retrieved using social networking sites, including, but not limited to, Twitter, Facebook, LinkedIn, YouTube, and MySpace.

Notwithstanding the above and in accordance with state law, the Board may not: (1) request or require that an employee provide the Board with a user name and password, password or any other authentication means for accessing a personal online account; (2) request or require that an employee authenticate or access a personal online account in the presence of the Board; or (3) require that an employee invite a supervisor employed by the Board or accept an invitation from a supervisor employed by the Board to join a group affiliated with any personal online account of the employee. However, the Board may request or require that an employee provide the Board with a user name and password, password or any other authentication means for accessing (1) any account or service provided by Board or by virtue of the employee's employment relationship with the Board or that the employee uses for the Board's business purposes, or (2) any electronic communications device supplied or paid for, in whole or in part, by the Board.

In accordance with applicable law, the Board maintains the right to require an employee to allow the Board to access his or her personal online account, without disclosing the user name and password, password or other authentication means for accessing such personal online account, for the purpose of:

(A) Conducting an investigation for the purpose of ensuring compliance with applicable state or federal laws, regulatory requirements or prohibitions against work-related employee misconduct based on the receipt of specific information about activity on an employee's personal online account; or

(B) Conducting an investigation based on the receipt of specific information about an employee's unauthorized transfer of the Board's proprietary information, confidential information or financial data to or from a personal online account operated by an employee or other source.

For purposes of these Administrative Regulations, "personal online account" means any online account that is used by an employee exclusively for personal purposes and unrelated to any business purpose of the Board, including, but not limited to, electronic mail, social media and retail-based Internet web sites. "Personal online account" does not include any account created, maintained, used or accessed by an employee for a business purpose of the Board.

Why Monitor?

The computer systems are expensive for the Board to install, operate and maintain. For that reason alone it is necessary to prevent misuse of the computer systems. However, there are other equally important reasons why the Board intends to monitor the use of these computer systems, reasons that support its efforts to maintain a comfortable and pleasant work environment for all employees.

These computer systems can be used for improper, and even illegal, purposes. Experience by other operators of such computer systems has shown that they can be used for such wrongful purposes as sexual harassment, intimidation of co-workers, threatening of co-workers, breaches of confidentiality, copyright infringement and the like.

Monitoring will also allow the Board to continually reassess the utility of the computer systems, and whenever appropriate, make such changes to the computer systems as it deems fit. Thus, the Board monitoring should serve to increase the value of the system to the district on an ongoing basis.

Privacy Issues

Employees must understand that the Board has reserved the right to conduct monitoring of these computer systems and can do so *despite* the assignment to individual employees of passwords for system security. Any password systems implemented by the district are designed solely to provide system security from unauthorized users, not to provide privacy to the individual system user.

The system's security aspects, message delete function and personal passwords can be bypassed for monitoring purposes.

Therefore, *employees must be aware that they should not have any expectation of personal privacy in the use of these computer systems.* This provision applies to any and all uses of the district's computer systems and electronic devices that access same, including any incidental personal use permitted in accordance with these regulations.

Use of the computer system represents an employee's acknowledgement that the employee has read and understands these regulations and any applicable policy in their entirety, including the provisions regarding monitoring and review of computer activity.

Prohibited Uses

Inappropriate use of district computer systems is expressly prohibited, including, but not limited to, the following:

- Sending any form of solicitation not directly related to the business of the Board of Education;

- Sending any form of slanderous, harassing, threatening, or intimidating message, at any time, to any person (such communications *may* also be a *crime*);

- Gaining or seeking to gain unauthorized access to computer systems;

- Downloading or modifying computer software of the district in violation of the district's licensure agreement(s) and/or without authorization from supervisory personnel;

- Sending any message that breaches the Board of Education's confidentiality requirements, including the confidentiality rights of students;

- Sending any copyrighted material over the system;

- Sending messages for any purpose prohibited by law;

- Transmission or receipt of inappropriate e-mail communications or accessing inappropriate information on the Internet, including vulgar, lewd or obscene words or pictures;

- Using computer systems for any purposes, or in any manner, other than those permitted under these regulations;

- Using social networking sites such as Facebook, Twitter, MySpace and LinkedIn in a manner that violates the Board's Social Networking policy.

In addition, if a particular behavior or activity is generally prohibited by law and/or Board of Education policy, use of these computer systems for the purpose of carrying out such activity and/or behavior is also prohibited.

Electronic Communications

The Board expects that all employees will comply with all applicable Board policies and standards of professional conduct when engaging in any form of electronic communication, including texting, using the district's computer system, or through the use of any electronic device or mobile device owned, leased, or used by the Board. As with any form of communication, the Board expects district personnel to exercise caution and appropriate judgment when using electronic communications with students, colleagues and other individuals in the context of fulfilling an employee's job-related responsibilities.

Disciplinary Action

Misuse of these computer systems will not be tolerated and will result in disciplinary action up to and including termination of employment. Because no two situations are identical, the Board reserves the right to determine the appropriate discipline for any particular set of circumstances.

Complaints of Problems or Misuse

Anyone who is aware of problems with or misuse of these computer systems, or has a question regarding the appropriate use of the computer systems, should report this to his or her supervisor or to Director of Information, Technology and CATE.

Most importantly, the Board urges *any* employee who receives *any* harassing, threatening, intimidating or other improper message through the computer systems to report this immediately. It is the Board's policy that no employee should be required to tolerate such treatment, regardless of the identity of the sender of the message. *Please report these events!*

Implementation

This regulation is effective as of 12/5/16.

Legal References:

Conn. Gen. Stat. § 31-40x
Conn. Gen. Stat. § 31-48d
Conn. Gen. Stat. §§ 53a-182; 53a-183; 53a-250

Electronic Communication Privacy Act, 18 U.S.C. §§ 2510 through 2520

8/1/16

Rational for Revised Policy and Administrative Regulation:

P/AR 4118.5 SOCIAL MEDIA

This policy was revised to reflect changes in the law required by Public Act 15-6, "An Act Concerning Employee Online Privacy," codified in Connecticut General Statutes § 31-40x. Among several other provisions, this new law prohibits employers from requiring employees or prospective employees to provide login and password information for personal online accounts and protects employees and prospective employees from retaliation for not providing such information to their employers. This policy has also been updated to include minor revisions throughout, including provisions for new types of technology. Additionally, the policy was revised to include an optional section on crowd-funding activities.

SOCIAL MEDIA

The Board of Education recognizes the importance and utility of social media and networks for its employees. The laws regarding social media continue to evolve and change. Nothing in this policy is intended to limit an employee's right to use social media **or personal online accounts** under applicable law, as it may evolve. The Board acknowledges, for example, that its employees have the right under the First Amendment, in certain circumstances, to speak out on matters of public concern. The Board will resolve any conflict between this policy and applicable law in favor of the law.

Ordinarily, the use of social media by employees, including employees' **use of** personal ~~use of social media~~ **online accounts**, will not be a legal or policy issue. While a policy cannot address every instance of inappropriate social media use, employees must refrain from social media use that:

1) interferes, disrupts or undermines the effective operation of the school district;
2) is used to engage in harassing, defamatory, obscene, abusive, discriminatory or threatening or similarly inappropriate communications;
3) creates a hostile work environment;
4) breaches confidentiality obligations of school district employees; or
5) violates the law, board policies and/or other school rules and regulations.

The Board of Education, through its Superintendent, will adopt and maintain administrative regulations to implement this policy.

Legal References:

U.S. Constitution, Amend. I

Conn. Constitution, Article I, Sections 3, 4, 14

Conn. Gen. Stat. § 31-40x
Conn. Gen. Stat. § 31-48d
Conn. Gen. Stat. § 31-51q
Conn. Gen. Stat. §§ 53a-182; 53a-183; 53a-250
Electronic Communication Privacy Act, 28 U.S.C. §§ 2510 through 2520

ADOPTED: 9/21/10
REVISED: 1/14/14

Windsor Public Schools
Windsor, CT 06095

ADMINISTRATIVE REGULATIONS REGARDING USE OF SOCIAL MEDIA

The Board of Education recognizes the importance and utility of social media and networks for its employees. The laws regarding social media continue to evolve and change. Nothing in the Board's policy or these administrative regulations is intended to limit an employee's right to use social media **or personal online accounts** under applicable law, as it may evolve. The Board acknowledges, for example, that its employees have the right under the First Amendment, in certain circumstances, to speak out on matters of public concern. The Board will resolve any conflict between the Board's policy or these regulations and applicable law in favor of the law.

Ordinarily, the use of social media by employees, including employees' personal ~~use of social media~~ **online accounts**, will not be a legal or policy issue. While a policy or regulation cannot address every instance of inappropriate social media use, employees must refrain from social media use that:

1) interferes, disrupts or undermines the effective operation of the school district;
2) is used to engage in harassing, defamatory, obscene, abusive, discriminatory or threatening or similarly inappropriate communications;
3) creates a hostile work environment;
4) breaches confidentiality obligations of school district employees; or
5) violates the law, board policies and/or other school rules and regulations.

Definitions:

The rapid speed at which technology continuously evolves makes it difficult, if not impossible, to identify all types of social media.

Thus, the term Social Media includes a variety of online tools and services that allow users to publish content and interact with their audiences. By way of example, social media includes the following websites or applications, including an employee's personal online account using such social media:

(1) social-networking ~~sites (i.e.~~g. Facebook, LinkedIn, Google+, Classmates.com);
(2) blogs and micro-blogs (~~i.e.~~g. Twitter, Tumblr, Medium);
(3) content-sharing ~~sites (i.e.~~g. Scribd, SlideShare, DropBox); ~~and~~
(4) imagesharing ~~and~~, videosharing ~~sites (i.~~or livestreaming (e.g. Snapchat, Periscope, Flickr, YouTube, Instagram, Vine, Pinterest);
(5) other sharing sites or apps such as by sound, location, news, or messaging, etc. (e.g. Reddit, Kik, Yik Yak, SoundCloud, WhatsApp).

Board of Education includes all names, logos, buildings, images and entities under the authority of the Board of Education.

Electronic communications device includes any electronic device that is capable of transmitting, accepting or processing data, including, but not limited to, a computer, computer network and computer system, and a cellular or wireless telephone.

Personal online account includes any online account that is used by an employee exclusively for personal purposes and unrelated to any business purpose of the Board, including, but not limited to electronic mail, social media and retail-based Internet websites. Personal Online Account does not include any account created, maintained, used or accessed by an employee for a business, educational or instructional purpose of the Board.

Rules Concerning District-Sponsored Social Media Activity

1. In order for an employee to use social media sites as an educational tool or in relation to extracurricular activities or programs of the school district, the employee must seek and obtain the prior permission of his/her supervisor **and the Director of Technology.**

2. Employees may not use personal online accounts to access social media for classroom activities without express permission of the employee's supervisor **and the Director of Technology.** . Where appropriate and with permission, district-sponsored social media accounts should be used for such purposes.

3. If an employee wishes to use social media sites to communicate meetings, activities, games, responsibilities, announcements etc., for a school-based club or a school-based activity or an official school-based organization, or an official sports team, the employee must also comply with the following rules:

    - The employee must receive the permission of his/her supervisor **and the Director of Technology.**
    - The employee must not use his/her personal online account for such purpose, but shall use his/her Board-issued account.
    - The employee must ensure that such social media use is compliant with all Board of Education policies, regulations, and applicable state and federal law, including the provision of required legal notices and permission slips to parents.

    d. Parents shall be permitted to access any page that their child has been invited to join.
    e. Access to the page may only be permitted for educational purposes related to the club, activity, organization or team.
    f. The employee responsible for the page will monitor it regularly.
    g. The employee's supervisor **and the Director of Technology** shall be permitted access to any page established by the employee for a school-related purpose.
    h. Employees are required to maintain appropriate professional boundaries in the establishment and maintenance of all such district-sponsored social media activity.

~~3.~~4. Employees are ~~required to refrain~~prohibited from making harassing, defamatory, obscene, abusive, discriminatory or threatening or similarly inappropriate statements

in their social media communications ~~on~~using district-sponsored sites or accounts or through Board-issued electronic accounts.

~~4.~~5. Employees are required to comply with all Board of Education policies and procedures and all applicable laws with respect to the use of ~~computer equipment~~electronic communications devices, networks, Board-issued accounts, or ~~devices~~ when accessing district-sponsored social media sites or while using personal devices on the district's wireless network or while accessing district servers.

~~5.~~6. The Board of Education reserves the right to monitor all employee use of district computers and other electronic devices, including employee blogging and social networking activity. An employee should have no expectation of personal privacy in any communication made through social media, including personal online accounts, while using district ~~computers, cellular telephones or other data~~electronic communications devices.

~~6.~~7. All communications through district-sponsored social media or Board-issued electronic accounts must comply with the Board of Education's policies concerning confidentiality, including the confidentiality of student information. If an employee is considering sharing information and is unsure about the confidential nature of the information, the employee shall consult with his/her supervisor prior to communicating such information.

~~7.~~8. An employee may not link a district-sponsored social media page to any personal ~~social media sites~~online account or sites not sponsored by the school district.

~~8.~~9. An employee may not use district-sponsored social media or Board-issued electronic accounts for communications for private financial gain, political, commercial, advertisement, proselytizing or solicitation purposes.

~~9.~~10. An employee may not use district-sponsored social media ~~communications~~or Board-issued electronic accounts in a manner that misrepresents personal views as those of the Board of Education, individual school or school district, or in a manner that could be construed as such.

Rules Concerning Personal ~~Social Media Activity~~Online Accounts

1. The Board understands that employees utilize social media and the web for personal matters in the workplace. The Board of Education reserves the right to monitor all employee use of district ~~computers and other~~ electronic communications devices, including a review of ~~employee blogging~~online and personal social media ~~activity~~activities. An employee should have no expectation of personal privacy in any personal communication made through social media while using district computers, district-issued cellular telephones or other electronic ~~data~~communications devices. While the Board reserves the right to monitor use of its ~~computer systems~~electronic communications devices, employees may engage in incidental personal use of social media in the workplace so long as such use does not interfere with operations and productivity, and does not violate other Board policies.

2. An employee may not mention, discuss ~~or~~, reference or link to the Board of Education, the school district or its individual schools, programs or teams ~~on~~using personal ~~social networking~~online accounts or other sites or applications in a manner that could reasonably be construed as an official school district communication, unless the employee also states within the communication that such communication is the personal view of the employee of the school district and that the views expressed are the employee's alone and do not represent the views of the school district or the Board of Education. An example of such a disclaimer is: "the opinions and views expressed are those of the author and do not necessarily represent the position or opinion of the school district or Board of Education." For example, except as may be permitted by Board policy, employees may not provide job references for other individuals on social media that indicate that such references are made in an official capacity on behalf of the Board of Education.

3. Employees are required to maintain appropriate professional boundaries with students, parents, and colleagues. For example, absent an unrelated online relationship (e.g., relative, family friend, or personal friendship unrelated to school), it is not appropriate for a teacher or administrator to "friend" a student or his/her parent or guardian or otherwise establish special relationships with selected students through personal ~~social media~~online accounts, and it is not appropriate for an employee to give students or parents access to personal postings unrelated to school.

4. In accordance with the public trust doctrine, employees are advised to refrain from engaging in harassing, defamatory, obscene, abusive, discriminatory or threatening or similarly inappropriate communications through personal ~~social media~~online accounts. Such communications reflect poorly on the school district's reputation, can affect the educational process and may substantially and materially interfere with an employee's ability to fulfill his/her professional responsibilities.

5. Employees are individually responsible for their personal communications through ~~personal~~ social media and personal online accounts. Employees may be sued by other employees, parents or others, and any individual that views an employee's communication through ~~personal~~ social media and personal online accounts as defamatory, pornographic, proprietary, harassing, libelous or creating a hostile work environment. In addition, employees should consider refraining from posting anything that belongs to another person or entity, such as copyrighted publications or trademarked images. As all of these activities are outside the scope of employment, employees may be personally liable for such claims.

6. Employees are required to comply with all Board of Education policies and procedures with respect to the use of ~~computer equipment, networks or~~ electronic communications devices when accessing personal online accounts and/or social media ~~sites~~ through district computer systems. Any access to personal online accounts and/or personal social media activities while on school property or using school district equipment must comply with those policies, and may not interfere with an employee's duties at work.

7. All communications through personal online accounts and/or social media must comply with the Board of Education's policies concerning confidentiality, including the confidentiality of student information. If an employee is considering sharing

information and is unsure about the confidential nature of the information, the employee shall consult with his/her supervisor prior to communicating such information.

8. An employee may not ~~link a personal social media page to the Board of Education's website or the websites of individual schools, programs or teams; or~~ post official Board of Education material ~~on~~using a personal ~~social media site or webpage~~online account without written permission of his/her supervisor.

9. All of the Board of Education's policies and administrative regulations apply to employee use of personal ~~social media~~online accounts in the same way that they apply to conduct that occurs in the workplace and off duty conduct.

Access to Personal Online Accounts

1. An employee may not be required by his/her supervisor to provide his/her username, password, or other means of authentication of a personal online account.

2. An employee may not be required to authenticate or access a personal online account in the presence of his/her supervisor.

3. An employee may not be required to invite or accept an invitation from his/her supervisor or required to join a group with the employee's personal online account.

Use of Crowdfunding Activities

Prior to engaging in any crowdfunding activities (e.g. DonorsChoose, Kickstarter, GoFundMe, etc) for the Board of Education, its schools, classes, or extracurricular teams or clubs, an employee must first apply in writing to the building principal and Director of Information, Technology and CATE and receive approval for the crowdfunding activity. Such written application must include the name of the website or application to be utilized, a full description of the reason for the crowdfunding activity, a copy of the proposed personal profile to be listed on the site/application, and the proposed content to be uploaded to the crowdfunding website or application, including images. Any money received from crowdfunding activities must be deposited directly into a school activity fund and may not first be received by the employee. Crowdfunding activities must comply with all Board of Education policies, regulations and procedures, and shall not include photos of students or the sharing of any confidential student information.

Disciplinary Consequences

Violation of the Board's policy concerning the use of social media or these administrative regulations may lead to discipline up to and including the termination of employment consistent with state and federal law.

An employee may face disciplinary action up to and including termination of employment if an employee transmits, without the Board's permission, confidential information to or from the employee's personal online account.

An employee may not be disciplined for failing to provide his/her username, password, or other authentication means for accessing a personal online account, failing to authenticate or access a personal online account in the presence of his/her supervisor or failing to invite his/her supervisor or refusing to accept an invitation sent by his/her supervisor to join a group affiliated with a personal online account, except as provided herein.

Notwithstanding, the Board may require that an employee provide his/her username, password or other means of accessing or authenticating a personal online account for purposes of accessing any account or service provided by the Board for business purposes or any electronic communications device supplied by or paid for, in whole or in part, by the Board.

Nothing in this policy or regulations shall prevent the district from conducting an investigation for the purpose of ensuring compliance with applicable state or federal laws, regulatory requirements or prohibitions against work-related employee misconduct based on the receipt of specific information about an activity on an employee's personal online account or based on specific information about the transfer of confidential information to or from an employee's personal online account. During the course of such investigation, the district may require an employee to allow the district to access his or her personal online account for the purpose of conducting such investigation. However, the employee will not be required to provide his/her username and/or password or other authentication means in order for the district to access the personal online account.

Legal References:

U.S. Constitution, Amend. I

Conn. Constitution, Article I, Sections 3, 4, 14

Conn. Gen. Stat. § 31-40x
Conn. Gen. Stat. § 31-48d
Conn. Gen. Stat. § 31-51q
Conn. Gen. Stat. §§ 53a-182; 53a-183; 53a-250
Electronic Communication Privacy Act, 28 U.S.C. §§ 2510 through 2520

Administrative Regulation approved: ~~January 14, 2014~~

Craig A. Cooke, Ph.D.
Superintendent of Schools

Windsor Public Schools
Windsor, CT 06095

Rational for Revised Regulation:

AR 4311.2 FAMILY AND MEDICAL LEAVE

While there were no legislative changes impacting this policy this year, we have revised this regulation slightly in two regards. The reference to same sex marriages has been removed in light of recent Supreme Court cases and federal law recognizing marriage equality. Additionally, we revised the legal reference to the Genetic Information Nondiscrimination Act of 2008 (GINA).

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 ("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 **of** ~~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 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:

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~~ **29** CFR ~~1635~~ **1635.1 et seq.**

Administrative Regulation revised: March 17, 2015
Administrative Regulation approved: January 6, 2014

Craig Cooke, Ph.D.
Superintendent of Schools

Windsor Public Schools
Windsor, CT 06095

Rational for Revised Policy:

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

We have revised this policy to reflect the transition of the Division of Autism Spectrum Disorders from the Department of Developmental Services (DDS) to the Department of Social Services (DSS). This agency restructuring was included in Public Act 16-3, "An Act Concerning Revenue and Other Items to Implement the Budget for the Biennium Ending June 30, 2017." The movement of this department to a new agency does not otherwise substantively affect this policy.

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~~Social Services' ("~~DDS~~DSS") 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~~DSS' Division of Autism Spectrum ~~Disorders~~Disorder 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~~DSS' 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~~DSS' 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~~DSS' 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~~DSS' 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~~DSS' 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~~DSS' 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~~DSS' 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"~~16-3, "An Act Concerning Revenue and Other Items to Implement the Budget for the Biennium Ending June 30, 2017"

Policy Adopted: ~~March 17, 2015~~

Windsor Public Schools
Windsor, CT

Rational for Revised Policy:

P 5141.231 PSYCHOTROPIC DRUG USE

This policy has been updated.

~~PSYCHOTROPIC DRUG USE~~ PROHIBITION ON RECOMMENDATIONS FOR PSYCHOTROPIC DRUGS

In accordance with Conn. Gen. Stat. § 10-212b, the Board of Education prohibits school personnel from recommending the use of psychotropic drugs for any child. Moreover, personnel may not require that a child obtain a prescription for a controlled substance (as defined in the Controlled Substances Act, 21 U.S.C. § 801 et seq.) in order for the child to: 1) attend school; 2) receive an initial evaluation or reevaluation to determine a child's eligibility for special education; or 3) receive special education and related services. Notwithstanding the foregoing, school health or mental health personnel may recommend that a child be evaluated by an appropriate medical practitioner and school personnel may consult with such practitioner with the consent of the parents or guardian of such child, in accordance with the procedures outlined below.

~~In conformity with state statute, the Board of Education prohibits all school personnel from recommending the use of psychotropic drugs for any student enrolled within the school system. Members of the school medical staff, including school nurses and the district's medical advisor, may recommend that a student be evaluated by an appropriate medical practitioner. Further, upon the consent of the student's parents or guardian, school personnel may consult with the medical practitioner regarding such use. Nothing in this policy shall be construed to prohibit discussion of medical evaluation by Planning and Placement teams or 504 meetings, or of appropriate staff providing data, at the request of the student's guardian, to the child's medical practitioners.~~

~~The Board recognizes the right of a parent or other person having control of a child to refuse to administer or consent to the administration of any psychotropic drug to the child. Therefore, this referral shall not be the sole basis for district staff to file a report of neglect or abuse with the Department of Children and Families.~~

~~The Superintendent of Schools or his/her designee shall promulgate this policy to district staff and parents/guardians of students annually and upon the registration of new students.~~

~~(cf.5141.4 Reporting of Child Abuse and Neglect)~~

~~Legal Reference: Connecticut General Statutes~~

~~P.A. 01-124: An Act Concerning Recommendations for and Refusals of The use of Psychotropic Drugs by Children and Utilization Review Determinations Related to Mental and Nervous Conditions.~~

I. Definitions

For purposes of this policy, the following definitions apply:

A. Psychotropic drugs means prescription medications for behavioral or social-emotional concerns, such as attentional deficits, impulsivity, anxiety, depression and thought disorders, and includes, but is not limited to, stimulant medication and antidepressants.

B. Recommend means to directly or indirectly suggest that a child should use psychotropic drugs.

C. School health or mental health personnel means:

1. school nurses or nurse practitioners appointed pursuant to Conn. Gen. Stat. § 10-212;

2. school medical advisors appointed pursuant to Conn. Gen. Stat. § 10-205;

3. school psychologists;

4. school social workers;

5. school counselors;

6. school administrators;

7. other school personnel (such as a teacher designated as a child's Case Manager) who have been identified by a Planning and Placement Team, Section 504 team, Student Assistance Team or similar group of district professionals as the person responsible for communication with a parent or guardian about a child's need for medical evaluation;

8. a school professional staff member designated by the Superintendent to communicate with a child's parent or guardian about a child's need for medical evaluation.

II. Procedures

A. A school health or mental health personnel, as defined above, may communicate with other school personnel about a child who may require a recommendation for a medical evaluation, provided that 1) there is a legitimate educational interest in sharing such information; and 2) such communication shall remain confidential, to the extent required by law.

B. A school health or mental health personnel, as defined above, may communicate a recommendation to a parent or guardian that a child be evaluated by a medical practitioner provided that 1) based on such person's professional experience, objective factors indicate that a medical evaluation may be necessary to address concerns relating to the child's education and overall mental health; and 2) any communication includes the basis for the recommendation.

C. If a parent or guardian determines that it is necessary to share medical information, including results of any medical evaluation, with school personnel, he or she may do so at any time. School personnel who receive such information directly from a parent must maintain the confidentiality of such information, to the extent required by law.

D. Any school personnel with a legitimate educational interest in obtaining information from a child's medical practitioner outside the school who is not a school employee must obtain prior, written consent from the child's parent or guardian to communicate with such outside medical practitioners. Any school health or mental health personnel, as defined above, may request written consent from the parent or guardian. To be valid, the written consent must: 1) be signed by the child's parent or guardian; 2) be dated; 3) provide the child's name; 4) provide the name of the medical practitioner and relevant contact information, to the extent known; and 5) indicate the scope of the consent.

Nothing in this policy shall be construed to prevent school personnel from consulting with a medical practitioner who has information concerning a child, as long as the school district has obtained consent from the parent(s) or guardian(s) of the child, in accordance with Section II.D., above. Nothing in this policy shall prevent a Planning and Placement Team from recommending a medical evaluation as part of an initial evaluation or reevaluation, as needed to determine a child's (i) eligibility for special education and related services, or (ii) educational needs for an individualized education program.

Legal References:

Conn. Gen. Stat. 10-76d
Conn. Gen. Stat. § 10-212b

34 C.F.R. § 300.174. Prohibition on mandatory medication

Policy adopted: ~~April 24, 2007~~

Rational for Revised Policy:

P 5145.1 STUDENT PRIVACY

We have revised this policy to bring it up-to-date with current federal law.

STUDENT PRIVACY

~~**Releasing Names of Students**~~

~~A. Names of students shall not be released to any person or organization not directly connected with the Windsor Public Schools~~

~~B. The purpose of this policy is to prevent the possible exploitation of students attending the Windsor Public Schools.~~

~~C. Notwithstanding the foregoing, military recruiters or institutions of higher learning that have requested the names, addresses and telephone numbers of secondary school students shall be provided such directory information unless parental consent is denied. Parents shall be notified of their right to opt out of having such directory information disclosed upon their child's entry into the high school.~~

~~(cf 5125 Student Records; Confidentiality)~~

~~Policy adopted: October 21, 2008~~

In accordance with federal law, the Board of Education adopts, in consultation with parents, the following provisions related to student privacy.

I. Definitions

A. *"Invasive physical examination"* means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.

B. *"Parent"* includes a legal guardian or other person standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child).

C. *"Personally identifiable information"* includes, but is not limited to,

1. the student's name;

2. the name of the student's parent or other family members;

3. the address of the student or student's family;

4. a personal identifier, such as the student's social security number, student number, or biometric record;

5. other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or

6. information requested by a person who the educational agency or institution reasonably believes knows the identity of the student to whom the education record relates.

D. *"Personal information"* means individually identifiable information including—

1. a student's or parent's first and last name;

2. a home or other physical address (including a street name and the name of a city or town);

3. a telephone number; or

4. a Social Security identification number.

E. *"Survey"* includes an evaluation, but does not include a survey or evaluation administered to a student in accordance with the Individuals with Disabilities Education Act (20 U.S.C. § 1400 et seq.).

II. Student Surveys

A. Surveys Funded in Whole or in Part by the U.S. Department of Education:

1. The administration shall make available for inspection by parents all instructional materials, including teacher's manuals, films, tapes or other supplementary material which will be used in connection with any survey, analysis, or evaluation funded in whole or in part by the U.S. Department of Education.

2. The administration shall obtain the prior written consent of the parent or student (if the student is an adult or an emancipated minor), prior to requiring a student to submit to a survey, analysis, or evaluation funded in whole or part by the U.S. Department of Education that reveals information concerning any of the following topics:

a. political affiliations or beliefs of the student or the student's parent;

b. mental or psychological problems of the student or the student's parent;

c. sex behavior or attitudes;

d. illegal, anti-social, self-incriminating, or demeaning behavior;

e. critical appraisals of other individuals with whom respondents have close family relationships;

f. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;

g. religious practices, affiliations, or beliefs of the student or of the student's parent; or

h. income (other than that required by law to determine eligibility in a program or for receiving financial assistance under such program).

B. Surveys Funded by Sources Other than the U.S. Department of Education:

1. Third Party Surveys

a. Prior to distributing any third party survey, the administration shall give notice to parents of the district's intent to distribute a survey on behalf of a third party.

b. Upon request, the administration shall permit parents to inspect any third party survey before it is administered or distributed by a school to a student. The administration shall grant reasonable access to the survey within a reasonable period of time after a parental request is received.

c. Student responses to third party surveys that contain personally identifiable information shall be considered student records, and shall be subject to the district's Confidentiality and Access to Student Records Policy and any administrative regulations or procedures governing the confidentiality of student records.

2. Confidential Topic Surveys

a. The provisions of this subsection apply to any survey (sponsored by the school district or a third party) which contains questions pertaining to one or more of the following items ("Confidential Topic Surveys"):

i) political affiliations or beliefs of the student or the student's parent,

ii) mental or psychological problems of the student or the student's parent,

iii) sex behavior or attitudes,

iv) illegal, anti-social, self-incriminating, or demeaning behavior,

v) critical appraisals of other individuals with whom respondents have close family relationships,

vi) legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers,

vii) religious practices, affiliations, or beliefs of the student or of the student's parent,

viii) income (other than that required by law to determine eligibility in a program or for receiving financial assistance under such program).

b. At the beginning of the school year, the administration shall give direct notice to parents of affected students of the district's intent to distribute a Confidential Topic Survey(s). Such notice shall include the specific or approximate dates during the school year of such distribution.

c. Upon request, the administration shall permit parents to inspect any Confidential Topic Survey before it is administered, distributed or used by a school to or with a student. The administration shall grant reasonable access to the Confidential Topic Survey within a reasonable period of time after a parental request is received.

d. Student responses to any Confidential Topic Survey that contains personally identifiable information shall be considered student records, and shall be subject to the district's Confidentiality and Access to Student Records Policy and any administrative regulations or procedures governing the confidentiality of student records.

e. Upon written request, the administration shall permit the parent or student (if an adult or emancipated minor) to opt out of participation in any Confidential Topic Survey described in this subparagraph.

III. Collection of Personal Information

A. The provisions of this subsection apply to any instrument designed to collect personal information from a student for the purpose of marketing, selling or otherwise distributing such information or providing that information to others for that purpose.

B. At the beginning of the school year, the administration shall give direct notice to parents of affected students (or to the students aged eighteen (18) or older or emancipated minors) of the district's intent to collect, disclose or use personal information collected from students for the purpose of marketing, selling or otherwise distributing such information or providing that information to others for that purpose. Such notice shall include the specific or approximate dates during the school year of such collection, disclosure or use of personal information.

C. Upon written request, the administration shall permit parents to inspect an instrument designed to collect personal information of students before it is administered or distributed by a school to a student. The administration shall grant reasonable access to the instrument within a reasonable period of time after a parental request is received.

D. Upon written request, the administration shall permit parents (or students aged eighteen (18) or older or emancipated minors) to opt out of participation in the collection, disclosure or use of personal information obtained from students for the purposes of marketing, selling or otherwise distributing the personal information to others for that purpose.

E. The provisions regarding the collection, disclosure and/or use of personal information do not apply to personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following:

1. college or other post-secondary education recruitment, or military recruitment*;

2. book clubs, magazines, and programs providing access to low-cost literary products;

3. curriculum and instructional materials used by elementary schools and secondary schools;

4. tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students;

5. the sale by students of products or services to raise funds for school-related or education-related activities;

6. student recognition programs.

*Note: Notwithstanding the foregoing, the district will permit parents and students over the age of eighteen (18) or emancipated minors to prevent disclosure of secondary school students' names, addresses and telephone numbers to military recruiters and institutions of higher education, in accordance with the district's Confidentiality and Access to Student Records Policy.

IV. **Non-Emergency Invasive Physical Examinations and Screenings**:

A. The provisions described in this subparagraph shall apply to any non-emergency, invasive physical examinations/screenings conducted by the school district, when such examinations/screenings meet the following conditions:

1. they are required as a condition of attendance;

2. they are administered by the school and scheduled by the school in advance;

3. they are not necessary to protect the immediate health and safety of the students; and

4. they are not required by state law.

B. At the beginning of the school year, the administration shall give direct notice to parents of affected students (or the affected student if eighteen (18) or older or an emancipated minor) of the district's intent to conduct non-emergency invasive physical examination(s)/ screening(s) described

above, except for hearing, vision or scoliosis screenings. Such notice shall include the specific or approximate dates during the school year of the administration of such the non-emergency invasive physical examination(s) / screening(s).

C. Upon written request, the administration shall permit parents of affected students or the affected students (if adults or emancipated minors) to opt out of participation in the non-emergency invasive physical examination(s)/screening(s) described in this subparagraph.

V. Complaint Procedure

Parents or students (if adults or emancipated minors) who believe that their rights under this policy have been violated may file a complaint with:

Family Policy Compliance Office
United States Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-8520

Legal References:

Family Educational Rights and Privacy Act (FERPA), codified at 20 U.S.C. § 1232g; 34 CFR Part 99

Protection of Pupil Rights Amendment, Public Law 107-110, § 1061, codified at 20 U.S.C. § 1232h

ADOPTED: _____
REVISED: _____

Rational for Revised Regulation:

P/AR 6143 STUDENT WELLNESS

This policy has been revised to include changes required by the proposed federal rules regarding the Healthy, Hunger-Free Kids Act of 2010, including new suggested goals and guidelines for nutrition education and promotion, physical education, and school food. The policy now includes guidelines on the marketing of food on campus, and provides required updates regarding oversight of the Wellness Policy. The policy has also been revised to reflect the requirements of Public Act 16-37, "An Act Concerning Connecticut's Farm to School Program" and Public Act 16-132, "An Act Concerning a Red Ribbon Pass Program."

STUDENT WELLNESS

The Windsor Public School District is determined to create a healthy environment for our students and staff. With the collaboration of health, physical education, support services and food service staff, we believe that we can educate our community to make healthy and positive choices regarding physical activity and nutrition.

The Windsor Public School District Board of Education recognizes the importance of promoting good student nutrition and a healthy school environment. To this end, the Board authorizes the administration to develop an integrated nutrition program that provides students with the skills and support to adopt healthy eating behaviors.

Additionally, the district shall take the appropriate measures to:

- Implement a comprehensive nutrition / health curriculum,
- Promote healthful student eating habits through the provision of a well-balanced and nutritionally sound school breakfast and lunch program,
- Promote the consumption of appropriate portions of healthy foods and beverages at designated times in classrooms, and
- Encourage increased physical activity for students during and after the school day where appropriate.

Windsor Public Schools will ensure that the nutritional value of the food served during the school day significantly improves upon USDA and State Dietary Guidelines by providing nutritious, fresh, tasty, locally grown food that reflects Windsor Public Schools cultural diversity. The Board of Education encourages staff to utilize food from local farmers based upon availability and acceptability.

Legal References:

Connecticut General Statutes:

§ 10-215f Certification that food meets nutrition standards.
§ 10-221o Lunch periods. Recess.
§ 10-221p Boards to make available for purchase nutritious and low-fat foods.
§ 10-221q Sale of beverages.

Public Act 16-37, *An Act Concerning Connecticut's Farm to School Program*
Public Act 16-132, *An Act Establishing a Red Ribbon Pass Program*

Federal Law

~~Child Nutrition and WIC Reauthorization Act of 2004,~~ Pub. L. 108-265,§ 204 **codified at 42 U.S.C. § 1751**
~~Child Nutrition Act §10(a)-(b), codified at 42 U.S.C. §1799~~

Richard B. Russell National School Lunch Act § 9(f)(1) and § 17(a), codified at 42 U.S.C. § 1758(f)(1) and 42 U.S.C. § 1766, as amended by Pub. L. 111-296, § 204, *Healthy, Hunger-Free Kids Act of 2010.*

20 U.S.C. § 7118, as amended by Pub. L. 114-95, *Every Student Succeeds Act*

Policy Adopted: June 20, 2006

Windsor Public Schools
Windsor, CT

STUDENT WELLNESS

The Windsor Public School District shall undertake the following actions to promote sound nutrition and health practices for students in school consistent with Board policy.

A. The nutrition curriculum will provide comprehensive and sequential nutrition education as part of the wellness curriculum and promote:

- Positive nutritional standards dealing with the healthy lifestyle management, eating disorders, body image, adequate nutrient intake (such as carbohydrates, proteins, fats), and weight management practices;
- Consumer education skills, such as label reading and awareness of the influence of media on food selection, enabling students to evaluate food products; and
- Recommendations from the Nutrition Advisory Committee in developing curriculum.

B. The physical education curriculum will be in compliance with state physical education and health requirements, and in addition will promote:

- The benefits of physical activity, good nutrition and fitness;
- Physical activity in classroom routines, where appropriate;
- Physical education classes with at least 50% of moderate to vigorous activity in all or most lessons;
- Recess games and activities in the K-5 curriculum;
- Rubrics that objectively evaluate active participation in physical education classes, K-12;
- Efforts to provide an indoor backup plan for physical education and recess during inclement weather; and
- Periodic programs to increase the physical activity of and positive nutritional choices for faculty and staff.

C. The Food Service Program will:

- Annually review and recommend to the Superintendent a price structure that encourages healthy choices and maintains the quality of the food service program;
- Ensure that all full day students have a daily lunch period of not less than 20 minutes;
- Provide periodic food promotions to encourage taste testing of healthy new foods being introduced on the menu;
- ~~Conduct student and family food preference surveys to develop and revise school lunch menu items;~~
- Maximize utilization of food service resources, such as nutritional planning, healthy eating promotions, dietitian consultation, etc.;
- Recognize and accommodate individual student's cultural and medical concerns;
- Coordinate participation with local farmers to promote locally grown fruits and vegetables, when feasible;
- Encourage menu choices linked with the nutrition education curriculum by:
    - Promoting pre-cut raw fruit and vegetable offerings,
    - Limiting high fat choices,

- Eliminating oil-fried foods,
- Increasing vegetarian choices,
- Providing drink choices to include water, milk (~~whole~~, **flavored skim** ~~low~~ ~~fat~~ milk, **and low-fat unflavored milk** ~~skim, etc.~~) and 100% juices in appropriate serving sizes,
- Offering A la Carte items that:
  - Limit high fat, high sugar, and lower nutrient snack foods **following the approved beverages and snacks with the Healthy Food Certification,** ~~to no more than twice per month~~,
  - Promote low fat, low sugar, high nutrient snacks (such as baked chips and crackers, graham crackers, frozen fruit bars, low fat string cheese, low fat yogurt, dried fruits), and
  - Encourage student choice of fresh fruits and vegetables daily.

Wellness practices at each building will use best efforts to:

- Encourage the use of healthful snacks in appropriate portion sizes;
- Discourage the use of food as either an incentive or a reward for good behavior or academic performance;
- Encourage healthy non-food alternatives for celebrations;
- Discourage restriction of student participation in recess as a consequence for lack of homework completion, or as a consequence for behavior, unless the student poses physical harm to him/herself or others, or as a consequence for other reasons;
- Discourage the removal of students from weekly PE class for other services;
- Offer nutritional snacks during meetings, workshops and school functions; and
- Schedule recess before lunch.

Fundraising Activities will encourage non-food promotional activities.

Nutritional information should be provided to parents and staff through **published menus** ~~newsletters, publications,~~ health fairs, and other activities focusing on, but not limited to:

- Healthy snack, lunch and breakfast ideas,
- Calcium needs of children,
- Healthy portion sizes,
- Food label reading guidelines, and
- Fun activities to encourage increased physical activity inside and outside of school.

Other School Based Activities

- **After-school programs will encourage physical activity and healthy habit formation.**
- **Schools shall organize local wellness committees comprised of families, teachers, administrators, and students to plan, implement, and improve nutrition and physical activity in the school environment.**

Nutrition Standards for School Foods and Beverages

- **Windsor Public Schools will provide students with nutritious and appealing foods that meet students' health and nutrition needs and accommodate ethnic and cultural food preferences to help develop lifelong eating habits.**

- **The district shall follow all federal and state regulations in regards to foods and beverages available on school premises. In addition, the following shall be implemented:**

School Meals

- **School meals shall offer varied and nutritious food choices that are consistent with USDA nutrition standards and the Dietary Guidelines on MyPlate.org.**
- **A variety of fruits and vegetables will be offered daily in school meals.**
- **Only low-fat milk or fat free milk (containing no more than 4 grams of sugar per ounce and no artificial sweeteners) in portion sizes not exceeding 12 fluid ounces and low-fat dairy products meeting the Connecticut Nutrition Standards will be served in school meals.**
- **Whole grain foods will be incorporated in school meals.**
- **School meals shall be planned to incorporate the basic menu planning principals of balance, variety, contrast, color and eye appeal, cultural norms and preferences and student acceptability.**
- **Windsor Public Schools encourages all students to eat a healthy breakfast.**
- **A School Breakfast Program will operate in every school.**
- **With appropriate medical documentation, efforts will be made to modify meals prepared for students with food allergies or other special nutritional needs.**

Recommendations for Other Foods and Beverages

- **Food sold a la carte by the Food Services Program shall meet the Connecticut Nutrition Standards as published by the Connecticut State Department of Education. All beverages sold to students shall meet the requirements of the state statute.**
- **All the following beverages for sale to students: milk (flavored or plain with no more than 4 grams of sugar per ounce and no artificial sweeteners or caffeine); water (plain or flavored with no added sugars, sweeteners, artificial sweeteners, or caffeine); 100 percent juice (fruit, vegetable, or combination); nondairy milk (e.g., soy or rice milk, which may be flavored but contain no artificial sweeteners, no more than 4 grams of sugar per ounce, no more than 35 percent of calories from fat per portion and no more than 10 percent of calories from saturated fat per portion); and beverages containing only water and fruit or vegetable juice (with no added sugars, sweeteners or artificial sweeteners). Portion sizes of allowable beverages are limited to no more than 12 fluid ounces, with the exception of water.**
- **Encourage the availability of whole grains and foods containing fiber**
- **Use only single serving portion sizes or portions that do not exceed the maximum specified serving size for each food category of the Connecticut Nutrition Standards**
- **All beverages sold in school vending machines and/or school stores or at events on school premises, regardless of whether they are sponsored by the district or an outside group, shall follow State of Connecticut General Statutes at all times. Beverages that do not meet the requirement of the state statute can only be sold to students at the location of an event that occurs after the school day or on the weekend, provided the sale is not from a vending machine or school store.**

- **All foods sold in school vending machines and/or school stores or at events on school premises, regardless of whether they are sponsored by the district or an outside group, shall follow State of Connecticut General Statutes at all times. Food items that do not meet the requirement of the state statute can only be sold to students at the location of an event that occurs after the school day or on the weekend, provided the sale is not from a vending machine or school store.**
- **All fundraisers sold to students on school premises, must meet the Connecticut Nutrition Standards and beverage requirements of state statute. Food items that do not meet the Connecticut Nutrition Standards and beverages that do not meet the requirement of the state statute can only be sold to students at the location of an event that occurs after the school day or on the weekend, provided the sale is not from a vending machine or school store. Organizations operating fundraisers at any exempted school functions are strongly encouraged not to use foods and beverages or to only use foods that meet the Connecticut Nutrition Standards and beverages that meet the requirements of state statute.**
- **It is encouraged that foods and beverages served at school celebrations shall meet the Connecticut Nutrition Standards and the beverage requirements of state statute. If a fee is collected to cover the cost of food/beverages for classroom snacks, all foods and beverages provided must meet the Connecticut Nutrition Standards and the beverage requirement of state statute.**

Other School Based Activities to Promote Student Wellness

- **School meals shall be served in clean and pleasant settings. The cafeteria environment will have adequate space to eat and students will have adequate time to eat. All full day students shall be provided with a daily lunch period of not less than 20 minutes.**
- **School staff members will be discouraged from using food as a reward or punishment.**
- **The School Food Services Program shall aim to be financially self-supporting and will be administered using sound financial and accounting practices.**
- **Qualified nutrition professionals shall administer the school meal programs.**
- **The School Food Services Program shall comply with state and local food safety and sanitation regulations.**
- **A Qualified Food Operator (QFO) shall be in each school as required by state and local regulations.**
- **Schools shall discourage students from sharing their foods or beverages with one another during meal or snack times, given concerns with allergies or other special nutritional needs of students.**

Measurement and Evaluation

The superintendent or designee shall ensure compliance with the established district-wide Wellness Policy.

- **In each school building the principal or designee shall ensure compliance with the Wellness Policy and shall report on their school's compliance to the Wellness Policy Committee annually.**
- **The Windsor Public Schools Wellness Committee will monitor, review, and revise as necessary the Wellness Policy.**
- **The Windsor Public Schools Wellness Committee will provide an evaluation report annually to the Windsor Board of Education.**

Legal References:

Connecticut General Statutes:

§ 10-215f Certification that food meets nutrition standards.
§ 10-221o Lunch periods. Recess.
§ 10-221p Boards to make available for purchase nutritious and low-fat foods.
§ 10-221q Sale of beverages.

Public Act 16-37, *An Act Concerning Connecticut's Farm to School Program*
Public Act 16-132, *An Act Establishing a Red Ribbon Pass Program*

Federal Law

~~Child Nutrition and WIC Reauthorization Act of 2004,~~ Pub. L. 108-265,§ 204 **codified at 42 U.S.C. § 1751**
~~Child Nutrition Act §10(a)-(b), codified at 42 U.S.C. §1799~~

Richard B. Russell National School Lunch Act § 9(f)(1) and § 17(a), codified at 42 U.S.C. § 1758(f)(1) and 42 U.S.C. § 1766, as amended by Pub. L. 111-296, § 204, *Healthy, Hunger-Free Kids Act of 2010.*

20 U.S.C. § 7118, as amended by Pub. L. 114-95, *Every Student Succeeds Act*

Regulation Approved: ~~June 20, 2006~~

~~Elizabeth E. Feser, Ed.D~~. Craig A. Cooke, Ph.D.
Superintendent of Schools

Windsor Public Schools
Windsor, CT

Rational for new Administrative Regulation:

AR 3510.1 Murals and Artistic Displays in School Buildings

This new administrative regulation was drafted by the Superintendent to set guidelines for future assembly and disassembly of student and/or staff murals and/or artistic displays in our school buildings.

Murals and Artistic Displays in School Buildings

1. Student and/or staff painted murals that are intended to be of a more long-term nature must be affixed to plywood or masonite only.

2. Murals should be clearly marked indicating the artist and purpose.

3. The Principal of the school shall designate areas to be used for displaying temporary and long-term murals. New murals should not be created without Principal approval.

4. Current murals or artistic displays will be phased out as they age, and/or show signs of wear and/or no longer portray a positive message to the public as determined by the Superintendent.

Administrative Regulation approved:

Craig A. Cooke, Ph.D.
Superintendent

Windsor Public Schools
Windsor, CT

Rational for Revised Policy:

P 5125 CONFIDENTIALITY AND ACCESS TO EDUCATION RECORDS

At their regular meeting on June 21, 2016, the Board of Education requested the Superintendent make a recommendation for a more restrictive policy on the release of directory information.

CONFIDENTIALITY AND ACCESS TO EDUCATION RECORDS

I. POLICY

The Board of Education ("Board") complies with the state and federal laws and regulations regarding confidentiality, access to and amendment of education records. The Board shall implement procedures that protect the privacy of parents and students while providing proper access to records. Availability of these procedures shall be made known annually to parents of students currently in attendance and eligible students currently in attendance.

II. DEFINITIONS

A. Access is defined as the right to inspect or review a student's education records or any part thereof. Access may include the right to receive copies of records under limited circumstances.

B. Authorized representative means any entity or individual designated by the Board, a State educational authority, or an agency headed by an official listed in 34 C.F.R. § 99.31(a)(3), to conduct -- with respect to Federal- or State-supported education programs-- any audit or evaluation, or any compliance or enforcement activity in connection with Federal legal requirements that relate to these programs.

C. Biometric record, as used in the definition of personally identifiable information, means a record of one or more measurable biological or behavioral characteristics that can be used for automated recognition of an individual, such as fingerprints, retina and iris patterns, voiceprints, DNA sequence; facial characteristics and handwriting.

D. De-identified education records means education records or information from education records from which all personally identifiable information has been removed, and for which the district has made a reasonable determination that a student's identity is not personally identifiable, whether through single or multiple releases, taking into account other reasonably available information.

E. Directory Information includes information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. It includes, but is not limited to, the parent's name, address ~~and/or e-mail address~~, the student's name, address, telephone number, e-mail address, photographic, computer and/or video images, date and place of birth, major field(s) of study, grade level,

enrollment status (full-time; part-time), participation in school-sponsored activities or athletics, weight and height (if the student is a member of an athletic team), dates of attendance, degrees, honors and awards received, the most recent previous school(s) attended, and student identification numbers for the limited purposes of displaying a student identification card. The student identification number, however, will not be the only identifier used when obtaining access to education records or data. Directory information does not include **the email address of a parent or guardian,** a student's social security number, student identification number or other unique personal identifier used by the student for purposes of accessing or communicating in electronic systems unless the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN or password.

F. Disciplinary action or proceeding means the investigation, adjudication or imposition of sanctions by an educational agency or institution with respect to an infraction or violation of internal rules of conduct applicable to students.

G. Disclosure means to permit access to or to release, transfer, or other communication of personally identifiable information as contained in education records by any means, including oral, written or electronic means, to any party except the party identified as the party that provided or created the record.

H. Education Records

1. Education records means any information directly related to a student that is recorded in any manner (e.g., handwriting, print, computer media, video or audio tape, film, microfilm, and microfiche) and that is maintained by the school system or persons acting for the school system.

2. Education records do not include:

a) private, personal, or working notes in the sole possession of the maker thereof, and which are not accessible or revealed to any other individual except a "substitute";

b) records maintained by a law enforcement unit of the school district that were created by that unit for the purpose of law enforcement;

c) employment records used only in relation to the student's employment by the school district that are 1) made and

maintained in the normal course of business, 2) relate exclusively the student's capacity as an employee, and 3) are not made available for any other purpose;

d) records on an eligible student (i.e. over 18 or attending a postsecondary educational institution) that are considered "treatment records" as they meet the following criteria: 1) the records are maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional capacity or assisting in a paraprofessional capacity, 2) the records are made in connection with the treatment of the student and 3) the records are disclosed only to individuals providing such treatment (treatment does not include remedial educational activities or activities that are part of the program or instruction of the school district); however, the school district must, upon request, permit an eligible student to have a physician or other appropriate professional of the student's choice review his/her treatment records;

e) records created or received by the school district after an individual is no longer a student in attendance and that are not directly related to the individual's attendance as a student; and

f) grades on peer-graded papers before they are collected and recorded by a teacher.

I. Eligible Student is a student or former student who has reached 18 years of age or is attending an institution of post-secondary education or is an emancipated minor.

J. Law Enforcement Unit is an individual, office, department, division, or other component of an educational agency or institution, that is officially authorized or designated by that agency or institution to 1) enforce laws or refer matters of law enforcement to appropriate authorities or 2) maintain the physical security and safety of the agency or institution.

K. Legitimate Educational Interest means the need for a school official to review an education record in order to fulfill his or her professional responsibilities.

L. Parent is defined as a parent or parents of a student, including a natural parent, a guardian, or surrogate parent, or an individual acting as a parent in the absence of a parent or guardian. The rights of a parent shall transfer

to an eligible student; however, a parent of a student who claims that student as a dependent under Section 152 of the Internal Revenue Code of 1986 is entitled to access to the student's education records without the eligible student's consent.

M. Personally Identifiable Information includes, but is not limited to, the student's name; the name of the student's parent or other family members; the address of the student or his/her family; a personal identifier, such as the student's social security number, student number or biometric record; other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name; other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or information requested by a person who the school district reasonably believes knows the identity of the student to whom the education record relates.

N. School Official is a person employed by the District as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Board of Education; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, consultant, therapist, or school resource officer); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

O. Signed and Dated Written Consent to disclose personally identifiable student information from a student's education records must specify the records to be disclosed, the purpose of disclosure and the party to whom such records should be provided. Consent may include a record and signature in electronic form provided that the consent identifies and authenticates a particular person as the source of electronic consent.

III. ANNUAL NOTIFICATION OF RIGHTS / RELEASE OF DIRECTORY INFORMATION

A. On an annual basis, the school district will notify parents and/or eligible students currently in attendance of their rights regarding a student's education records. This notice will be published in all student handbooks in the District and will also be published in the school district's guide to Special Education Services and will be published in any other manner "reasonably likely" to inform such parents and eligible students of their rights. The school district will take steps to ensure that parents or eligible students whose primary or home language is not English or who are

disabled will also be notified of their rights regarding a student's education records.

B. On an annual basis, the school district will also notify parents and/or eligible students currently in attendance of any categories of information designated as directory information. This notice will provide such individuals with an opportunity to object to such disclosure. An objection to the disclosure of directory information shall be good for only one school year. Parents and/or eligible students may not use the right to opt out of directory information disclosures to prohibit the school district from requiring students to wear or display a student identification card.

C. In the annual notification, the school district will also provide notice to parents and/or eligible students that the district is legally obligated to provide military recruiters or institutions of higher education, upon request, with the names, addresses and telephone numbers of secondary school students, unless the secondary student or the parent of the student objects to such disclosure in writing. Such objection must be in writing and shall be effective for one school year.

IV. CONFIDENTIALITY OF EDUCATION RECORDS

A. All school officials are directed to maintain the confidentiality of personally identifiable information contained in a student's education records. Each person who has access to education records is responsible for ensuring personally identifiable information is protected from disclosure at collection, storage, disclosure, and destruction stages. Disclosure of information is permitted only in accordance with Board policy and administrative regulations and in a manner consistent with state and federal law.

B. Education records are not public records and any disclosure other than to persons authorized to receive the records without prior consent of a parent or an eligible student violates the law and Board policy, except as provided in federal and state statutes.

C. The school district shall use reasonable methods, including administrative policies and procedures, as well as physical and technological access controls, to ensure that school officials obtain access to only those education records in which they have a legitimate educational interest.

D. The district shall use reasonable methods to identify and authenticate the identity of parents, students, school officials and other parties to whom the district discloses personally identifiable information from education records.

E. The district shall require contractors and other outside agencies with access to education records to certify their compliance with the confidentiality requirements of this policy, as well as applicable state and federal law.

V.ACCESS TO EDUCATION RECORDS

A. Parents and/or an eligible student have the right to inspect and review all education records of the student unless such rights have been waived under Section XI, below. Parents' rights of inspection and review are restricted to information dealing with their own child. In the case of an eligible student, the right to inspect and review is restricted to information concerning the student. All requests for access to education records must be in writing.

B. When submitting a written request to inspect or review education records, the request must identify the record or records being sought. The school district will notify the parent or eligible student of the date, time, and location where the records may be inspected and reviewed.

C. The parents or eligible students may designate in writing a representative to inspect and review the records. Consent for disclosure of education records to a designated representative must be signed and dated by the parent or eligible student.

D. A school professional shall be present at all such inspections and reviews and shall respond to reasonable requests for explanations and interpretations of the records.

E. For the records of regular education students, the Board will make education records available for inspection and review by parents or eligible students within a reasonable period of time, but in any event, no more than forty-five (45) calendar days from the receipt of a written request.

F. For students requiring special education, the Board will comply with a request to review and inspect the child's education records without unnecessary delay and before any meeting regarding an Individualized Education Plan (IEP) or any due process hearing or resolution session held in accordance with the Individuals with Disabilities Act (IDEA); otherwise, the Board will comply with such request not later than ten (10) school days of such request.

G. Parents of students eligible to receive special education and related services (or the eligible student) have the right to receive one free copy of their child's (his/her) education records. The request for the free copy must be in writing and the Board will comply with the written request

within ten (10) school days of the request. Notwithstanding the fact that a test instrument or portion of a test instrument may meet the criteria of an "education record" under the Family Educational Rights and Privacy Act (FERPA), 20 USC 1232g, any test instrument or portion of a test instrument for which the test manufacturer asserts a proprietary or copyright interest in the instrument shall not be copied. The parent or eligible student retains the right to review and inspect such information and the board of education shall respond to reasonable requests from the parent or eligible student for explanations and interpretations of the student's education record, which may include reviewing copyrighted testing instruments.

H. Aside from a parent or eligible student, staff members, school employees and other school officials may access a student's education records only if they have been determined by the school system to have a legitimate educational interest in accessing the information contained in such records. Disclosures to any other parties, may only be made in accordance with the exemptions and provisions set forth in Section VII, below.

I. Pursuant to the procedures set forth in Section VI, below, the district maintains a record of all parties that have requested access to education records, including access to education records found in computer memory banks.

J. Non-custodial Parents:

A parent does not lose his or her right to access to education records upon divorce. Non-custodial parents retain their rights to review their child's education records unless the school district has been provided with evidence that there is a court order, state statute, or legally binding document relating to such matters as divorce, separation, or custody that specifically revokes the non-custodial parent's rights. School notices shall be mailed to the non-custodial parent/guardian requesting the notices at the same time that they are provided to the custodial parent/guardian. Any requests by the non-custodial parent/guardian to receive school notices shall be effective for as long as the child remains in the school the student is attending at the time of the request.

K. Copies of Education Records/Fees:

1) The school district cannot charge a fee to search for or to retrieve the education records of a student. As noted above, if a student has been identified as requiring special education and related services, the parents' (or eligible student's) right to inspect and review the child's records shall include the right to receive one free copy of those records. The request for the free copy shall be made in

writing. The board of education shall comply with such request as stated above. A charge will be levied for additional copies; in no case will the charge exceed [50¢] per page.

2) In addition to the provision above regarding special education students, if circumstances effectively prevent the parent or eligible student from exercising the right to inspect and review the student's education records, the district shall:

   a. provide the parent or eligible student with a copy of the records requested, or

   b. make other arrangements for the parent or eligible student to inspect and review the requested records.

3) The Board reserves the right to charge for copies of a student's education records. Such charge will not exceed 50¢ per page.

VI. RECORD KEEPING REQUIREMENTS/DOCUMENTATION OF ACCESS TO EDUCATION RECORDS

A. The school district will appoint an individual to be responsible for the care and upkeep of all education records. Education records are kept by categories, each of which encompasses a specific type of data collected during a student's educational career. These categories also determine how long the school district must maintain the records. The school district will provide to parents, on request, a list of the categories and locations of education records collected, maintained, or used by the school district.

B. Except as provided below, a record (log) will be kept documenting each request for, and disclosure of, personally identifiable information from the education records of each student, including information found in computer memory banks. The record log shall contain:

1) the name of any individual, agency, or organization that requested or obtained access to the student's records;
2) the date of the request for access;
3) whether access was given;
4) the purpose for which the party was granted access to the records;
5) the names of additional parties to whom the receiving party may disclose the information on behalf of the school district; and
6) the legitimate educational interest in obtaining the information.

C. The record (log) requirement does <u>not</u> apply to requests from, or disclosure to:

1) a parent or eligible student;
2) a party seeking directory information;
3) a party who has a signed and dated written consent from the parent and/or eligible student;
4) school officials from the school district in which the student is currently enrolled who have a legitimate educational interest in the information contained in the student's record; or
5) persons seeking or receiving the information as directed by a Federal grand jury, other law enforcement subpoena, or ex parte order of the Attorney General of the United States (provided that the information requested is not to be redisclosed).

D. The record (log) is a permanent part of the student's education records and must be available to the parent or eligible student upon request.

E. If the district makes a release of education records without consent in a health and safety emergency, the district must record:

1) the articulable and significant threat to the health and safety of a student or other individuals that formed the basis for disclosure; and
2) the parties to whom the district disclosed the information.

VII. THE RELEASE OF RECORDS OR PERSONALLY IDENTIFIABLE INFORMATION

A. The school system or its designated agent(s) may not permit release of education records or any information from such records which contains personally identifiable student information to any outside individual, agency, or organization without the signed and dated written consent of the parents or eligible student, except as indicated in Section VII.C below. Personally identifiable information contained in the education record, other than directory information, will not be furnished in any form (i.e., written, taped, person-to-person, statement over the telephone, on computer disk, e-mailed, etc.) to any person other than those listed below, unless prior written consent has been obtained.

B. To be effective, the written consent must be signed and dated and must specify the records that may be disclosed, state the purpose of the disclosure, and identify the party or class of parties to whom the disclosure may be made.

C. Personally identifiable information may be released without consent of the parents, or the eligible student, only if the disclosure meets one of the criteria set forth below:

1. The disclosure is to other school officials within the district, including teachers, who have been determined by the school district to have legitimate educational interests in the education records.

2. The disclosure is to a contractor, consultant, volunteer, or other party to whom an agency or institution has outsourced institutional services or functions, provided that the outside party (a) performs an institutional service or function for which the district would otherwise use employees, (b) is under the direct control of the district with respect to the use and maintenance of education records, and is subject to the requirements of FERPA with respect to the use and redisclosure of personally identifiable information from education records. The Board shall comply with Subsection I of this policy prior to the provision of student records, student information or student-generated content to a consultant or operator, as those terms are defined in Subsection I.

3. Transfer Students:

   a) The disclosure is to officials of another school, including other public schools, charter schools, and post-secondary institutions, in which the student seeks or intends to enroll, or where the student is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer. Disclosure of personally identifiable information will be made only upon condition that the student's parents be notified of the transfer, receive a copy of the record if desired, and have an opportunity for a hearing to challenge the content of the record pursuant to Section X.

   b) When a student enrolls in a new public school district (including public charter school), the receiving school district must send written notice of such enrollment to the school the student previously attended not later than two (2) business days after the student enrolls. Not later than ten (10) days after receipt of such notice, the sending school shall transfer the student's records to the new school district.

   c) Upon notification by the Department of Children and Families (DCF) of a decision to change the school placement for a student attending district schools who is placed in out-of-home care by DCF pursuant to an order of temporary custody or an order of commitment, in

accordance with section 46b-129 of the Connecticut General Statutes, the Board shall transmit to the receiving school, not later than one (1) business day after receipt of such notification from DCF, all essential education records for the student, including, but not limited to, the student's individualized education program ("IEP") and behavioral intervention plan, if any, and all documents necessary for the receiving school to determine appropriate class placement and to provide educational services. The Board shall transfer nonessential records to the receiving school in accordance with subsection b) above.

4. The disclosure is to authorized representatives of the U.S. Comptroller, the U.S. Attorney General, the U.S. Secretary of Education, or State or local educational authorities. Disclosures of this nature may be made only in connection with an audit or evaluation of Federal or State supported education programs, or for the enforcement of or compliance with the Federal legal requirements that related to these programs, so long as the district enters into a written agreement with the authorized representatives conducting the audit or evaluation, which agreement must comply with 34 C.F.R. 99.35(a)(3) and require that the authorized representative protects the confidentiality of personally identifiable student information consistent with FERPA requirements. Such entities may make further disclosure of personally identifiable information to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf.

5. The disclosure is made in connection with a student's application for, or receipt of, financial aid, if such information is necessary to determine eligibility for, the amount of, or the conditions for financial aid, or to enforce the terms and conditions of financial aid.

6. The disclosure is to state and local officials or authorities within the juvenile justice system as long as the officials and authorities to whom the records are disclosed certify in writing to the school district that (a) the information is required by the court, (b) will not be disclosed to any other party without the prior, written consent of the parent of the student, except as provided under State law. Disclosure shall be permitted for information relating to the student's school attendance, adjustment and behavior, as well as the student's IEP and related documents if the student receives special education services. If a student is placed on probation by the juvenile court, school officials may issue their own

recommendation concerning the conditions of the student's probation.

7. The disclosure is to organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction, so long as (a) the study does not permit personal identification of parents or students by individuals other than representatives of the organization, (b) the information is destroyed after it is no longer needed for the purposes for which the study was conducted, and (c) the district enters into a written agreement with the organization conducting the study that ensures that the study protects the confidentiality of personally identifiable student information consistent with FERPA requirements.

8. The disclosure is to accrediting organizations in order to carry out their accrediting functions.

9. The disclosure is to parents of an eligible student who claim that student as a dependent student as defined in Section 152 of the Internal Revenue Code of 1986.

10. The disclosure is to comply with a judicial order or lawfully issued subpoena, provided that the educational agency makes a reasonable effort to notify the parent or the eligible student in advance of compliance, unless such disclosure is in compliance with (a) a federal grand jury subpoena and the court has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed; or (b) any other subpoena issued for a law enforcement purpose and the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed; or (c) an ex parte order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning the investigation or prosecution of terrorism crimes specified in sections 2332b(g)(5)(B) and 2331 of title 18, U.S. Code.

11. If the school district initiates legal action against a parent or student, the school district may disclose to the court, without a court order or subpoena, the education records of the student that are relevant for the school district to proceed with the legal action as plaintiff.

12. If a parent or eligible student initiates legal action against the school district, the school district may disclose to the court, without a court order or subpoena, the student's education records that are relevant for the school district to defend itself.

13. The disclosure is to appropriate parties, including parents of an eligible student, in connection with a health and safety emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals. In making a determination regarding the disclosure of education records without consent in a health and safety emergency, the district may take into account the totality of the circumstances pertaining to the threat to the health or safety of a student or other individuals. If the district reasonably determines that there is an articulable and significant threat to the health or safety of a student or other individuals, it may disclose information from education records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other individuals, provided, however, that the district record such disclosure in accordance with Section VI. D, above.

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

15. The disclosure concerns sex offenders and other individuals required to register under Section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. 14071, and the information was provided to the district under 42 U.S.C. 14071 and applicable federal guidelines.

16. The disclosure is to the Secretary of Agriculture or an authorized representative from the Food and Nutrition Service, or contractors acting on its behalf, for the purposes of conducting program monitoring, evaluations, and performance measurements of state and local educational and other agencies and institutions receiving funding or providing benefits of one or more federal meal or nutrition programs in order to report aggregate results that do not identify any individual. Such disclosures may only be made if (1) the data collected will be protected to prevent the personal identification of students and their parents by other than the authorized representatives of the Secretary of Agriculture, and (2) any personally identifiable data will be destroyed when they are no longer needed for program monitoring, evaluations, and performance measurements.

17. The disclosure is to an agency caseworker or other representative of the DCF or other child welfare agency or tribal organization who has the right to access a student's case plan when the agency or organization is legally responsible for the care and protection of the student. The agency or organization may not disclose the education records or personally identifiable information contained in such, except to an individual or entity engaged in addressing the student's educational needs and authorized by the agency or organization to receive such disclosure. Any disclosures made by the agency or organization must comply with applicable confidentiality laws for student education records.

D. Directory Information

The school district will notify parents (of students currently enrolled within the district) or eligible students (currently enrolled in the district) annually of any categories of information designated as directory information. This notice will provide such individuals with an opportunity to object to such disclosure. An objection to the disclosure of directory information shall be good for only one school year.

1. School districts are legally obligated to provide military recruiters or institutions of higher education, upon request, with the names, addresses and telephone numbers of secondary school students, unless the secondary student or the parent of the student objects to such disclosure in writing. Such objection must be in writing and shall be effective for one school year.

2. In all other circumstances, information designated as directory information will not be released when requested by a third party unless the release of such information is determined by the administration to be in the educational interest of the school district and is consistent with the district's obligations under both state and federal law.

3. The school district may disclose directory information about students after they are no longer in enrollment in the school district. Notwithstanding the foregoing, the district will continue to honor any valid objection to the disclosure of directory information made while a student was in attendance unless the student rescinds the objection.

4. An objection to the disclosure of directory information shall not prevent the school district from disclosing or requiring a student to disclose the student's name, identified or institutional email address in a class in which the student is enrolled. Parents and/or eligible

students may not use the right to opt out of directory information disclosures to prohibit the school district from requiring students to wear or display a student identification card.

5. The school district will not use the student's social security number or other non-directory information alone or combined with other elements to identify or help identify the student or the student's records.

E. De-identified Records and Information

1. The school district may release education records or information from education records without the consent of a parent or eligible student after the removal of all personally identifiable information, provided that the district has made a reasonable determination that a student's identity is not personally identifiable, whether through single or multiple releases, taking into account other reasonably available information.

2. The school district may release de-identified education records including student level data from education records for the purpose of education research by attaching a code to each record that may allow the recipient to match information received from the same source, provided that:

   a) the district does not disclose any information about how it generates and assigns a record code, or that would allow a recipient of the information to identify a student based on the record code;
   b) the record code is used for no purpose other than identifying a de-identified record for the purposes of education research and cannot be used to ascertain personally identifiable information about a student; and
   c) the record code is not based on a student's social security number or other personal information.

F. Disciplinary Records:

Nothing in this policy shall prevent the school district from:

1. Including in the education records of a student appropriate information concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community.

2. Disclosing appropriate information concerning disciplinary action taken against a student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community, to teachers and school officials who have been determined to have legitimate educational interests in the behavior of the student.

G. In accordance with state and federal law, the district will facilitate the transfer of records of suspension and expulsion of a student to officials of any private elementary or secondary school in which the student is subsequently enrolled or seeks, intends or is instructed to enroll.

H. Records of the Department of Children and Families (DCF)

1. Documents related to any DCF child abuse and/or neglect investigations that are maintained by the Board are considered education records under the FERPA. As such, they are subject to the confidentiality and disclosure requirements set forth in this policy and in corresponding provisions of state and federal law. Such records, including records of allegations, investigations and reports made to DCF, should be kept in a confidential and central location, with restricted access and shall be disclosed only as authorized by law. In addition to meeting the requirements under FERPA, should the Board receive a request to disclose confidential DCF records to an outside third party, the Board shall redact the name or other personally identifiable information concerning the individual suspected of being responsible for the alleged abuse and/or neglect unless the requested records are being released to the individual named in the DCF records.

2. In addition, the district shall redact the name or any personally identifiable information related to the identity of any individual responsible for making a report of alleged child abuse and/or neglect before releasing or transferring any DCF records containing such reports.

I. The Board shall enter into a written contract with a consultant or operator any time the Board shares or provides access to student information, student records, or student-generated content with such consultant or operator. This contracting requirement applies to any contract entered into, amended or renewed on or after October 1, 2016.

1. The provisions of said contract shall comply with the requirements of Public Act 16-189.

2. Not later than five (5) business days after executing a contract pursuant to this subsection, the Board shall provide electronic notice to any student and the parent or legal guardian of the student affected by the contract. Such notice and the contract shall be posted on the Board's Internet web site. The notice shall:

   a. Explain that the contract has been executed and the date that such contract was executed;

   b. Provide a brief description of the contract and the purpose of the contract; and

   c. Explain what student information, student records or student-generated content may be collected as a result of the contract.

3. For purposes of this subsection, upon receipt of notice of a breach of security that results in the unauthorized release, disclosure or acquisition of directory information, student information, student records or student-generated content, the Board shall electronically notify, not later than forty-eight (48) hours after receipt of such notice, the student and the parents or guardians of the student whose information is involved in such breach. The Board shall thereafter post notice of such breach on the Board's Internet web site. The Internet posting shall comply with the requirements of FERPA. All questions and concerns relative to breach of security shall be referred to *[Insert Name and Contact Information]*.

4. For purposes of this subsection, the following definitions are applicable:

   a. Consultant means a professional who provides noninstructional services, including but not limited to, administrative, planning, analysis, statistical or research services, to the Board pursuant to a contract with the Board.

   b. Operator means any person who (a) operates an Internet web site, online service or mobile application with actual knowledge that such Internet web site, online service or mobile application is used for school purposes and was designed and marketed for school purposes, to the extent it is engaged in the operation of such Internet web site, online service or mobile application, and (b) collects, maintains or uses student information.

   c. School Purposes means purposes that customarily take place at the direction of a teacher or the Board, or aid in the administration of school activities, including but not limited to

instruction in the classroom, administrative activities and collaboration among students, school personnel or parents or legal guardians of students.

d. Student means a person who is a resident of the state and (a) enrolled in a preschool program participating in the state-wide public school information system, pursuant to Conn. Gen. Stat. 10-10a; (b) enrolled in grades kindergarten to twelve, inclusive, in a school under the jurisdiction of the Board; (c) receiving special education and related services under an individualized education program; or (d) otherwise the responsibility of the Board.

e. Student Information means personally identifiable information or material of a student in any media or format this is not publicly available and is any of the following:

1) Created or provided by a student or the parent or legal guardian of a student, to the operator in the course of the student, parent or legal guardian using the operator's Internet web site, online service or mobile application for school purposes;

2) Created or provided by an employee or agent of the Board to an operator for school purposes;

3) Gathered by an operator through the operation of the operator's Internet web site, online service or mobile application and identifies a student, including but not limited to, information in the student's records or electronic mail account, first or last name, home address, telephone number, date of birth, electronic mail address, discipline records, test results, grades, evaluations, criminal records, medical records, health records, Social Security number, biometric information, disabilities, socioeconomic information, food purchases, political affiliations, religious affiliations, text messages, documents, student identifiers, search activity, photographs, voice recordings, survey responses or behavioral assessments.

f. Student Record means any information directly related to a student that is maintained by the Board or any information acquired from a student through the use of educational software assigned to the student by a teacher or employee of the Board, except student record does not include de-identified student

information allowed under the contract to be used by the consultant or operator to:

1) Improve educational products for adaptive learning purposes and customize student learning;

2) Demonstrate the effectiveness of the contractor's products in the marketing of such products; and

3) Develop and improve the consultant's or operator's products and services.

VIII. REDISCLOSURE OF EDUCATION RECORDS

A. The school district may disclose personally identifiable information from an education record only on the conditions that:

1. the party to whom the information is disclosed will not subsequently redisclose the information to any other party without the proper consent of the parent or eligible student, and

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

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

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

2. In the case of disclosures made pursuant to a court order or lawfully issued subpoena, the district has made a reasonable effort to notify the parent or eligible student in advance of compliance with the subpoena (except if such subpoena meets the criteria set forth above in Article VII, Section C. (10)).

3. Disclosure is made to a parent, an eligible student, or the parent of an eligible student.

4. The information is considered directory information.

C. In the event that the Family Policy Compliance Office determines that a third party outside of the school district has improperly redisclosed personally identifiable information from education records in violation of FERPA, the school district may not allow that third party access to personally identifiable information from education records for at least five (5) years.

IX. AMENDMENT OF EDUCATION RECORDS

A. If a parent or an eligible student believes that information in the student's education records is inaccurate, misleading or in violation of the student's right to privacy, he/she is entitled to:

1. Request in writing that the school district amend the records;

2. Receive within a reasonable period of time a decision from the school district with respect to its decision on the amendment(s) requested by the parent or eligible student.

B. If the school district decides to amend the records, the school district shall promptly take such steps as may be necessary to put the decision into effect with respect to the requested amendments, and shall inform the parent or eligible student of the amendment.

C. If the school district decides that an amendment of the records in accordance with the request is not warranted, it shall so inform the parent or eligible student and advise him/her of the right to a hearing pursuant to this policy.

X.HEARING RIGHTS AND PROCEDURES

A. Rights

1. Upon written request of a parent or eligible student to the Superintendent, an opportunity for a hearing shall be provided to challenge the content of a student's education records on the grounds that the information contained in the education records is inaccurate, misleading, or otherwise in violation of the privacy rights of the student.

2. If, as a result of the hearing, the school district decides that information contained in the education records of a student is inaccurate, misleading, or otherwise in violation of the privacy rights of the student, the records shall be amended, and the parent or eligible student shall be informed in writing.

3. If, as a result of the hearing, the school district decides that information contained in the education records of a student is not inaccurate, misleading, or otherwise in violation of the privacy rights of the student, the parent or eligible student shall be informed of the right to place in the student's education records a statement commenting on the contested information or stating why he or she disagrees with the district's decision, or both.

    a. Any statement placed in the records of the student shall be maintained by the school system as part of the records of the student as long as the record or contested portion is maintained by the school system.

    b. If the contested portion of the education record is disclosed by the school system, the statement of disagreement by the parents and/or eligible student shall also be disclosed.

B. Procedures

1. The hearing shall be held within a reasonable time after the school system has received the request, unless the parent or eligible student requests a delay.

2. The parent or eligible student shall be given notice of the date, place, and time of the hearing, within a reasonable time in advance of the hearing.

3. The hearing will be conducted by a person or persons appointed by the Superintendent of Schools. This person(s) shall be knowledgeable of the policies relating to confidentiality and shall not have a direct interest in the outcome of the hearing.

4. The parent or eligible student and the school system shall have the right to be represented by person(s) of their choosing at their own expense, to cross-examine witnesses, to present evidence, and to receive a written decision of the hearing.

5. The decision reached through the hearing shall be made in writing within a reasonable period of time after the hearing. The decision will be based solely upon the evidence presented at the hearing and shall include a summary of the evidence and the reasons for the decision.

XI. WAIVER OF RIGHTS

A. A student who is an applicant for admission to an institution of post-secondary education or is in attendance at an institution of post-secondary

education, may waive his or her right to inspect and review confidential letters and confidential statements of recommendations with the following limitations:

1. The student is notified, upon request, of the names of all individuals providing the letters or statements.

2. The letters or statements are used only for the purpose for which they were originally intended.

3. The waiver is not required by the district as a condition of admission to or receipt of any other service or benefit from the district.

4. The waiver is in writing and executed by the student, regardless of age, rather than by the parent.

B. A waiver may be revoked with respect to any actions occurring after the revocation.

C. Revocation of a waiver must be in writing.

XII. SPECIAL CONFIDENTIALITY PROCEDURES FOR HIV-RELATED INFORMATION

A. The following definitions shall apply to Section XII of this policy:

1. Confidential HIV-Related Information

"Confidential HIV-related information" means any information pertaining to the protected individual or obtained pursuant to a release of confidential HIV-related information, concerning whether a person has been counseled regarding HIV infection, has been the subject of an HIV-related test, or has HIV infection, HIV-related illness or AIDS, or information which identifies or reasonably could identify a person as having one or more of such conditions, including information pertaining to such individual's partners.

2. Health Care Provider

"Health Care Provider" means any physician, dentist, nurse, provider of services for the mentally ill or persons with intellectual disabilities, or other person involved in providing medical, nursing, counseling, or other health care, substance abuse or mental health service, including such services associated with, or under contract to, a health maintenance organization or medical services plan.

3. Protected Individual

"Protected individual" means a person who has been counseled regarding HIV infection, is the subject of an HIV-related test or who has been diagnosed as having HIV infection, AIDS or HIV-related illness.

4. Release of confidential HIV-related information

"Release of confidential HIV-related information" means a written authorization for disclosure of confidential HIV-related information which is signed by the protected individual, if an eligible student, or a person authorized to consent to health care for the individual and which is dated and specifies to whom disclosure is authorized, the purpose for such disclosure and the time period during which the release is to be effective. A general authorization for the release of medical or other information is not a release of confidential HIV-related information, unless such authorization specifically indicates its dual purpose as a general authorization and an authorization for the release of confidential HIV-related information.

5. School Medical Personnel

"School medical personnel" means an employee of the Board who is a school nurse or the school district medical adviser.

B. Confidentiality of HIV-related Information

1. All school staff must understand that no person who obtains confidential HIV-related information regarding a protected individual may disclose or be compelled to disclose such information. Each person who has access to confidential HIV-related information is responsible for ensuring that confidential HIV-related information is protected from disclosure and/or redisclosure.

2. Confidential HIV-related information is not public information and any disclosure, other than to persons pursuant to a legally sufficient release or to persons authorized by law to receive such information without a legally sufficient release, violates the law and Board policy.

C. Accessibility of Confidential HIV-related Information

1. No school staff member who obtains confidential HIV-related information may disclose or be compelled to disclose such information, except to the following:

   a. the protected individual, his/her legal guardian or a person authorized to consent to health care for such individual;

   b. any person who secures a release of confidential HIV-related information;

   c. a federal, state or local health law officer when such disclosure is mandated or authorized by federal or state law;

   d. a health care provider or health facility when knowledge of the HIV-related information is necessary to provide appropriate care or treatment to the protected individual or when confidential HIV-related information is already recorded in a medical chart or record and a health care provider has access to such record for the purpose of providing medical care to the protected individual;

   e. a medical examiner to assist in determining cause of death; or

   f. any person allowed access to such information by a court order.

D. Procedures

1. If a school staff member, other than school medical personnel, is given confidential HIV-related information regarding a protected individual who is also a student from the student's legal guardian or the student, the school staff member shall attempt to secure a release of confidential HIV-related information for the sole purpose of disclosing such information to school medical personnel.

2. If a school medical personnel member is given confidential HIV-related information regarding a protected individual, who is also a student, by a student's legal guardian, or by the student, and the legal guardian or the student requests accommodations to the student's program for reasons related thereto, the school medical personnel member shall inform the legal guardian or the student, if an eligible student, that a release of confidential HIV-related

information is necessary before such information may be disclosed to other educational personnel capable of assessing the need for and implementing appropriate accommodations to the student's program.

3. Any school staff member who obtains confidential HIV-related information from a source other than the protected individual or his/her legal guardian, shall keep such information confidential and shall not disclose such information.

4. No school staff member may disclose confidential HIV-related information to other school staff members without first obtaining a release of confidential HIV-related information.

5. Any record containing confidential HIV-related information shall be maintained in a separate file, and shall not be subject to the provisions of this policy regarding accessibility of general student records.

6. If school medical personnel determine that the health and safety of the student and/or others would be threatened if a release of confidential HIV-related information is not obtained, the school medical personnel may seek a court order authorizing disclosure. In such cases, such confidential HIV-related information may be disclosed as set forth in and subject to any limitation of such court order.

E. Disclosures Pursuant to a Release

1. Any disclosure pursuant to a release shall be accompanied by a notice in writing stating, "This information has been disclosed to you from records whose confidentiality is protected by state law. State law prohibits you from making any further disclosure of it without the specific written consent of the person to whom it pertains, or as otherwise permitted by said law. A general authorization for the release of medical or other information is NOT sufficient for this purpose."

2. Oral disclosures must be accompanied or followed by the above notice within ten (10) days.

3. Except for disclosures made to a federal, state or local health officer when such disclosure is mandated or authorized by federal or state law, a notation of all disclosures shall be placed in the medical record or with any HIV-related test result of a protected individual, who shall be informed of such disclosures on request.

XIII.CHILD ABUSE REPORTING

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

XIV.RIGHT TO FILE A COMPLAINT

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

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

Legal References:

State Law:

Conn. Gen. Stat. § 1-210 et seq.
Conn. Gen. Stat. § 1-220h
Conn. Gen. Stat. § 10-15b
Conn. Gen. Stat. § 10-233d
Conn. Gen. Stat. § 17-16a
Conn. Gen. Stat. § 17a-28
Conn. Gen. Stat. § 17a-101k
Conn. Gen. Stat. § 19a-581 et seq.
Conn. Gen. Stat. § 46b-134
Regs. Conn. State Agencies § 10-76d-18

Public Act 16-189, An Act Concerning Student Data Privacy

Office of the Public Records Administrator, Retention Schedule M8-Education Records, Revised 2/2005, available at http://ctstatelibrary.org/wp-content/uploads/2015/07/M8.pdf

Federal Law:

Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. §§ 1232g et seq. (as amended)
USA Patriot Act of 2001, Pub. L. 107-56
Every Student Succeeds, Pub. L. No. 114-95
Healthy, Hunger-Free Kids Act of 2010, Pub. L. 111-296

34 CFR 99.1 - 99.67 (as amended)
34 CFR 300.560-300.576

Dear Colleague Letter on Transgender Students, U.S. Department of Education, Office of Civil Rights, U.S. Department of Justice, Civil Rights Division (May 13, 2016), available at http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201605-title-ix-transgender.pdf

Balancing Student Privacy and School Safety: A Guide to the Family Educational Rights and Privacy Act for Elementary and Secondary Schools, U.S. Department of Education (October 2007), available at http://www.ed.gov/policy/gen/guid/fpco/ferpa/safeschools/.

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Policy Revised:

Windsor Public Schools
Windsor, CT