Policy Committee

Thursday, January 10, 2019 6:30 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. **Revised AR 4120.5 Concussion Management and Training for Athletic Coaches**
4. **New AR 5141.32 Procedures for Concussion Management - Return to Learn**
5. **Revised P/AR 5145 Policy Regarding Section 504 of the Rehabilitation Act of 1973**
6. **Revised P 5142.2 Restraint and Seclusion of Persons at Risk (new AR)**
7. **Revised AR 5123.1 Windsor High School Graduation Requirements**
8. **Revised P 1110.1 Parent Involvement**
9. **New P 3520.13 Data-Based Information and Management Systems**
10. **Revised AR 6155 Class Examinations**
11. **Adjournment**

Rational for Revised Regulation:

AR 4120.5 Concussion Management and Training for Athletic Coaches

This regulation has been revised to update the legal references as well as current district practices.

PROCEDURES FOR CONCUSSION MANAGEMENT – RETURN TO PLAY ~~AND TRAINING FOR ATHLETIC COACHES~~

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

Mandatory Training Concerning Concussions

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

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

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

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

5. The Board shall consider a coach as having successfully completed the initial training course regarding concussions and head injuries if such coach completes a course that is offered by the governing authority for intramural and interscholastic athletics and is substantially similar, as determined by the Department of Education, to the training course required by subsection 1 of these administrative regulations, provided such substantially similar course is completed on or after January 1, 2010, but prior to the date the State Board of Education approves the training course discussed in subsection 1 of these administrative regulations.

Concussion Management

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

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

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

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

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

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

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

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

5. The Board shall prohibit a student athlete from participating in any intramural or interscholastic athletic activity unless the student athlete, and a parent or guardian of such athlete receives training regarding the concussion education plan developed or approved by the State Board of Education by:

a. reading written materials;

b. viewing online training videos; or

c. attending in-person training regarding the concussion education plan developed or approved by the State Board of Education.

6. The Board shall annually provide each participating student athlete's parent or legal guardian with a copy of an informed consent form approved by the State Board of Education and obtain the parent or guardian's signature, attesting to the fact that such parent or guardian has received a copy of such form and authorizes the student athlete to participate in the athletic activity.

Reporting Requirements

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

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

   a. The nature and extent of the concussion; and

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

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

Miscellaneous

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

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

Legal References

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

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

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

Administrative Regulation approved: November 30, 2015

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

Windsor Public Schools
Windsor, CT

Rational for Revised Regulation:

AR 5141.32 Procedures for Concussion Management – Return to Learn

This new regulation has been created to align with current best practice protocols concerning concussion management.

PROCEDURES FOR CONCUSSION MANAGEMENT – RETURN TO LEARN

Purpose

1. To educate members of the school district and community regarding potential effects and complications of concussion, especially Second Impact Syndrome;
2. To promote early recognition of concussion in students and referral for medical assessment should a head injury occur in school;
3. To facilitate collaboration between school staff, students' physicians, and families; and
4. To ensure safe and consistent management of students who have sustained a concussion.

Concussion Management: Medical

1. Staff will immediately: (1) exclude from physical education and recess activities, as well as intramural sports, any student who sustains trauma to the head and/or symptoms of a concussion and (2) refer the student to the school nurse for assessment. If the trauma occurs after regular school hours, the coach or athletic trainer will notify the school nurse about the injury as soon thereafter as possible.

2. School staff members will notify the school nurse as soon as they become aware of a student who has sustained a head injury or concussion outside of school.

3. The school nurse will: obtain injury details; assess the student, utilize the SCAT II tool if indicated; notify the parent/guardian and provide the Acute Concussion Care Plan and exchange of information form to take to his/her physician; refer for medical evaluation, as indicated; and exclude from further physical education, intramurals, interscholastic sports and recess any student who has sustained a head injury and is suspected of having a concussion until such time as the student is medically cleared to return to such activities.

4. The school nurse will return students to contact activities only with the written medical authorization of the student's physician verifying that it is safe for the student to return to full participation in physical education, intramural or interscholastic sports and recess activities.

5. The school nurse will consult with the student's counselor and administrator before processing a physician's authorization for return to all physical education, recess and

intramural or interscholastic activities to ensure consistency between academic and athletic management of the student's follow up care.

6. If the school nurse questions whether it is safe for a student to return to participation in contact activities according to the medical authorization, the school nurse will consult with the health services supervisor and school medical advisor, as appropriate, and action will be taken accordingly.
7. Staff will never, under any circumstance, override the decision of the school nurse regarding a student's participation in high risk activities during school, sports, or school related events.

Concussion Management: Educational (Pre-K through 12th grade)

1. Assessment results and recommendations for participation in educational and physical activities in school, including classes, related academic work, physical education, recess, extracurricular activities, and intramural or interscholastic sports will be provided to the school nurse by the family and/or student's physician.
2. Authorization for exchange of information will be provided to parents/guardians for signature when needed.
3. Physician notes requesting academic adjustments of any type related to the diagnosis of concussion will be shared with the school academic team which will review the adjustments and implement reasonable short term accommodations.
4. When a student requires educational adjustments beyond three weeks, the school nurse will advise the parents of the possibility of the school district's request for an assessment by a qualified neurologist or concussion specialist.
5. When the student is requiring educational adjustments beyond three weeks as determined by recommendations from the student's physician after a follow –up appointment and receipt of recommendations, a team meeting with the academic team will be convened to develop an IHCP to address appropriate health services/educational supports and accommodations and to review the 'return to learn' process.
6. As appropriate, the school nurse will obtain data from the academic team and report follow-up data including school attendance, academic performance and symptom assessment to the physician prior to the medical evaluation.
7. When a student is receiving adjustments beyond three weeks, medical updates including updated accommodations will be required at least monthly for review by the team.

8. Once a student has been medically cleared to return to sports, and other high risk activities the individualized health care plan and academic adjustments related to concussion will be terminated.

9. Only after a student has been cleared to fully participate in academics can the student be cleared to return to interscholastic and intramural sports. Accommodations may remain in place as necessary.

10. In the event that a student is unable to attend school and requirements for Home Bound instruction are met, procedures for initiating Home Bound instruction will be initiated.

11. In the event that a student's concussion symptoms are continuing over an extended period of time and a student is referred for consideration of a disability under Section 504, the Section 504 team will meet to determine if concussion-related accommodations are appropriate.

12. The Nursing Supervisor, School Medical Advisor and Director of Pupil and Special Education Services will be consulted by the school team as appropriate throughout the above process.

Regulation approved:

Acute Concussion Care Plan – Must be completed by student's physician

Student Name _____ **Birth Date** _____ **Today's Date**_____

Date of Injury _____ **Expected Date of Return to School** _____

Current Symptoms:

- ☐ Headache
- ☐ "Pressure in head"
- ☐ Neck Pain
- ☐ Nausea or vomiting
- ☐ Dizziness /Balance problems
- ☐ Blurred vision
- ☐ Noise sensitivity
- ☐ Light sensitivity
- ☐ Feeling mentally foggy
- ☐ Sleeping more less
- ☐ Difficulty concentrating
- ☐ Difficulty remembering
- ☐ Fatigue or low energy
- ☐ Irritability
- ☐ Sadness/emotionality
- ☐ Confusion

Suggested Academic Adjustments:

The above student will benefit from the following short term academic supports for proper concussion management in school (checked items apply):

- ☐ No school for _____ days
- ☐ No school until re-evaluated on _____
- ☐ No recess
- ☐ No Music/Band class
- ☐ No Computer
- ☐ Shortened day or modified schedule, as indicated
- ☐ Homebound tutoring as tolerated
- ☐ Extra time to complete coursework, assignments, tests, No more than one test per day every other day
- ☐ No significant classroom testing or standardized testing
- ☐ Pre-printed material/notes, if available
- ☐ Schedule periodic rest breaks as needed in health office during day
- ☐ Allow student to go to health office if symptoms worsen during the day
- ☐ Allow school concussion team to gradually modify accommodations if student remains symptom free
- ☐ Other recommendations: _____

Physical Exertion Accommodations

The above student should adhere to the following recommendations regarding physical education (PE) and athletic participation (checked items apply):

- ☐ **May not return** to PE or sports/athletics until further notice
- ☐ **Aerobic, non-contact PE** as tolerated (walk, run, jog)
- ☐ **Is medically cleared** to participate in full PE
- ☐ **May gradually return to school sports/athletics (for student athletes)** under the supervision of athletic trainer and coach. Return to play as per return-to-play guidelines

These recommendations will be reviewed and updated on _____. ***(Academic accommodations beyond three weeks may require assessment by a neurologist or concussion specialist).***

Care Plan completed by _____ MD APRN PA
Signature

Printed Name _____ Telephone _____

SHIPMAN & GOODWIN LLP
COUNSELORS AT LAW

Rational for Revised Policy/Administrative Regulation

P/AR 5145 Policy Regarding Students and Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990

We have revised this policy to include updated definitions of several terms based on new federal regulations implementing Title II of the Americans with Disabilities Education Act.

Revised

Students **P 5145**

POLICY REGARDING STUDENTS AND SECTION 504 OF THE REHABILITATION ACT OF 1973 AND TITLE II OF THE AMERICANS WITH DISABILITIES ACT OF 1990

Section 504 of the Rehabilitation Act of 1973 ("Section 504") prohibits discrimination against individuals with a disability in any program receiving Federal financial assistance. Similarly, Title II of the Americans with Disabilities Act of 1990 ("Title II" or "ADA") prohibits discrimination against individuals with a disability by state and local governments. To be protected under Section 504 and the ADA ("collectively, "Section 504/ADA"), an individual must (1) have a physical or mental impairment that substantially limits one or more major life activities; (2) have a record of such an impairment; or (3) be regarded as having such an impairment.

In order to fulfill its obligation under Section 504/ADA, the Windsor Public Schools recognize a responsibility to avoid discrimination in policies and practices regarding its personnel, students, parents/guardians and members of the public who participate in school sponsored programs. In this regard, the Windsor Public Schools prohibit discrimination against any person with a disability in any of the services, programs or activities of the school system.

The school district has specific responsibilities under Section 504 to identify, evaluate and provide an educational placement for students who have a physical or mental impairment that substantially limits a major life activity. The school district's obligation includes providing access to a free appropriate public education ("FAPE") for students determined to be eligible under Section 504/ADA. Under Section 504, FAPE is defined as the provision of regular or special education and related services that are designed to meet the individual educational needs of a student with a disability as adequately as the needs of students without disabilities are met, and that are provided without cost (except for fees imposed on nondisabled students/parents).

If the parent/guardian of a student disagrees with the decisions made by the professional staff of the school district with respect to the identification, evaluation or educational placement of his/her child, the parent/guardian has a right to request an impartial due process hearing.

In addition, a student or parent/guardian of a student may also file an internal grievance/complaint on these issues or any other type of discrimination on the basis of disability by or within the district by utilizing the grievance/complaint procedures outlined in the Board's Administrative Regulations Regarding Students and Section 504 of Rehabilitation Act of 1973 and Title II of Americans with Disabilities Act, and/or may file a complaint with the Office for Civil Rights, U.S. Department of Education ("OCR"):

Office for Civil Rights, Boston Office
U.S. Department of Education
8th Floor
5 Post Office Square
Boston, MA 02109- 3921
(617) 289-0111

Anyone who wishes to file a grievance/complaint with the district, or who has questions or concerns about this policy, should contact **Steven Carvalho, Director of Pupil and Special Education Services, the Section 504/ADA Coordinator for the Windsor Public Schools, at phone number 860-687-2000 x 1238.**

Legal References:

29 U.S.C. §§ 705, 794
34 C.F.R. Part 104
42 U.S.C. § 12101 et seq.
28 C.F.R. Part 35

Protecting Students with Disabilities, Frequently Asked Questions About Section 504 and the Education of Children with Disabilities, Office for Civil Rights (March 17, 2011), available at http://www.ed.gov/about/offices/list/ocr/504faq.html

Dear Colleague Letter, United States Department of Education, Office for Civil Rights (January 19, 2012)

Policy adopted: April 9, 2013
Policy revised:

Windsor Public Schools
Windsor, CT

ADMINISTRATIVE REGULATIONS REGARDING STUDENTS AND SECTION 504 OF THE REHABILITATION ACT OF 1973 AND TITLE II OF THE AMERICANS WITH DISABILITIES ACT OF 1990

Windsor Board of Education Section 504/ADA Grievance/Complaint Procedures Regarding Discrimination Against Students on the Basis of Disability

Section 504 of the Rehabilitation Act of 1973 ("Section 504") and Title II of the Americans with Disabilities Act of 1990 ("Title II" or "ADA") (collectively, "Section 504/ADA") prohibit discrimination on the basis of disability. For the purposes of Section 504/ADA, the term "disability" with respect to an individual means: (a) a physical or mental impairment that substantially limits one or more major life activities of such individual; (b) a record of such an impairment; or (c) being regarded as having such an impairment.

I. Definitions

Free appropriate public education (FAPE): for purposes of Section 504, refers to the provision of regular or special education and related aids and services that are designed to meet individual educational needs of students with disabilities as adequately as the needs of students without disabilities are met, that are provided without cost (except for fees imposed on nondisabled students/parents), and is based upon adherence to procedures that satisfy the Section 504 requirements pertaining to educational setting, evaluation and placement, and procedural safeguards.

Major life activities: include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, sitting, reaching, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, interacting with others, and working. A major life activity also includes the operation of a major bodily function, such as the functions of the immune system, special sense organs and skin, normal cell growth, and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive systems. The operation of a major bodily function includes the operation of an individual organ within a body system.

Mitigating Measures: include, but are not limited to, (a) medication, medical supplies, equipment, appliances, low-vision devices (defined as devices that magnify, enhance, or otherwise augment a visual image, but not including ordinary eyeglasses or contact lenses), prosthetics including limbs and devices, hearing aid(s) and cochlear implant(s) or other implantable hearing devices, mobility devices, oxygen therapy equipment and supplies; (b) use of assistive technology; (c) reasonable modifications or auxiliary aids or services; (d) learned behavioral or adaptive neurological modifications; or (e) psychotherapy, behavioral therapy, or physical therapy.

Physical or Mental Impairment: (a) any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems, such as: neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, immune, circulatory, hemic, lymphatic, skin, and endocrine or (b) any mental or psychological disorder, such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disability. Physical or mental impairment includes, but is not limited to, contagious and noncontagious diseases and conditions such as the following: orthopedic, visual, speech, and hearing impairments, and cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, intellectual disability, emotional illness, dyslexia and other specific learning disabilities, Attention Deficit Hyperactivity Disorder, Human Immunodeficiency Virus infection (whether symptomatic or asymptomatic), tuberculosis, drug addiction, and alcoholism.

II. Procedures for Grievances/Complaints Alleging Discrimination on the Basis of Disability

A. Any eligible person, including any student, parent/guardian, staff member or other employee who feels that he/she has been discriminated against on the basis of disability may submit a written complaint to the district's designated Section 504/ADA Coordinator within thirty (30) school days of the alleged occurrence. Timely reporting of complaints facilitates the prompt investigation and resolution of such complaints. If the complaint is made verbally, the individual taking the complaint will reduce it to writing.

B. At any time, when a complaint involves discrimination that is directly related to a claim regarding the identification, evaluation or educational placement of a student under Section 504, the complainant may request that the Section 504/ADA Coordinator submit the complaint directly to an impartial hearing officer and request a hearing in accordance with Section III.D. Complaints regarding a student's rights with respect to his/her identification, evaluation or educational placement shall be addressed in accordance with the procedures set forth below in Section III.

C. Retaliation against any individual who complains pursuant to the Board's policy and regulations listed herein is strictly prohibited. The district will not tolerate any reprisals or retaliation that occur as a result of the good faith reporting or complaint of disability-based discrimination or as a result of an individual's participation or cooperating in the investigation of a complaint. The district will take necessary actions to prevent retaliation as a result of filing a complaint or the participation in an investigation of a complaint.

D. If the Section 504/ADA Coordinator is the subject of the complaint, the complaint should be submitted directly to the Superintendent who may conduct the investigation or appoint a designee to conduct the investigation in accordance with these procedures.

E. Complaints will be investigated promptly within timeframes identified below. Timeframes may be extended as needed given the complexity of the investigation, availability of individuals with relevant information and other extenuating

circumstances. Confidentiality will be maintained by all persons involved in the investigation to the extent possible.

F. The complaint should contain the following information:

1. The name of the complainant;
2. The date of the complaint;
3. The date(s) of the alleged discrimination;
4. The names of any witnesses or individuals relevant the complaint;
5. A detailed statement describing the circumstances in which the alleged discrimination occurred; and
6. The remedy requested.

However, all complaints will be investigated to the extent possible, even if such information is not included in the complaint. In such circumstances, additional information may be requested by the investigator as part of the investigation process.

G. Upon receipt of the complaint, the individual investigating the complaint shall:

1. Provide a copy of the written complaint to the Superintendent of Schools;

2. Meet with the complainant within ten (10) school days to discuss the nature of the complaint, identify individuals the complainant believes have relevant information, and obtain any relevant documents the complainant may have;

3. Provide the complainant with a copy of the applicable Board Section 504/ADA Policy and these administrative regulations;

4. Conduct an investigation that is adequate, reliable, and impartial. Investigate the factual basis for the complaint, including conducting interviews with individuals with information and review of documents relevant to the complaint;

5. Maintain confidentiality to the extent practicable throughout the investigative process in accordance with state and federal law;

6. Communicate the outcome of the investigation in writing to the complainant, and to any individual properly identified as a party to the complaint (to the extent permitted by state and federal confidentiality requirements), within fifteen (15) school days from the date the complaint was received by the Section 504/ADA Coordinator or Superintendent. The investigator may extend this deadline for no more than fifteen (15) additional school days if needed to complete the investigation. The complainant shall be notified of such extension. The written notice shall include a finding whether the complaint was substantiated and if so, shall identify how the district will remedy any identified violations of Section 504/ADA;

7. If a complaint is made during summer recess, the complaint will be reviewed and addressed as quickly as possible given the availability of staff and/or other individuals who may have information relevant to the complaint. If fixed timeframes cannot be met, complainant will receive notice and interim measures may be implemented as necessary (see sub-paragraph 6);

8. Ensure that appropriate corrective action is taken whenever allegations are verified. When allegations are verified, ensure that measures to remedy the effects of the discrimination are appropriately considered, and offered, when appropriate. Corrective action should include steps to avoid continuing discrimination.

9. In the event the investigator concludes that there is no violation of Section 504/ADA, the district may attempt to resolve the complainant's ongoing concerns, if possible.

H. If the complainant is not satisfied with the findings and conclusions of the investigation, the complainant may present the complaint and written outcome to the Superintendent for review and reconsideration within thirty (30) calendar days of receiving the findings. This process provides an opportunity for the complainant to bring information to the Superintendent's attention that would change the outcome of the investigation. In submitting the complaint and written outcome for review, the complainant must explain why he/she believes the factual information was incomplete, the analysis of the facts was incorrect, and/or the appropriate legal standard was not applied, *and* how this information would change the investigator's determination in the case. Failure to provide all such information may result in the denial of the review.

Upon review of a written request from the complainant, the Superintendent shall review the investigative results of the investigator and determine if further action and/or investigation is warranted. Such action may include consultation with the investigator and complainant, a meeting with appropriate individuals to attempt to resolve the complaint or a decision affirming or overruling the investigator's conclusions or findings. The Superintendent shall provide written notice to the complainant of his/her decision within ten (10) school days following the receipt of the written request for review.

III. Grievance/Complaint Resolution Procedures for Complaints Involving a Student's Identification, Evaluation or Educational Placement

Complaints regarding a student's identification, evaluation or educational placement shall generally be handled using the procedures described below. **However, at any time, the complainant may request that the Section 504/ADA Coordinator submit the complaint directly to an impartial hearing officer, and request a hearing in accordance with the provisions of subsection D (below).**

Drug/Alcohol Violations

If a student with a disability violates the Board's policies relative to the use or possession of illegal drugs or alcohol, the Board may take disciplinary action against such student for his/her illegal use or possession of drugs or alcohol to the same extent that the Board would take disciplinary action against nondisabled students. Such disciplinary action is not subject to the complaint or due process procedures outlined below.

A. Submission of Complaint to Section 504/ADA Coordinator

1. In order to facilitate the prompt investigation of complaints, any complaint regarding a student's identification, evaluation or educational placement under Section 504 should be forwarded to the district's Section 504/ADA Coordinator within thirty (30) school days of the alleged date that the dispute regarding the student's identification, evaluation and/or education placement arose. Timely reporting of complaints facilitates the resolution of potential educational disputes.

2. The complaint concerning a student's identification, evaluation or educational placement should contain the following information:

   a. Full name of the student, age, and grade level;
   b. Name of parent(s);
   c. Address and relevant contact information for parent/complainant;
   d. Date of complaint;
   e. Specific areas of disagreement relating to the student's identification, evaluation and/or placement; and
   f. Remedy requested.

   However, all complaints will be investigated to the extent possible even if such information is not included in the complaint. In such circumstances, additional information may be requested by the investigator as part of the investigation process.

3. Complaints will be investigated promptly within timeframes identified below. Timeframes may be extended as needed given the complexity of the investigation, availability of individuals with relevant information and other extenuating circumstances.

4. Upon receipt of the complaint, the Section 504/ADA Coordinator shall:

   a. Forward a copy of the complaint to the Superintendent of Schools;

   b. Meet with the complainant within ten (10) school days to discuss the nature of his/her concerns and determine if an appropriate resolution can be reached. If a complaint is made during summer recess, the complaint will be reviewed and addressed as quickly

as possible given the availability of staff and other individuals who may have information relevant to the complaint;

c. If, following such a meeting, further investigation is deemed necessary, the Section 504/ADA Coordinator shall promptly investigate the factual basis for the complaint, consulting with any individuals reasonably believed to have relevant information, including the student and/or complainant; and

d. Communicate the results of his/her investigation in writing to the complainant and any persons named as parties to the complaint (to the extent permitted by state and federal confidentiality requirements) within fifteen (15) school days from the date the complaint was received by the Section 504/ADA Coordinator.

e. In the event that that the Section 504/ADA Coordinator has a conflict of interest that prevents him/her from serving in this role, the complaint shall be forwarded to the Superintendent who shall appoint an investigator who does not have a conflict of interest.

B. Review by Superintendent of Schools

1. If the complainant is not satisfied with the findings and/or resolution offered as a result of the Section 504/ADA Coordinator's review, the complainant may present the complaint and the written statement of findings to the Superintendent for review and reconsideration within thirty (30) calendar days of receiving the findings. This process provides an opportunity for complainants to bring information to the Superintendent's attention that would change the outcome of the investigation. In submitting the complaint and written outcome for review, the complainant must explain why he/she believes the factual information was incomplete, the analysis of the facts was incorrect, and/or the appropriate legal standard was not applied, *and* how this information would change the investigator's determination in the case. Failure to provide all such information may result in the denial of the review.

2. The Superintendent shall review the complaint and any relevant documents maintained by the Section 504/ADA Coordinator or other investigator and shall consult with the Section 504/ADA Coordinator or other investigator regarding attempts to resolve the complaint. The Superintendent also shall consult with the complainant. The Superintendent may attempt to resolve the complainant's concerns alone, or with another appropriate administrator.

3. Following the Superintendent's review, he or she shall communicate his/her findings to the complainant within ten (10) school days following his/her receipt of the written request for review.

4. If the complainant is not satisfied with the Superintendent's

decision or proposed resolution, he/she may request that the Superintendent submit the matter to a neutral mediator or to an impartial hearing officer. This request for mediation or a hearing should be made within fifteen (15) school days of the Superintendent's decision. Mediation shall only occur by mutual agreement of the parties.

C. Mediation Procedures:

A parent/guardian or student aged 18 or older may request mediation with a neutral mediator to attempt to resolve a disagreement with the decisions made by the professional staff of the school district with respect to the identification, evaluation or educational placement of the student.

1. A request for mediation regarding a student's identification, evaluation or educational placement under Section 504 should be forwarded to the district's Section 504/ADA Coordinator within thirty (30) school days of the alleged date that the dispute regarding the student's identification, evaluation, and/or education placement arose or within fifteen (15) school days of the Superintendent's decision in reviewing a complaint handled through the grievance/complaint procedure described in Section III.B, above.

2. The request for mediation concerning a disagreement relating to a student's identification, evaluation or educational placement should contain the following information:

   a. Full name of the student, age, and grade level;
   b. Name of parent(s);
   c. Address and relevant contact information for parent/complainant;
   d. Date of complaint;
   e. Specific areas of disagreement relating to the student's identification, evaluation and/or placement; and
   f. Remedy requested.

3. Upon receipt of a request for mediation, the Section 504/ADA Coordinator shall:

   i. Forward a copy of the request for mediation to the Superintendent of Schools;
   ii. Retain a neutral mediator who is knowledgeable about the requirements of Section 504/ADA and has an understanding of a free appropriate public education ("FAPE") under Section 504 and the distinctions between and among Section 504, the ADA and the Individuals with Disabilities Education Act ("IDEA").

4. The mediator shall inform all parties involved of the date, time and place of the mediation and of the right to have legal counsel or other representation at the complainant's own expense, if desired.

5. The mediator shall meet with the parties jointly, or separately, as determined by the mediator, and shall facilitate a voluntary settlement of the dispute between the parties, if possible.

6. All statements, offers, or discussions and/or information shared during the mediation process, but not available from other means, shall be confidential, and may not be used in a subsequent hearing or other administrative or judicial proceeding related to the disagreement that is the subject of the mediation.

7. If the parties are not able to reach a voluntary settlement of the dispute, the complainant may request an impartial hearing, as described below.

D. Impartial Hearing Procedures:

An impartial due process hearing is available to a parent/guardian of a student, or a student aged 18 years of age or older who disagrees with the decisions made by the professional staff of the school district with respect to the identification, evaluation or educational placement of the student, or otherwise makes a claim of discrimination relating to the identification, evaluation or educational placement of the student.

1. The request for mediation concerning a disagreement relating to a student's identification, evaluation or educational placement should contain the following information:

   a. Full name of the student, age, and grade level;
   b. Name of parent(s);
   c. Address and relevant contact information for parent/complainant;
   d. Date of complaint;
   e. Specific areas of disagreement relating to the student's identification, evaluation and/or placement; and
   f. Remedy requested.

2. Upon receipt of a request for an impartial due process hearing, the Board shall retain an impartial hearing officer. The impartial hearing officer must be someone who is knowledgeable about the requirements of Section 504/ADA and has an understanding of a free appropriate public education ("FAPE") under Section 504 and the distinctions between and among Section 504, the ADA and the Individuals with Disabilities Education Act ("IDEA").

3. The impartial hearing office shall schedule a pre-hearing conference with the District and the parent(s) or student aged 18 years of age or older (or legal counsel for the student) to identify the issue(s) for hearing, set the hearing schedule and address other administrative matters related to the hearing, including the option for mediation.

4. The impartial hearing officer shall inform all parties involved of the date, time and place of the hearing and of the right to present witnesses, other evidence and to be represented by legal counsel at each party's own expense, if desired.

5. The impartial hearing officer shall hear all aspects of the complainant's complaint concerning the identification, evaluation or educational placement of the student and shall reach a decision within forty-five (45) school days of receipt of the request for hearing. The decision shall be presented in writing to the complainant and to the Section 504/ADA Coordinator.

6. An impartial hearing officer under Section 504 does not have jurisdiction to hear claims alleging discrimination, harassment or retaliation based on an individual's disability unless such a claim is ***directly related*** to a claim regarding the identification, evaluation, or educational placement of a student under Section 504.

7. The time limits noted herein may be extended for good cause shown for reasons including, but not limited to, permitting more time for thorough review of the record, presentation of evidence or opportunity for resolution.

IV. The Section 504/ADA Coordinator for this district is:

Steven Carvalho
Director of Pupil and Special Education Services
Windsor Public Schools
601 Matianuck Avenue
Windsor, CT 06095
860-687-2000 x 1238

V. Complaints to Federal Agencies

At any time, the complainant has the right to file a formal complaint with the U.S. Department of Education, Office for Civil Rights, 8th Floor, 5 Post Office Square, Suite 900, Boston, MA 02109-0111 (TELEPHONE NUMBER (617) 289-0111); http://www2.ed.gov/about/offices/list/ocr/docs/howto.html.

Regulation approved:

Craig A. Cooke, Ph.D.
Superintendent

Windsor Public Schools

Windsor, CT

Current

P 5145

Students

POLICY REGARDING SECTION 504 OF THE REHABILITATION ACT OF 1973

Section 504 of the Rehabilitation Act of 1973 ("Section 504") prohibits discrimination against individuals with a disability in any program receiving Federal financial assistance be protected from discrimination under Section 504 an individual must be determined to: (1) have a physical or mental impairment that substantially limits one or more major life activities; (2) have a record of such an impairment; or (3) be regarded as having such an impairment.

The school district has specific responsibilities under Section 504 to identify, evaluate and provide an educational placement for students who have a physical or mental impairment that substantially limits a major life activity. The school district's obligation includes providing a free appropriate public education ("FAPE") for students determined to be eligible under Section 504. Under Section 504, FAPE is defined as the provision of regular or special education and related services that are designed to meet the individual educational needs of a student with a disability as adequately as the needs of students without disabilities are met, and that are provided without cost (except for fees imposed on nondisabled students/parents).

In order to fulfill its obligation under Section 504, the Windsor Public Schools also recognizes a responsibility to avoid discrimination in policies and practices regarding its personnel, students, parents and members of the public who participate in school sponsored programs. In this regard, the Windsor Public Schools prohibits discrimination against any person with a disability in any of the programs operated by the school system.

If the parent or guardian of a student disagrees with the decisions made by the professional staff of the school district with respect to the identification, evaluation, or educational placement of his/her child, a parent/guardian has a right request an impartial due process hearing. The parent or guardian may also file an internal grievance on these issues or any other type of discrimination on the basis of disability and/or may file a complaint with the Office of Civil Rights, U.S. Department of Education, 8th Floor, 5 Post Office Square, Suite 900, Boston, MA 02109-0111; TELEPHONE NUMBER (617) 289-0111.

Anyone who wishes to file a complaint, or who has questions or concerns about this policy, should contact Jody Lefkowitz, the Section 504 Coordinator for the Windsor Public Schools, at phone number (860) 687-2000 ext. 238.

Legal References:
29 U.S.C. § 794
34 C.F.R. § 104 et seq.
42 U.S.C. 12101 et seq.
ADA Amendments of 2008, Public Law 110-325

Protecting Students with Disabilities, Frequently Asked Questions About Section 504 and the Education of Children with Disabilities, Office for Civil Rights (March 17, 2011), available at http://www.ed.gov/about/offices/list/ocr/504faq.html

Dear Colleague Letter, United States Department of Education, Office for Civil Rights (January 19, 2012).

Policy Adopted: April 9, 2013

Students

ADMINISTRATIVE REGULATIONS REGARDING SECTION 504 OF THE REHABILITATION ACT OF 1973

Windsor Board of Education Section 504 Grievance Procedures

Section 504 prohibits discrimination on the basis of disability. For the purposes of Section 504, the term "disability" with respect to an individual means: (a) a physical or mental impairment that substantially limits one or more major life activities of such individual; (b) a record of such an impairment; or (c) being regarded as having such an impairment.

I. Definitions

Free appropriate public education (FAPE): for purposes of Section 504, refers to the provision of regular or special education and related aids and services that are designed to meet individual educational needs of students with disabilities as adequately as the needs of students without disabilities are met, that are provided without cost (except for fees imposed on nondisabled students/parents), and is based upon adherence to procedures that satisfy the Section 504 requirements pertaining to educational setting, evaluation and placement, and procedural safeguards.

Major life activities: include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating and working. A major life activity also includes the operation of a major bodily function, including, but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine and reproductive functions.

Mitigating Measures: include, but are not limited to, medication, medical supplies, equipment, appliances, low-vision devices (not including ordinary eyeglasses or contact lenses), prosthetics, hearing aids, cochlear implants, mobility devices, oxygen therapy, use of assistive technology, reasonable accommodations or auxiliary aids or services or learned behavioral or adaptive neurological modifications.

Physical or Mental Impairment: a) any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory, including speech organs, cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine or b) any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

II. Procedures for Grievances Alleging Discrimination on the Basis of Disability

A. Any eligible person, including any student, parent/guardian, staff member or other employee who feels that he/she has been discriminated against on the basis of disability may submit a written complaint to the district's designated Section 504 Coordinator within ninety (90) school days of the alleged occurrence. Complainants are encouraged to file complainants as soon as possible, as timely reporting of complaints facilitates the prompt and equitable investigation and resolution of such complaints. If the complaint is made verbally, the individual taking the complaint will reduce it to writing.

B. At any time, when complaints involve discrimination that is directly related to a claim regarding the identification, evaluation, or educational placement of a student under Section 504, the complainant may request that the Section 504 Coordinator submit the complaint directly to an impartial hearing officer, and request a hearing in accordance with the Administrative Regulations for Due Process Complaint Procedures.

C. Retaliation against any individual who complains pursuant to the Board's policy and regulations listed herein is strictly prohibited. The district will not tolerate any reprisals or retaliation that occur as a result of the good faith reporting or complaint-of disability-based discrimination, or as a result of an individual's participation or cooperating in the investigation of a complaint. The district will take necessary actions to prevent retaliation as a result of filing a complaint or the participation in an investigation of a complaint.

D. If the Section 504 Coordinator is the subject of the complaint, the complaint should be submitted to the Section 504 Coordinator, with a copy to the Superintendent, who may conduct the investigation or appoint a designee to conduct the investigation in accordance with these procedures.

E. Complaints will be investigated promptly within timeframes identified below. Timeframes may be extended as needed given the complexity of the investigation, availability of individuals with relevant information and other extenuating circumstances. Confidentiality will be maintained by all persons involved in the investigation to the extent possible.

F. The complaint should contain the following information:

1. The name of the complainant;
2. The date of the complaint;
3. The date(s) of the alleged discrimination;
4. The names of any witness(es) or individuals relevant to the complaint;
5. A detailed statement describing the circumstances in which the alleged discrimination occurred; and
6. Remedy requested.

However, all complaints will be investigated to the extent possible, even if such information is not included in the complaint. In such circumstances, additional information may be requested by the investigator as part of the investigation process.

G. Upon receipt of the complaint, the individual investigating the complaint shall:

1. Provide a copy of the written complaint to the Superintendent of Schools;

2. Meet with the complainant within ten (10) school days to discuss the nature of the complaint, identify individuals the complainant believes have relevant information, and obtain any relevant documents the complainant may have;

3. Provide the complainant with a copy of the Board's Section 504 Policy, this procedure, and any other applicable administrative regulations;

4. Conduct an investigation that is adequate, reliable and impartial. Investigate the factual basis for the complaint, including conducting interviews with individuals with information and review of documents relevant to the complaint;

5. Maintain confidentiality to the extent practicable throughout the investigative process, in accordance with state and federal law;

6. Communicate the outcome of the investigation in writing to the complainant, and to any individual properly identified as a party to the complaint (to the extent permitted by state and federal confidentiality requirements), within fifteen (15) school days from the date the complaint was received by the Section 504 Coordinator or Superintendent. The investigator may extend this deadline for no more than fifteen (15) additional school days if needed to complete the investigation. (The complainant shall be notified of such extension). The written notice shall include a finding whether the complaint was substantiated and if so, shall identify how the district will remedy any identified violations of Section 504;

7. If a complaint is made during summer recess, as many steps of the investigation that can be completed must be given the availability of staff and/or other individuals who may have information relevant to the complaint. If fixed timeframes cannot be met, complainant will receive notice and interim measures may be implemented as necessary (see sub-paragraph 6);

8. Ensure that appropriate corrective action is taken whenever allegations are verified. When allegations are verified, ensure that compensatory services and or other measures to remedy the effects of the discrimination are appropriately considered, and offered, when appropriate. Corrective action should include steps to avoid continuing discrimination.

9. In the event the investigator concludes that there is no violation of Section 504, the District may attempt to resolve the complainant's ongoing concerns, if possible.

H. If the complainant is not satisfied with the findings of the investigation, upon conclusion of the investigation, the complainant may present the complaint and written outcome to the Superintendent for review and reconsideration within thirty (30) calendar days of receiving the findings. This process provides an opportunity for complainants to bring information to the Superintendent's attention that would change outcome of the investigation. In submitting the complaint and written outcome for review, the complainant must explain why he or she believes the factual information was incomplete, the analysis of the facts was incorrect, and/or the appropriate legal standard was not applied, *and* how this would change the investigator's determination in the case. Failure to do so may result in the denial of the review.

Upon review of a written request from the complainant, the Superintendent shall review the investigative results of the Section 504 Coordinator and determine if further action and/or investigation is warranted. Such action may include consultation with the investigator and complainant, a meeting with appropriate individuals to attempt to resolve the complaint or a decision affirming or overruling the investigator's conclusions or findings. The Superintendent shall provide written notice to the complainant of his/her decision within ten (10) school days following the receipt of the written request for review.

Regulation approved: April 9, 2013

SHIPMAN & GOODWIN LLP
COUNSELORS AT LAW

Rational for Revised Policy and New Administrative Regulation

P 5142.2 Restraint and Seclusion of Persons at Risk

This policy, along with the new administrative regulation, concerning the physical restraint and seclusion of students has been revised in accordance with Section 4 of Public Act 18-51. Through this Public Act, the General Assembly revises the definitions of "physical restraint" and "seclusion" and adds definition of "exclusionary time out." The Act requires that districts implement procedures for the use of exclusionary time out with students. The Act further clarifies that seclusion may only be used in emergency circumstances and may not be included in a student's behavior intervention plan, individualized education program or Section 504 plan.

PHYSICAL RESTRAINT AND SECLUSION OF STUDENTS AND USE OF EXCLUSIONARY TIME OUT

The Board of Education seeks to foster a safe and positive learning environment for all students. Board of Education employees will restrict the use of physical restraint and seclusion of students to emergency situations, in accordance with this policy and accompanying administrative regulations and applicable law. Physical restraint or seclusion of a student may be necessary in an emergency situation to maintain the safety of the student or another individual. The Board also regulates the use of exclusionary time out in accordance with this Policy and accompanying regulations and applicable law.

The Board of Education authorizes the Superintendent or his/her designee to develop and implement Administrative Regulations in accordance with this Policy and applicable law. The Board of Education mandates compliance with this Policy and the associated Administrative Regulations at all times. Violations of this Policy and/or associated Administrative Regulations by a Board of Education staff member or other individual working at the direction of, or under the supervision of, the Board of Education, may result in disciplinary action, up to and including possible termination of employment status and/or termination of contract for services.

Nothing within these regulations shall be construed to interfere with the Board's responsibility to maintain a safe school setting, in accordance with Connecticut General Statutes § 10-220. Under no circumstances shall employees or individuals under the supervision of the Board use corporal punishment with students or physically manage students for purposes of discipline.

Legal References:

Public Act 18-51, An Act Implementing the Recommendations of the Department of Education
Conn. Gen. Stat. § 10-76b
Conn. Gen. Stat. § 10-76d
Conn. Gen. Stat. § 10-236b
Conn. Gen. Stat. §§ 53a-18 to 53a-22
Reg. Conn. State Agencies. §§ 10-76b-5 to 10-76b-11

Other References:

Restraint and Seclusion: Resource Document, United States Department of Education, available at http://www2.ed.gov/policy/seclusion/restraints-and-seclusion-resources.pdf.

Understanding the Laws and Regulations Governing the Use of Restraint and Seclusion, Connecticut State Department of Education (July 2018).

Guidance Related to Recent Legislation Regarding Restraint and Seclusion, Connecticut State Department of Education (Revised, July 2018).

APPROVED:
REVISED:

ADMINISTRATIVE REGULATIONS CONCERNING PHYSICAL RESTRAINT AND SECLUSION OF STUDENTS AND USE OF EXCLUSIONARY TIME OUT

The Windsor Public Schools (the "District") seeks to foster a safe and positive learning environment for all students. District employees will restrict the use of physical restraint and seclusion of students to emergency situations, in accordance with these administrative regulations and the associated policy and applicable law. Physical restraint or seclusion of a student may be necessary in an emergency situation to maintain the safety of the student or another individual. District employees will restrict the use of exclusionary time out with students to those instances permitted by applicable law, as described in these administrative regulations and applicable law.

The following sets forth the procedures for compliance with the relevant state law and regulations concerning the physical restraint and seclusion of, and use of exclusionary time out with, students in the District. The Superintendent mandates compliance with these regulations at all times. Violations of these regulations by a Board of Education staff member or other individual working at the direction of, or under the supervision of, the Board of Education, may result in disciplinary action, up to and including possible termination of employment status and/or termination of contract for services.

Nothing within these regulations shall be construed to interfere with the responsibility of the District to maintain a safe school setting, in accordance with Connecticut General Statutes § 10-220.

I. Definitions:

A. Exclusionary Time Out: A temporary, continuously monitored separation of a student from an ongoing activity in a non-locked setting, for the purpose of calming such student or deescalating such student's behavior.

B. Life Threatening Physical Restraint: Any physical restraint or hold of a person that (1) restricts the flow of air into a person's lungs, whether by chest compression or any other means, or (2) immobilizes or reduces the free movement of a person's arms, legs or head while the person is in the prone position.

C. Psychopharmacological Agent: Any medication that affects the central nervous system, influencing thinking, emotion or behavior;

D. Physical Restraint: Any mechanical or personal restriction that immobilizes or reduces the free movement of a person's arms, legs or head, including, but not limited to, carrying or forcibly moving a person from one location to another. The term does not include: (1) Briefly holding a person in order to calm or comfort the person; (2) restraint involving the minimum contact necessary to safely escort a person from one area to another; (3) medical devices, including, but not limited to, supports prescribed by a health care provider to achieve proper body position or balance; (4) helmets or other protective gear used to protect a

person from injuries due to a fall; (5) helmets, mitts and similar devices used to prevent self-injury when the device is (i) part of a documented treatment plan or an Individualized Education Program ("IEP"); or (ii) prescribed or recommended by a medical professional, as defined in section 38a-976 of the Connecticut General Statutes, and is the least restrictive means available to prevent such injury; or (6) an exclusionary time out.

E. School Employee: (1) Any individual employed by the Windsor Public Schools who is a teacher, substitute teacher, administrator, superintendent, guidance counselor, psychologist, social worker, nurse, physician, paraprofessional, coach; and (2) any other individual who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in the Windsor Public Schools pursuant to a contract with the Windsor Public Schools.

F. Seclusion: The confinement of a person in a room from which the student is physically prevented from leaving. Seclusion does not include the following: (i) an exclusionary time out; or (ii) any confinement of a student in which the person is physically able to leave the area of confinement including, but not limited to, in-school suspension.

G. Student: a child who is

1. Enrolled in grades kindergarten to twelve, inclusive, in a public school under the jurisdiction of a local or regional board of education;

2. Receiving special education and related services in an institution or facility operating under a contract with a local or regional board of education pursuant to subsection (d) of section 10-76d of the Connecticut General Statutes;

3. Enrolled in a program or school administered by a regional education service center established pursuant to section 10-66a of the Connecticut General Statutes; OR

4. Receiving special education and related services from an approved private special education program.

II. Life-Threatening Physical Restraint

A No school employee shall under any circumstance use a life-threatening physical restraint on a student.

B. Nothing in this section shall be construed as limiting any defense to criminal prosecution for the use of deadly physical force that may be available under sections 53a-18 to 53a-22, inclusive, of the Connecticut General Statutes.

III. Procedures for Physical Restraint and Seclusion of Students

A. No school employee shall use physical restraint or seclusion on a student EXCEPT as an emergency intervention to prevent immediate or imminent injury to the student or to others.

B. Seclusion shall not be used as a planned intervention in a student's behavioral intervention plan, individualized education program or plan pursuant to Section 504 of the Rehabilitation Act.

C. No school employee shall use physical restraint or seclusion on a student unless the school employee has received training in accordance with state law and/or the District's trainings plans as described in Section X below, upon implementation thereof.

D. Physical restraint and seclusion of a student shall never be used as a disciplinary measure or as a convenience.

E. School employees must explore ALL less restrictive alternatives prior to using physical restraint or seclusion for a student.

F. School employees must comply with all regulations promulgated by the Connecticut State Department of Education in their use of physical restraint and seclusion with a student.

G. Monitoring

1. Physical restraint: A school employee must continually monitor any student who is physically restrained. The monitoring must be conducted by either:

   a. direct observation of the student; or

   b. observation by way of video monitoring within physical proximity sufficient to provide aid as may be needed.

2. Seclusion: A school employee must frequently monitor any student who is placed in seclusion. The monitoring must be conducted by either:

   a. direct observation of the student; or

   b. observation by way of video monitoring within physical proximity sufficient to provide aid as may be needed.

G. Length

1. Any period of physical restraint or seclusion:

   a. shall be limited to that time necessary to allow the student to compose him or herself and return to the educational environment; and

   b. shall not exceed fifteen (15) minutes, except as provided below.

2. If any instance of physical restraint or seclusion of a student used as an emergency intervention exceeds fifteen (15) minutes, one of the following

individuals, who have received training in the use of physical restraint or seclusion, will determine whether continued physical restraint or seclusion is necessary to prevent immediate or imminent injury to the student or to others:

a. an administrator, or such administrator's designee;

b. a school health or mental health personnel; or

c. a board certified behavior analyst.

3. The individual identified under subsection 2 (a-c) shall make a new determination every thirty (30) minutes thereafter regarding whether such physical restraint or seclusion is necessary to prevent immediate or imminent injury to the student or to others.

H. A school employee must regularly evaluate the student being physically restrained or secluded for signs of physical distress. The school employee must record each evaluation in the educational record of the person being physically restrained or secluded.

IV. Seclusion Room Requirements

Seclusion can happen in any location, although a district may designate an area or room for this purpose. Regardless of location, any room used for seclusion must:

A. be of a size that is appropriate to the chronological and developmental age, size and behavior of the student;

B. have a ceiling height that is comparable to the ceiling height of the other rooms in the building in which the seclusion room is located;

C. be equipped with heating, cooling, ventilation and lighting systems that are comparable to the systems that are used in the other rooms of the building in which the seclusion room is located;

D. be free of any object that poses a danger to the student who is being placed in the seclusion room;

E. conform to applicable building code requirements.

If the door or doors to a room used for seclusion are to be locked, latched or otherwise secured, a modification from the State Fire Marshal's office shall be secured prior to the installation of a locking mechanism. If a door locking mechanism is used, the student shall be constantly monitored notwithstanding any other provisions of the Connecticut General Statutes or Regulations to the contrary. The locking mechanism to be used shall be a device that shall be readily released by staff as soon as possible but in no case longer than within two minutes of the onset of an emergency and is connected to the fire alarm system so that the locking mechanism is released automatically when a fire alarm is sounded. An

"emergency," for purposes of this subsection, includes but is not limited to the following:

1. the need to provide direct and immediate medical attention to the student;

2. fire;

3. the need to remove the student to a safe location during a building lockdown; or

4. other critical situations that may require immediate removal of the student from seclusion to a safe location.

F. have an unbreakable observation window or fixture located in a wall or door, which allows the student a clear line of sight beyond the area of seclusion, to permit frequent visual monitoring of the student and any school employee in such room. The requirement for an unbreakable observation window does not apply if it is necessary to clear and use a classroom or other room in the school building as a seclusion room for a student.

V. Use of Psychopharmacologic Agent

A. No school employee may use a psychopharmacologic agent on a student without that student's consent and the consent of the student's parent/guardian, except:

1. as an emergency intervention to prevent immediate or imminent injury to the student or to others; or

2. as an integral part of the student's established medical or behavioral support or educational plan, or, if no such plan has been developed, as part of a licensed practitioner's initial orders.

B. The use of psychopharmacologic agents, alone or in combination, may be used only in doses that are therapeutically appropriate and not as a substitute for other appropriate treatment.

C. Any administration of a psychopharmacologic agent must ONLY be done in accordance with applicable federal and state law and the Board of Education's Administration of Medication Policy.

VI. Procedures for Exclusionary Time Out

A. No school employee may use exclusionary time out as a form of discipline for a student.

B. At least one school employee must remain with the student, or be immediately available to the student such that the student and the employee are able to communicate verbally, throughout the exclusionary time out.

C. The space used for an exclusionary time out must be clean, safe, sanitary and appropriate for the purpose of calming the student or deescalating the student's behavior.

D. The exclusionary time period must end as soon as possible.

E. Consistent with subsection D above, the exclusionary time out period may vary depending on the student's chronological and developmental age, individual needs and behavior.

VII. Required Meetings

A. Students not eligible for special education (and not being evaluated for eligibility for special education)

1. In the event that physical restraint or seclusion is used on a student **four (4) or more times within twenty (20) school days**, a team composed of an administrator, one or more of the student's teachers, a parent or guardian of the student, and, if any, a school mental health professional, shall convene to:

a. conduct or revise a behavioral assessment of the student;

b. create or revise any applicable behavior intervention plan; and

c. determine whether such student may require a referral for consideration for special education pursuant to federal and state law.

2. The requirement to convene this meeting shall not supersede the District's obligation to refer a student to a planning and placement team ("PPT") as may be required in accordance with federal and state law.

B. Students eligible for special education (and students being evaluated for eligibility for special education)

1. In the event that physical restraint or seclusion is used on a student **four (4) or more times within twenty (20) school days**, the student's PPT shall convene to:

a. conduct or revise a functional behavioral assessment ("FBA");

b. create or revise any applicable behavior intervention plan ("BIP"), including but not limited to, such student's individualized education program ("IEP"); and

c. review or revise the student's IEP, as appropriate.

2. In the event that the exclusionary time out process is unsuccessful in addressing a student's problematic behavior, the student's PPT shall

convene as soon as practicable to determine alternative interventions or strategies to address the student's behavior.

C. A District and/or school administrator(s) shall determine the school employee(s) responsible for reviewing the number of occurrences of the use of physical restraint or seclusion on a monthly basis to ensure that the appropriate meeting(s) has been convened following the fourth occurrence of physical restraint or seclusion in a twenty (20) day period.

VIII. Crisis Intervention Team

A. Each school year, each school in the District must identify a crisis intervention team consisting of any teacher, administrator, school paraprofessional or other school employee designated by the school principal (in coordination with other appropriate administrators), and who has direct contact with students.

B. Members of crisis intervention teams shall respond to any incident in which the use of physical restraint or seclusion may be necessary as an emergency intervention to prevent immediate or imminent injury to a student or others.

C. The District shall maintain a list of the members of the crisis intervention team for each school.

IX. Documentation and Communication

A. After each incident of physical restraint or seclusion, and no later than the school day following the incident, a school employee must complete the form provided by the Windsor Public Schools for reporting incidents of physical restraint and seclusion. The incident form must be included in the educational file of the student who was physically restrained or secluded. The information documented on the form must include the following:

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

2. a detailed description of the nature of the restraint or seclusion;

3. the duration of the restraint or seclusion;

4. the effect of the restraint or seclusion on the student's established behavioral support or educational plan; AND

5. whether the seclusion of a student was conducted pursuant to an IEP.

B. A school employee must notify the parent or guardian of a student of each incident that the student is physically restrained or secluded.

1. A school employee must make a reasonable attempt to immediately notify a parent or guardian after a student is initially placed in physical restraint

or seclusion; in all circumstances, a school employee shall notify the parent or guardian within twenty-four (24) hours after a student is initially placed in physical restraint or seclusion.

2. Notification must be made by telephone, e-mail, or other method which may include, but is not limited to, sending a note home with the student.

3. The parent or guardian of a student who has been physically restrained or placed in seclusion shall be sent a copy of the completed incident report of such action no later than two (2) business days after the use of physical restraint or seclusion, regardless of whether the parent received the notification described in subsections 1 and 2 above.

4. The Director of Pupil and Special Education **[or other responsible administrator]** shall determine what school employees shall be permitted to ensure that required parent/guardian notifications are made.

C. The Director of Pupil and Special Education **[or other responsible administrator]**, or his or her designee, must, at each initial PPT meeting for a student, inform the child's parent, guardian, or surrogate parent, or the student if such student is an emancipated minor or eighteen years of age or older, of the laws relating to physical restraint and seclusion as expressed through this regulation, and of the laws and regulations adopted by the Connecticut State Department of Education relating to physical restraint and seclusion.

1. The Director of Pupil and Special Education **[or other responsible administrator]**, or his or her designee, shall provide to the child's parent, guardian, or surrogate parent, or the student if such student is an emancipated minor or eighteen years of age or older, at the first PPT meeting following the student's referral to special education the plain language notice of rights regarding physical restraint and seclusion developed by the Connecticut State Department of Education.

2. The plain language notice developed by the Connecticut State Department of Education shall also be provided to the student's parent, guardian, or surrogate parent, or the student if such student is an emancipated minor or eighteen years of age or older at the first PPT meeting at which the use of seclusion as a behavior intervention is included in the student's IEP.

D. The Director of Pupil and Special Education **[or other responsible administrator]**, or his or her designee, must be notified of the following:

1. each use of physical restraint or seclusion on a student;

2. the nature of the emergency that necessitated its use;

3. whether the seclusion of a student was conducted pursuant to an IEP; AND

3. if the physical restraint or seclusion resulted in physical injury to the student.

X. Responsibilities of the Director of Pupil and Special Education **[or other responsible administrator]**

A. The Director of Pupil and Special Education **[or other responsible administrator]**, or his or her designee, must compile annually the instances of physical restraint and seclusion within the District, the nature of each instance of physical restraint and seclusion, and whether instances of seclusion were conduct pursuant to IEPs.

B. The Director of Pupil and Special Education **[or other responsible administrator]**, or his or her designee, must report to the Connecticut State Department of Education within two (2) business days any instance of physical restraint or seclusion that resulted in physical injury (serious and non-serious) to the student.

XI. Professional Development Plan and Training

A. The District shall provide training regarding the physical restraint and seclusion of students to the members of the crisis intervention team for each school in the District identified in Section VIII, above. The District may provide such training to any teacher, administrator, school paraprofessional or other school employee, designated by the school principal and who has direct contact with students. The District shall provide such training annually and the training shall include, but not be limited to:

1. Beginning with the school year commencing July 1, 2017, an annual overview of the relevant laws and regulations regarding the use of physical restraint and seclusion on students and the proper uses of physical restraint and seclusion. Such overview shall be provided by the Department of Education in a manner and form as prescribed by the Commissioner of Education.

2. The creation of a plan to provide training regarding the prevention of incidents requiring physical restraint or seclusion of students. This plan shall be implemented not later than July 1, 2018.

3. The creation of a plan to provide training regarding the proper means of physical restraint or seclusion of a student, including, but not limited to:

    a. verbal defusing or de-escalation;

    b. prevention strategies;

    c. various types of physical restraint;

    d. the differences between life-threatening physical restraint and other varying levels of physical restraint;

    e. the differences between permissible physical restraint and pain compliance techniques;

f. monitoring methods to prevent harm to a student who is physically restrained or in seclusion; and

g. recording and reporting procedures on the use of physical restraint and seclusion.

This plan shall be implemented not later than July 1, 2018.

B. Each member of a crisis intervention team must be recertified in the use of physical restraint and seclusion pursuant to Section XI.A.3, above, on an annual basis.

XII. Review and Revision of Policies, Regulations and Procedures

A. The District shall make available policies and procedures regarding the physical restraint and seclusion of students and the use of exclusionary time out on the District's Internet web site and procedures manual.

B. The District shall update any policies, regulations and/or procedures regarding the physical restraint and seclusion of students and the use of exclusionary time out within sixty (60) days after the State Department of Education's adoption or revision of regulations regarding the same. Any and all such updates shall be made available in accordance with subsection A of this section.

Legal References:

Public Act 18-51, An Act Implementing the Recommendations of the Department of Education
Conn. Gen. Stat. § 10-76b
Conn. Gen. Stat. § 10-76d
Conn. Gen. Stat. § 10-236b
Conn. Gen. Stat. §§ 53a-18 to 53a-22
Conn. Agencies Reg. §§ 10-76b-5 to 10-76b-11

Other References:

Restraint and Seclusion: Resource Document, United States Department of Education, available at http://www2.ed.gov/policy/seclusion/restraints-and-seclusion-resources.pdf.

Understanding the Laws and Regulations Governing the Use of Restraint and Seclusion, Connecticut State Department of Education (July 2018).

Guidance Related to Recent Legislation Regarding Restraint and Seclusion, Connecticut State Department of Education (Revised, July 2018).

Regulation approved:

Current policy

P 5142.2

Students

RESTRAINT AND SECLUSION OF PERSONS AT RISK

The Board of Education seeks to foster a safe and positive learning environment for all students. In compliance with law, Board of Education employees will avoid the use of physical restraint or seclusion of students. However, physical restraint or seclusion of a student may be necessary in an emergency situation to maintain the safety of the student or another individual.

The following sets forth the procedures for compliance with the relevant Connecticut General Statutes and Regulations concerning the physical restraint and seclusion of persons at risk in the Windsor Public Schools. The Board of Education mandates compliance with this regulation at all times. Violations of this regulation by a Board of Education staff member or other individual working at the direction of, or under the supervision of, the Board of Education, may result in disciplinary action, up to and including possible termination of employment status and/or termination of contract for services.

Nothing within these regulations shall be construed to interfere with the Board's responsibility to maintain a safe school setting, in accordance with Connecticut General Statutes § 10-220, or to supersede the justifiable use of reasonable physical force permitted under Connecticut General Statutes § 53a-18(6).

I. Definitions:

Provider: A person who provides direct care, education or supervision of a person at risk.

Assistant Provider or Assistant: A person assigned to provide, or who may be called upon in an emergency to provide, assistance or security to a provider.

Person at Risk: A child who meets the eligibility criteria for special education services under the Individuals with Disabilities Education Act, 20 U.S.C. § 1400 *et seq.* ("IDEA"), and who is receiving special education from the Board of Education, or a child who is being evaluated for eligibility for special education pursuant to statute and awaiting a determination.

Life Threatening Physical Restraint: Any physical restraint or hold of a person that restricts the flow of air into a person's lungs, whether by chest compression or any other means.

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

Seclusion: The confinement of a person in a room, whether alone or with supervision by a provider or assistant, in a manner that prevents the person from leaving that room. Seclusion **does not include** any confinement of a person at risk in which the person is physically able to leave the area of confinement including, but not limited to, in-school suspension and time-out.

Behavior Intervention: Supports and other strategies developed by the planning and placement team ("PPT") to address the behavior of a person at risk that impedes the learning of the person at risk or the learning of others.

Licensed Health Care Provider: (1) A legally qualified practitioner of medicine; (2) an advanced practice registered nurse; (3) a registered nurse licensed pursuant to Chapter 378 of the Connecticut General Statutes; or (4) a physician assistant licensed pursuant to Chapter 370 of the Connecticut General Statutes.

II. Procedures for Physical Restraint of Persons at Risk

A. Life-Threatening Physical Restraint: No provider or assistant shall under any circumstance use a life-threatening physical restraint on a person at risk.

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

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

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

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

F. Monitoring

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

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

III. Procedures for Seclusion of Persons at Risk

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

1. as an emergency intervention to prevent immediate or imminent injury to the person at risk or to others; OR

2. as specifically provided for in the IEP of the person at risk, if other less restrictive, positive behavior interventions appropriate to the behavior exhibited by the person at risk have been implemented but were ineffective.

B. Seclusion as a Behavior Intervention in an IEP

1. Prior to including seclusion in the IEP of a person at risk, the PPT must review the results of a functional behavioral assessment and other information determined to be relevant by the PPT. If, based on this information, the PPT determines that the use of seclusion is an appropriate behavior intervention for the person at risk, the PPT shall include the assessment data and other relevant information in the IEP of the person at risk as the basis upon which a decision was made to include the use of seclusion as a behavior intervention. The use of seclusion in the IEP must be reviewed at least annually by the PPT. The PPT must include the following information in the IEP of the person at risk:

a. the location of seclusion for the person at risk, which may be multiple locations within a school building;

b. the maximum length of any period of seclusion, in accordance with Section III(D) of this regulation;

c. the number of times during a single day that the person at risk may be placed in seclusion;

d. the frequency of monitoring required for the person at risk while in seclusion;

e. the timeframe and manner of notification of each incident of seclusion, as determined by the PPT and the parents of the person at risk; and

f. any other relevant information agreed-to by the PPT taking into consideration the age, disability and behaviors of the person at risk that might subject the person at risk to the use of seclusion.

2. When seclusion is included in the IEP of a person at risk and is used as a behavior intervention strategy more than two times in any school quarter, the PPT must convene to review the use of seclusion as a behavior intervention. At this PPT meeting, the team may consider whether additional evaluations or assessments are necessary to address the behavior of the person at risk and may revise the IEP as appropriate.

3. Prior to including seclusion in an IEP of a person at risk, the PPT must inquire as to whether there are any known medical or psychological conditions that would be directly and adversely impacted by the use of seclusion as a behavior intervention. A person at risk may not be placed in seclusion if such person is known to have any medical or psychological condition that a licensed health care provider has indicated will be directly and adversely impacted by the use of seclusion. The PPT may request a medical or psychological evaluation of the child for purposes of determining whether there is a medical or psychological condition that will be directly and adversely impacted by the use of seclusion as a behavior intervention. Any written statement from a licensed health care professional in this regard shall be included in the special education file of the person at risk.

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

D. Any period of seclusion (1) shall be limited to that time necessary to allow the person at risk to compose him or herself and return to the educational environment and (2) shall not exceed one hour. The use of seclusion may be continued with written authorization from the building principal or designee to prevent immediate or imminent injury to the person at risk or

to others. Where transportation of the person at risk is necessary, the written authorization to continue the use of seclusion is not required if immediate or imminent injury to the person at risk or to others is a concern.

E. Providers and assistants must explore all less restrictive alternatives prior to using seclusion for a person at risk, unless seclusion is being used pursuant to the IEP of the person at risk.

F. Any room used for seclusion must:

1. be of a size that is appropriate to the chronological and developmental age, size and behavior of the person at risk;

2. have a ceiling height that is comparable to the ceiling height of the other rooms in the building in which the seclusion room is located;

3. be equipped with heating, cooling, ventilation and lighting systems that are comparable to the systems that are used in the other rooms of the building in which the seclusion room is located;

4. be free of any object that poses a danger to the person at risk who is being placed in the seclusion room;

5. have a door with a lock only if that lock is equipped with a device that automatically disengages the lock in case of an emergency.[1] Any latching or securing of the door, whether by mechanical means or by a provider or assistant holding the door in place to prevent the person at risk from leaving the room, shall be able to be removed in the case of any emergency. An "emergency," for purposes of this subsection, includes but is not limited to the following:

   a. the need to provide direct and immediate medical attention to the person at risk;

   b. fire;

   c. the need to remove the person at risk to a safe location during a building lockdown; or

   d. other critical situations that may require immediate removal of the person at risk from seclusion to a safe location; and

[1] Not later than January 1, 2014, the locking mechanism of any room in a public school specifically designated for use as a seclusion room shall be a pressure sensitive plate.

6. have an unbreakable observation window located in a wall or door to permit frequent visual monitoring of the person at risk and any provider or assistant in such room. The requirement for an unbreakable observation window does not apply if it is necessary to clear and use a classroom or other room in the school building as a seclusion room for a person at risk.

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

H. Monitoring

1. If seclusion is included in the IEP of the person at risk, the IEP must describe the frequency of monitoring of the person at risk while in seclusion. The monitoring must be conducted by direct observation of the person at risk.

2. If a person at risk has been secluded as an emergency intervention to prevent immediate or imminent injury to the person at risk or others, a provider or an assistant must frequently monitor the person at risk. The monitoring must be conducted by direct observation of the person at risk.

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

IV. Training of Providers and Assistant Providers

A. The Board of Education shall provide physical management training for all Board of Education employees who engage in the physical restraint and seclusion of persons at risk pursuant to this regulation. Prior to engaging in physical restraint and/or seclusion practices pursuant to this regulation, Board of Education employees must successfully complete the Board of Education's physical management training program.

B. The Board shall provide training in physical management, physical restraint and seclusion procedures including, but not limited to, training to recognize health and safety issues for children placed in seclusion to ensure the safe use of seclusion as a behavior intervention.

C. The Board shall also provide training in verbal defusing or deescalation; prevention strategies; types of physical restraint; the differences between life-threatening physical restraint and other varying levels of physical

restraint; the differences between permissible physical restraint and pain compliance techniques; monitoring to prevent harm to a person physically restrained or in seclusion and recording and reporting procedures on the use of restraints and seclusion.

V. Documentation and Communication

A. After each incident of physical restraint or seclusion, and no later than the school day following the incident, a provider must complete the standardized incident report form developed by the Connecticut State Department of Education for reporting incidents of physical restraint and seclusion. The incident form must be included in the educational file of the person at risk who was physically restrained or secluded. The information documents on the form must include the following:

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

2. a detailed description of the nature of the restraint or seclusion;

3. the duration of the restraint or seclusion;

4. the effect of the restraint or seclusion on the person's established behavioral support or educational plan; AND

5. whether the seclusion of a person at risk was conducted pursuant to an IEP.

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

1. An attempt shall be made to notify the parent or guardian of the person at risk on the day of, or within twenty-four (24) hours after, physical restraint or seclusion is used with the person at risk as an emergency intervention to prevent immediate or imminent injury to the person or others.

2. Notification may be made by telephone, e-mail, or other method which may include, but is not limited to, sending a note home with the person at risk.

3. The parent or guardian of a person at risk who has been physically restrained or placed in seclusion shall be sent a copy of the

completed standardized incident report of such action no later than two (2) business days after the emergency use of physical restraint or seclusion, regardless of whether the parent received the notification described in subsections 1 and 2 above.

4. Where seclusion has been included in the IEP of a person at risk, notification shall be made in accordance with Section III(B)(1)(e) above.

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

1. The Director of Special Education [or other responsible administrator], or his or her designee, shall provide to the child's parent, guardian, or surrogate parent, or the pupil if such pupil is an emancipated minor or eighteen years of age or older, at the first PPT meeting following the child's referral to special education the plain language notice of rights regarding physical restraint and seclusion developed by the Connecticut State Department of Education.

2. The plain language notice developed by the Connecticut State Department of Education shall also be provided to the child's parent, guardian, or surrogate parent, or the pupil if such pupil is an emancipated minor or eighteen years of age or older at the first PPT meeting at which the use of seclusion as a behavior intervention is included in the child's IEP.

E. The Director of Special Education [or other responsible administrator], or his or her designee, must be notified of the following:

1. each use of physical restraint or seclusion on a person at risk;

2. the nature of the emergency that necessitated its use;

3. whether the seclusion of a person at risk was conducted pursuant to an IEP; AND

3. if the physical restraint or seclusion resulted in physical injury to the person at risk.

VI. Responsibilities of the Director of Special Education [or other responsible administrator]

A. The Director of Special Education[or other responsible administrator], or his or her designee, must compile annually the instances of physical restraint and seclusion within the District, the nature of each instance of physical restraint and seclusion and whether instances of seclusion were conduct pursuant to IEPs.

B. The Director of Special Education [or other responsible administrator], or his or her designee, must report to the Connecticut State Department of Education any instance of physical restraint or seclusion that resulted in physical injury to the person at risk.

Legal References:

Conn. Gen. Stat. §§ 46a-150 through 46a-154

Conn. Gen. Stat. § 10-76b

Conn. Gen. Stat. § 10-76d

Regs. Conn. State Agencies §§ 10-76b-5 through 10-76b-11

Other Reference:

Restraint and Seclusion: Resource Document, United States Department of Education, available at http://www2.ed.gov/policy/seclusion/restraints-and-seclusion-resources.pdf.

Policy adopted: April 9, 2013

Rational for Revised Regulation:

AR 5123.1 Windsor High School Graduation Requirements

This regulation has been revised based on Public Act 17-42 which has made revisions to the new graduation requirements and provides districts with additional flexibility in determining how to award students credits. Public Act 17-42 delayed the implementation of new high school graduation requirements. The new requirements are effective with the graduating class of 2023.

Revised

AR5123.1

Students

PROMOTION / RETENTION

Windsor High School Graduation Requirements

I. Introduction

To graduate from Windsor High School, a student must earn a minimum of 25 credits and must meet the credit distribution requirement listed below and must complete 20 hours of verified community service. Students must also meet performance standards in reading/writing, mathematics and science.

II. Credit Distribution Requirement

9 Credits in Humanities Including:		
English	4 credits	English 1 English 2 English 3 English 4
Social Studies	3.5 credits	Early Global Studies Modern Global Studies U.S. History Civics
Fine Arts	1 credit	Electives such as music, visual arts, dance or drama.
Humanities Elective	.5 credits	
9 Credits in Science, Technology, Engineering and Mathematics Including:		
Math	3 credits	Algebra 1 Geometry Algebra 2
Science	3 credits	Integrated Science* (required for WPS freshman) Biology Chemistry

Science, Technology, Engineering and Mathematics Elective	3 credits	Science, Technology, Engineering and Mathematics elective
4.5 Credits in Career and Life Skills Including:		
Physical Education	1 credit	
Health and Safety	1 credit	
Career and Technical Education	1.5 credits	Electives such as business education, family consumer science or technology.
Personal Finance	.5 credits	
SAT Preparation	.5 credits	
World Language	1 credit	
Mastery Based Assessment	1 credit	Senior Mastery Based Assessment or its equivalent, as approved by the State Board of Education.
Any Elective	.5 credits	Any additional coursework taken as an elective credit or listed as an elective credit
Grand Total of Credits	***25 credits***	
Citizenship		
Community Service	20 hours	Students will evidence the ability to be a contributing member of the school and local community, and demonstrate knowledge and skills in career activities by satisfactory completion of 20 learning through service hours over 4 years.

High school graduation credit will be granted to students for World Language courses successfully completed in grades six, seven or eight.

High school graduation credit will be granted to students for coursework completed during the school year or summer months at an institution accredited by the Board of Regents for Higher Education or Office of Higher Education or regionally accredited. One three-credit semester course, or its equivalent, at such an institution shall equal one credit for purposes of this policy.

III. Promotion and Retention

The promotion and retention of students is based on earned academic credits. Promotion from grade 9 to grade 12 is determined by the following credit standards:

Grade 9 to 10	6.0 credits
Grade 10 to 11	12.0 credits
Grade 11 to 12	18.5 credits

IV. Performance Standards: Reading, Writing, Mathematics and Science

Windsor High School students must have basic skills in reading/writing, mathematics and science before graduation. To demonstrate their competency in these areas students must meet the district's performance standards.

All students, as part of the mandated State testing program, must take the Next Generation Science Standards (NGSS) Assessment and the SAT in grade 11.

Step 1: Standardized Assessments

Students meet the district performance standard if they have met any of the following requirements in the area specified:

Reading/Writing

A. Achieve a score on the SAT I in Evidence Based Reading and Writing which meets the "Proficient" or similar designation as determined by the State of Connecticut.

B. Achieve a minimum composite score of 20 on the ACT.

Mathematics

A. Achieve a score on the SAT I in Mathematics which meets the "Proficient" or similar designation as determined by the State of Connecticut.

B. Achieve a minimum composite score of 20 on the ACT.

Science

A. Achieve proficiency (score of 3 or higher) on the Connecticut NGSS Science Assessment. Proficiency levels have not been set for NGSS.

Step 2: District Performance Assessments

Students who do not achieve qualifying scores in one or more areas on the standardized measures discussed in Step 1 must demonstrate mastery on the district performance assessments:

1. Reading/Writing and Mathematics

a. The District Performance Assessment in Reading/Writing will be administered quarterly during a student's senior year. Students who score at least a 70% have met the reading and writing graduation requirement.

b. The District Performance Assessment in Mathematics will be administered quarterly during a student's senior year. Students who score at least 70% have met the mathematics graduation requirement.

2. Science

a. The District Performance Assessment in Science will be administered quarterly beginning in a student's junior year to those students who did not meet the district standard on Grade 11 NGSS Science Assessment. Students who score at least 70% have met the science graduation requirement.

Notification: The counseling department will notify students and parents/guardians in writing at the beginning of senior year (reading/writing, mathematics, science) if they have not yet met the graduation requirement.

Transfers: If a student transfers into Windsor High School after completing at least three years in a high school in another district, s/he must have met the goal on the test from the sending district or state in order to be exempt from Windsor's performance standard requirement for graduation.

Special Needs: The performance standard requirement for graduation for a student with special needs may be modified if so indicated on the student's Individual Education Plan (IEP).

V. Options If Requirements Are Not Met

A. Seniors who have earned the necessary 25 credits to graduate but have not met the district performance standard on one or more of the reading/writing, mathematics, and science performance assessments must:

1. Enroll in summer school courses that, if successfully completed, would meet the standard,

OR

2. Sit for a retake of the district performance assessment during the summer, the date of administration to be determined by the school system.

B. Seniors who are short .5 to 2.0 credits for graduation must:

1. Enroll in summer school and pass the courses needed to graduate.

2. If the student does not meet all necessary credit requirements for graduation through summer school, s/he can return to WHS in September but only to make-up those courses needed to graduate. [The student may not carry a full load of courses, and will be permitted on campus only during the time s/he is in class.]

OR

3. Attend Adult Education or community college to earn the necessary credits for graduation.

C. Seniors who are short 2.5 or more credits toward graduation may return to Windsor High and carry a full load of courses.

Note: Any seniors returning for another year of school must meet the graduation standard of the students' original graduating class which is based on the year they entered high school.

VI. Residency Requirement:

To receive a Windsor High School diploma, students must have earned a minimum of 5.50 credits while attending Windsor High School. Of the 5.50 credits earned at Windsor High School, 2.50 credits must be earned during the senior year. Students transferring to Windsor High School and planning to graduate in June of the school year in which they transferred, must be enrolled at the school no later than February 1st of that same school year to receive a Windsor High School diploma.

Reference:

P-0200 - Goals for Students

P-6146.1 - Reporting to Parents

AR-6146.1 - Reporting to Parents, Marking System

P-6146 - Graduation Requirements, Standards of Proficiency

Legal Reference - Connecticut General Statutes:

PA 99-288 An Act of Concerning Education Accountability

10-221 (a) Board of Education to prescribe rules

PA 01-166: An Act Concerning High School Graduation and the Connecticut Academic Performance Test

Regulation Revised: June 6, 2016

Regulation Approved: November 16, 2010

Craig A. Cooke, Ph.D.

Superintendent of Schools

Windsor Public Schools

Windsor, CT

PROMOTION / RETENTION
Windsor High School Graduation Requirements

I. Introduction

To graduate from Windsor High School, a student must earn a minimum of 23 credits (25 credits effective with the Class of 2017), and must meet the credit distribution requirement listed below and must complete 20 hours of verified community service beginning with the Class of 2017. Students must also meet performance standards in reading/writing, mathematics and science.

II. Credit Distribution Requirement

English	4 credits (English 9, 10, 11 and 12)
Science	3 credits (Integrated Science 1, Biology, and 1 additional credit in any combination of other science courses)
Mathematics	3 credits
Social Studies	3.5 credits (Early Global Studies, Modern Global Studies, US History and Civics)
Fine Arts	.5 credits (any music or art elective) (1.0 credits with Class of 2020)
Vocational/Applied Ed.	.5 credits (business, human and personal services, or technology education) (1.0 credits with the Class of 2020)
Physical Education	1.5 credits (PE/Health 9, PE/Health 10 and one other elective)

III. Promotion and Retention

The promotion and retention of students is based on earned academic credits. Promotion from grade 9 to grade 12 is determined by the following credit standards:

Grade 9 to 10	6.0 credits
Grade 10 to 11	12.0 credits
Grade 11 to 12	18.5 credits

IV. Performance Standards: Reading, Writing, Mathematics and Science

Windsor High School students must have basic skills in reading/writing, mathematics and science before graduation. To demonstrate their competency in these areas students must meet the district's performance standards.

All students, as part of the mandated State testing program, must take the Science CAPT in grade 10 and the SAT in grade 11.

Step 1: Standardized Assessments

Students meet the district performance standard if they have met any of the following requirements in the area specified:

Reading/Writing

A. Achieve a score on the SAT I in Evidence Based Reading and Writing which meets the "Proficient" or similar designation as determined by the State of Connecticut.
B. Achieve a minimum composite score of 20 on the ACT.

Mathematics

A. Achieve a score on the SAT I in Mathematics which meets the "Proficient" or similar designation as determined by the State of Connecticut.
B. Achieve a minimum composite score of 20 on the ACT.

Science

A. Achieve proficiency (score of 3 or higher) on the Connecticut Academic Performance Test (CAPT) in Science.

Step 2: District Performance Assessments

Students who do not achieve qualifying scores in one or more areas on the standardized measures discussed in Step 1 must demonstrate mastery on the district performance assessments:

1. **Reading/Writing and Mathematics**

    a. The District Performance Assessment in Reading/Writing will be administered quarterly during a student's senior year. Students who score at least a 70% have met the reading and writing graduation requirement.

    b. The District Performance Assessment in Mathematics will be administered quarterly during a student's senior year. Students who score at least 70% have met the mathematics graduation requirement.

2. **Science**

    a. The District Performance Assessment in Science will be administered quarterly beginning in a student's junior year to those students who did not meet the district standard on Grade 10 Science CAPT. Students who score at least 70% have met the science graduation requirement.

Notification: The counseling department will notify students and parents/guardians in writing at the beginning of their junior year (science only) and senior year (reading/writing, mathematics, science) if they have not yet met the graduation requirement.

Transfers: If a student transfers into Windsor High School after completing at least three years in a high school in another district, s/he must have met the goal on the test from the sending district or state in order to be exempt from Windsor's performance standard requirement for graduation.

Special Needs: The performance standard requirement for graduation for a student with special needs may be modified if so indicated on the student's Individual Education Plan (IEP).

V. Options If Requirements Are Not Met

A. Seniors who have earned the necessary 23 credits (25 credits effective with the Class of 2017) to graduate but have not met the district performance standard on one or more of the reading/writing, mathematics, and science performance assessments must:

1. Enroll in summer school courses that, if successfully completed, would meet the standard,

OR

2. Sit for a retake of the district performance assessment during the summer, the date of administration to be determined by the school system.

B. Seniors who are short .5 to 2.0 credits for graduation must:

1. Enroll in summer school and pass the courses needed to graduate.

2. If the student does not meet all necessary credit requirements for graduation through summer school, s/he can return to WHS in September but only to make-up those courses needed to graduate. [The student may not carry a full load of courses, and will be permitted on campus only during the time s/he is in class.]

OR

3. Attend night school or community college to earn the necessary credits for graduation.

C. Seniors who are short 2.5 or more credits toward graduation may return to Windsor High and carry a full load of courses.

Note: Any seniors returning for another year of school must meet the graduation standard of the students' original graduating class which is based on the year they entered high school.

VI. Residency Requirement:

To receive a Windsor High School diploma, students must have earned a minimum of 5.50 credits while attending Windsor High School. Of the 5.50 credits earned at Windsor High School, 2.50 credits must be earned during the senior year. Students transferring to Windsor High School and planning to graduate in June of the school year in which they transferred, must be enrolled at the school no later than February 1st of that same school year to receive a Windsor High School diploma.

Reference:

P-0200 – Goals for Students
P-6146.1 – Reporting to Parents
AR-6146.1 – Reporting to Parents, Marking System
P-6146 – Graduation Requirements, Standards of Proficiency

Legal Reference – Connecticut General Statutes:

PA 99-288 An Act of Concerning Education Accountability
10-221 (a) Board of Education to prescribe rules
PA 01-166: An Act Concerning High School Graduation and the Connecticut Academic Performance Test

Regulation Revised: June 6, 2016
Regulation Approved: November 16, 2010

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

Windsor Public Schools
Windsor, CT

Substitute Senate Bill No. 1026

Public Act No. 17-42

AN ACT CONCERNING REVISIONS TO THE HIGH SCHOOL GRADUATION REQUIREMENTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 10-221a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2017*):

(a) For classes graduating from 1988 to 2003, inclusive, no local or regional board of education shall permit any student to graduate from high school or grant a diploma to any student who has not satisfactorily completed a minimum of twenty credits, not fewer than four of which shall be in English, not fewer than three in mathematics, not fewer than three in social studies, not fewer than two in science, not fewer than one in the arts or vocational education and not fewer than one in physical education.

(b) For classes graduating from 2004 to [2020] 2022, inclusive, no local or regional board of education shall permit any student to graduate from high school or grant a diploma to any student who has not satisfactorily completed a minimum of twenty credits, not fewer than four of which shall be in English, not fewer than three in mathematics, not fewer than three in social studies, including at least a one-half credit course on civics and American government, not fewer than two in science, not fewer than one in the arts or vocational education and not fewer than one in physical education.

[(c) Commencing with classes graduating in 2021, and for each graduating class thereafter, no local or regional board of education shall permit any student to graduate from high school or grant a diploma to any student who has not satisfactorily completed (1) a minimum of twenty-five credits, including not fewer than: (A) Nine credits in the humanities, including not fewer than (i) four credits in English, including composition; (ii) three credits in social studies, including at least one credit in American history and at least one-half credit in civics and American government; (iii) one credit in fine arts; and (iv) one credit in a humanities elective; (B) eight credits in science, technology, engineering and mathematics, including not fewer than (i) four credits in mathematics, including algebra I, geometry and algebra II or probability and statistics; (ii) three credits in science,

including at least one credit in life science and at least one credit in physical science; and (iii) one credit in a science, technology, engineering and mathematics elective; (C) three and one-half credits in career and life skills, including not fewer than (i) one credit in physical education; (ii) one-half credit in health and safety education, as described in section 10-16b; and (iii) two credits in career and life skills electives, such as career and technical education, English as a second language, community service, personal finance, public speaking and nutrition and physical activity; (D) two credits in world languages, subject to the provisions of subsection (g) of this section; and (E) a one credit senior demonstration project or its equivalent, as approved by the State Board of Education; and (2) end of the school year examinations for the following courses: (A) Algebra I, (B) geometry, (C) biology, (D) American history, and (E) grade ten English.]

(c) Commencing with classes graduating in 2023, and for each graduating class thereafter, no local or regional board of education shall permit any student to graduate from high school or grant a diploma to any student who has not satisfactorily completed a minimum of twenty-five credits, including not fewer than: (1) Nine credits in the humanities, including civics and the arts; (2) nine credits in science, technology, engineering and mathematics; (3) one credit in physical education and wellness; (4) one credit in health and safety education, as described in section 10-16b; (5) one credit in world languages, subject to the provisions of subsection (g) of this section; and (6) a one credit mastery-based diploma assessment.

(d) Commencing with classes graduating in [2021] 2023, and for each graduating class thereafter, local and regional boards of education shall provide adequate student support and remedial services for students beginning in grade seven. Such student support and remedial services shall provide alternate means for a student to complete any of the high school graduation requirements [or end of the school year examinations] described in subsection (c) of this section, if such student is unable to satisfactorily complete any of the required courses or exams. Such student support and remedial services shall include, but not be limited to, (1) allowing students to retake courses in summer school or through an on-line course; (2) allowing students to enroll in a class offered at a constituent unit of the state system of higher education, as defined in section 10a-1, pursuant to subdivision (4) of subsection (g) of this section; (3) allowing students who received a failing score, as determined by the Commissioner of Education, on an end of the school year exam to take an alternate form of the exam; and (4) allowing those students whose individualized education programs state that such students are eligible for an alternate assessment to demonstrate competency on any of the five core courses through success on such alternate assessment.

(e) Any student who presents a certificate from a physician or advanced practice registered nurse stating that, in the opinion of the physician or advanced practice registered nurse, participation in physical education is medically contraindicated because of the physical condition of such student, shall be excused from the physical education requirement, provided the credit for physical education may be fulfilled by an elective.

(f) Determination of eligible credits shall be at the discretion of the local or regional board of education, provided the primary focus of the curriculum of eligible credits corresponds directly

the subject matter of the specified course requirements. The local or regional board of education may permit a student to graduate during a period of expulsion pursuant to section 10-233d, if the board determines the student has satisfactorily completed the necessary credits pursuant to this section. The requirements of this section shall apply to any student requiring special education pursuant to section 10-76a, except when the planning and placement team for such student determines the requirement not to be appropriate. For purposes of this section, a credit shall consist of not less than the equivalent of a forty-minute class period for each school day of a school year except for a credit or part of a credit toward high school graduation earned (1) at an institution accredited by the Board of Regents for Higher Education or Office of Higher Education or regionally accredited, (2) through on-line coursework that is in accordance with a policy adopted pursuant to subsection (g) of this section, or (3) through a demonstration of mastery based on competency and performance standards, in accordance with guidelines adopted by the State Board of Education.

(g) Only courses taken in grades nine to twelve, inclusive, and that are in accordance with the state-wide subject matter content standards, adopted by the State Board of Education pursuant to section 10-4, as amended by this act, shall satisfy the graduation requirements set forth in this section, except that a local or regional board of education may grant a student credit (1) toward meeting the high school graduation requirements upon the successful demonstration of mastery of the subject matter content described in this section achieved through educational experiences and opportunities that provide flexible and multiple pathways to learning, including cross-curricular graduation requirements, career and technical education, virtual learning, work-based learning, service learning, dual enrollment and early college, courses taken in middle school, internships and student-designed independent studies, provided such demonstration of mastery is in accordance with such state-wide subject matter content standards; (2) toward meeting a specified course requirement upon the successful completion in grade seven or eight of any course, the primary focus of which corresponds directly to the subject matter of a specified course requirement in grades nine to twelve, inclusive; [(2)] (3) toward meeting the high school graduation requirement upon the successful completion of a world language course (A) in grade six, seven or eight, (B) through on-line coursework, or (C) offered privately through a nonprofit provider, provided such student achieves a passing grade on an examination prescribed, within available appropriations, by the Commissioner of Education and such credits do not exceed four; [(3)] (4) toward meeting the high school graduation requirement upon achievement of a passing grade on a subject area proficiency examination identified and approved, within available appropriations, by the Commissioner of Education, regardless of the number of hours the student spent in a public school classroom learning such subject matter; [(4)] (5) toward meeting the high school graduation requirement upon the successful completion of coursework during the school year or summer months at an institution accredited by the Board of Regents for Higher Education or Office of Higher Education or regionally accredited. One three-credit semester course, or its equivalent, at such an institution shall equal one-half credit for purposes of this section; [(5)] (6) toward meeting the high school graduation requirement upon the successful completion of on-line coursework, provided the local or regional board of education has adopted a policy in accordance with this subdivision for the granting of credit for on-line coursework. Such a policy shall ensure, at a

minimum, that (A) the workload required by the on-line course is equivalent to that of a similar course taught in a traditional classroom setting, (B) the content is rigorous and aligned with curriculum guidelines approved by the State Board of Education, where appropriate, (C) the cou engages students and has interactive components, which may include, but are not limited to, required interactions between students and their teachers, participation in on-line demonstrations, discussion boards or virtual labs, (D) the program of instruction for such on-line coursework is planned, ongoing and systematic, and (E) the courses are (i) taught by teachers who are certified in the state or another state and have received training on teaching in an on-line environment, or (ii) offered by institutions of higher education that are accredited by the Board of Regents for Higher Education or Office of Higher Education or regionally accredited; or [(6)] (7) toward meeting the high school graduation requirement upon the successful completion of the academic advancement program, pursuant to section 10-5c.

(h) A local or regional board of education may offer one-half credit in community service which, if satisfactorily completed, shall qualify for high school graduation credit pursuant to this section, provided such community service is supervised by a certified school administrator or teacher and consists of not less than fifty hours of actual service that may be performed at times when school is not regularly in session and not less than ten hours of related classroom instruction. For purposes of this section, community service does not include partisan political activities. The State Board of Education shall assist local and regional boards of education in meeting the requirements of this section. The State Board of Education shall award a community service recognition award to any student who satisfactorily completes fifty hours or more of community service in accordance with the provisions of this subsection.

(i) (1) A local or regional board of education may award a diploma to a veteran, as defined in subsection (a) of section 27-103, of World War II or the Korean hostilities, as described in section 51-49h, or of the Vietnam Era, as defined in subsection (a) of section 27-103, who withdrew from high school prior to graduation in order to serve in the armed forces of the United States and did not receive a diploma as a consequence of such service.

(2) A local or regional board of education may award a diploma to any person who (A) withdrew from high school prior to graduation to work in a job that assisted the war effort during World War II, December 7, 1941, to December 31, 1946, inclusive, (B) did not receive a diploma as a consequence of such work, and (C) has been a resident of the state for at least fifty consecutive years.

(j) For the school year commencing July 1, 2012, and each school year thereafter, each local and regional board of education shall create a student success plan for each student enrolled in a public school, beginning in grade six. Such student success plan shall include a student's career and academic choices in grades six to twelve, inclusive.

Sec. 2. Subsection (a) of section 10-4 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2017*):

(a) Said board shall have general supervision and control of the educational interests of the state, which interests shall include preschool, elementary and secondary education, special education, vocational education and adult education; shall provide leadership and otherwise promote the improvement of education in the state, including research, planning and evaluation and services relating to the provision and use of educational technology, including telecommunications, by school districts; shall adopt state-wide subject matter content standards, provided such standards are reviewed and revised at least once every ten years; shall prepare such courses of study and publish such curriculum guides including recommendations for textbooks, materials, instructional technological resources and other teaching aids as it determines are necessary to assist school districts to carry out the duties prescribed by law; shall conduct workshops and related activities, including programs of intergroup relations training, to assist teachers in making effective use of such curriculum materials and in improving their proficiency in meeting the diverse needs and interests of pupils; shall keep informed as to the condition, progress and needs of the schools in the state; and shall develop or cause to be developed evaluation and assessment programs designed to measure objectively the adequacy and efficacy of the educational programs offered by public schools and shall selectively conduct such assessment programs annually and report, pursuant to subsection (b) of this section, to the joint standing committee of the General Assembly having cognizance of matters relating to education, on an annual basis.

Sec. 3. Section 10-5e of the general statutes is repealed. (*Effective July 1, 2017*)

Approved June 13, 2017

Rational for Revised Policy:

P 1110.1 Parent Involvement

This policy has been revised based on current district practices as well as Connecticut's Definition and Framework for Family Engagement that was co-created by multiple stakeholders including educators, parents and community members.

Revised

Community Relations **P 1110.1**

FAMILY ENGAGMENT

The Board of Education believes strongly that students are most successful when educators, families, and community members work in full, equal, and equitable partnership. By creating an expectation understanding that student learning and development is a shared responsibility, school, family, and community partnerships have proven to result in enhanced academic performance, improved social and emotional skills, and improved student attendance.

Recognizing that effective partnerships must be mutually developed and fully supported, the Board of Education is committed to providing the systemic resources necessary to foster meaningful family and community engagement and a culture of collaboration. To that end, at both the district and school level these resources will include, but not be limited to:

- Regular, meaningful, two way communication between schools and families that includes information related to student progress as well as strategies to support learning at home
- School environments that are both welcoming and governed by policies and procedures that take into account families' needs and cultural backgrounds
- Authentic opportunities for families and community members to participate actively in school and district planning, program development, and decision making
- Shared opportunities for school staff and families to build their capacity to partner effectively and to co-develop cultural competence
- Activities and initiatives that will promote leadership development and foster advocacy skills among families
- Mechanisms for eliciting student, family, and community feedback and monitoring school and district climates

Responsibility for providing these resources rests with Windsor Public School staff members at both district and school levels. Administrators, teachers, and support staff will be committed to establishing collaborative, trusting relationships with families and community and to developing full, equal partnerships that are focused on and linked to student learning.

Current

Section: Community Relations

Subject: COMMUNICATIONS WITH THE PUBLIC P-1110.1

BOARD OF EDUCATION POLICY
WINDSOR PUBLIC SCHOOLS
WINDSOR, CT

Parent Involvement

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

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

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

Each school should:

A. Encourage strong home-based partnerships;

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

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

D. Offer ways parents can support classroom learning activities;

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

F. Include a parent and student/feedback mechanism.

Policy Adopted: July 13, 2005

Legal Reference: Connecticut General Statutes
10-221 Boards of Education to prescribe rule(s), policies, and procedures as amended by PA 97-290

Rational for New Policy:

P 3520.13 Data-Based Information and Management Systems

This policy is in alignment with CT Legislation P.A. 16-189: An Act Concerning Student Privacy. Boards of education are required to enter into a written contract with a contractor any time it shares or provides access to student information, student records, or student-generated content. The law and this policy states student data is not the property of the contractor, the B.O.E. may request deletion of any data, only use data for authorized purposes, provide system of review of data for families, and a description of procedures in the event of an unauthorized data release.

DATA-BASED INFORMATION AND MANAGEMENT SYSTEMS

Student Data Protection and Privacy/Cloud=Based Issues

The Board of Education (Board) may, pursuant to this policy, enter into a contract with a third party for either or both of the following purposes:

1. To provide services, including Cloud-based services, for the digital storage, management, and retrieval of student records.

2. To provide digital educational software that authorizes a third-party provider of digital educational software to access, store, and use student records in accordance with the contractual provisions listed below.

The Board when entering into a contract with a contractor for purposes listed above, shall ensure the contract includes, but is not limited to the following:

1. A statement that student records, student information and student generated content continues to be the property of and under the control of the Board. (They are not the property of, or under the control of a software or electronic service contractor.)

2. A description of the means by which the Board may request the deletion of any student information, student records or student-generated content in the possession of the contractor that is not (a) otherwise prohibited from deletion or required to be retained under state or federal law, or (b) stored as a copy of a disaster recovery storage system and that is (i) inaccessible to the public, and (ii) unable to be used in the normal course of business by the contractor, provided the Board of Education may request the deletion of any such student information, student records or student-generated content if such copy has been used by the operator to repopulate data following a disaster recovery.

3. A statement that the contractor will not use student information, student records, or student-generated content for any purposes except those the contract authorizes.

4. A description of the procedures by which a student, parent or legal guardian, of a student may review personally identifiable information (PII) contained in the student's record, student information or student-generated content and correct erroneous information, if any in such student material.

5. A statement that the contractor shall take actions designed to ensure the security and confidentiality of student records, student information, and student-generated content.

6. A description of the procedures that a contractor will follow for notifying the Board, in compliance with C.G.S. 10-234dd when there has been an unauthorized release, disclosure or acquisition of student information, student records or student-generated content.

7. A statement that a student's records, student information, or student-generated content shall not be retained or available to the contractor upon expiration of the contract between the contractor and the Board of Education except a student, parent or legal guardian of a student may choose to independently establish or maintain an electronic account with the contractor after the expiration of such contract for the purpose of storing student-generated content. (e.g., essays, research papers, portfolios, creative writing, music, audio files, or photographs, but not standardized assessment responses.)

8. A statement that the contractor and the Board shall ensure compliance with the federal Family Educational Rights and Privacy Act (FERPA), 20 USC 1232g.

9. A statement that Connecticut laws shall govern the rights and duties of all parties to the contract, (contractor and the Board).

10. A statement that if any provision of the contract or the application of the contract is held invalid by a court of competent jurisdiction, the invalidity does not affect other provisions of the contract which can be given effect without the invalid provision or application.

11. A prohibition against the contractor using personally identifiable information contained in student records to engage in advertising or for any other purposes other than those authorized pursuant to the contract.

The Board of Education may use the uniform student data privacy terms-of-service agreement addendum, developed by the Commission for Educational Technology (CET), in contracts entered into pursuant to C.G.S. 10-234bb. Such amendment shall conform to the requirements for a contract listed above.

Any provision of a contract or the terms-of-service agreement addendum entered into between a contractor and the Board on or after July 1, 2018, that conflicts with the provisions listed above shall be void. Moreover, a contract is void if it lacks any of the above provisions. The Board will give the contractor reasonable notice to amend the contract or the terms-of-service agreement addendum to include the missing provisions.

Any contract entered into on and after July 1, 2018, or the terms-of-service agreement addendum that does not include the provisions listed above shall be void, provided the Board has given reasonable notice to the contractor and the contractor has failed within a reasonable time to amend the contract or the terms-of-service agreement addendum to include the required provisions.

The Board of Education shall maintain and update, as necessary, a website with information relating to all contracts entered into pursuant to this policy. Not later than five business days after executing a contract pursuant to this policy the Board shall post notice of such contract on the Board's website. The notice shall include the contract and (1) state that the contract has been executed and the date that such contract was executed, (2) provide a brief description of the

contract and the purpose of the contract, and (3) state what student information, student records or student-generated content may be collected as a result of the contract.

On or before September 1st annually, the Board of Education shall electronically notify students and the parents/guardians of students of the address of the Internet website described in this policy.

The Board of Education and a contractor may include in any contract executed pursuant to this policy, the uniform student data privacy terms-of-service agreement addendum, previously described, to satisfy the requirements of this policy.

The Board of Education is not required to enter into a contract pursuant to this policy if the use of an Internet website, online service or mobile application operated by a consultant or an operator is unique and necessary to implement a child's individualized education program or plan pursuant to Section 504 of the Rehabilitation Act of 1973, as amended from time to time, and such Internet website, online service or mobile application is unable to comply with the provisions of this policy, provided (1) such Internet website, online service or mobile application complies with the Family Educational Rights and Privacy Act of 1974, 20 USC 1232g, as amended from time to time, and the Health Insurance Portability and Accountability Act of 1996, P.L. 104-191, as amended from time to time, (2) the Board of Education can provide evidence that it has made a reasonable effort to (A) enter into a contract with such consultant or operator to use such Internet website, online service or mobile application, and (B) find an equivalent Internet website, online service or mobile application operated by a consultant or an operator that complies with the provisions of this section, (3) the consultant or operator complies with the provisions of section 10-234cc, as amended for such use, and (4) the parent/legal guardian of such child, and, in the case of a child with an individualized education program, a member of the planning and placement team, sign an agreement that (A) acknowledges such parent/legal guardian is aware that such Internet website, online service or mobile application is unable to comply with the provisions of this policy, and (B) authorizes the use of such Internet website, online service or mobile application. The Board of Education shall, upon the request of a child's parent/legal guardian, provide the evidence described above to such parent/legal guardian.

The Board expects that an operator shall implement and maintain security procedures and practices that meet or exceed industry standards and that are designed to protect student information, student records, and student-generated content from unauthorized access, destruction use, modification and disclosure; and delete any student information, student records or student-generated content within a reasonable amount of time if a student, parent/guardian or Board requests deletion of such student information, student records or student generated content unless:

1. state or federal law prohibits such deletion or otherwise requires the retention of such student information, student records or student-generated content, or

2. a copy of such student information, student records or student-generated content is in the possession of the operator as part of a disaster recovery storage system and is inaccessible to the public and unable to be used in the normal course of business by the

operator, provided such student, parent/legal guardian of a student or the Board may request the deletion of any such student information, student records or student-generated content if such copy is used by the operator to repopulate accessible data following a disaster recovery

The Board will utilize the written guidance developed by the Department of Education in consultation with the Commission for Educational Technology concerning the implementation of FERPA and the laws relating to student data privacy. Such written guidance includes, a plain language explanation of how such student data privacy laws are to be implemented, information about the uniform student data privacy terms-of-service agreement addendum, and (3) how such addendum may be incorporated into contracts executed pursuant to section 10-234bb, as amended.

Notice of Breach of Security/Data Breaches

Upon notice of a breach of security by a contractor, the Board shall, not later than two business days after receipt of such notice, notify the students and the parents/legal guardians of the students whose student information, student records, or student-generated content was involved in such breach. The Board shall also, as required, post notice of the breach on its website.

Upon the discovery of a breach of security that results in the unauthorized release of student information, excluding directory information, the contract shall contain the provision that the contractor must notify the Board of such breach without unreasonable delay, and in no case later than thirty (30) days from the discovery of the breach.

Upon the discovery of a breach of security that results in the unauthorized release of directory information, student records, or student-generated content, the contract shall contain the provision that the contractor must notify the Board without unreasonable delay and in no case later than sixty (60) days from the discovery of the breach.

Note: The Board may desire to contract for more prompt notice of a breach of security.

Definitions

1. **"Contractor"** means an operator or consultant that is in possession of or has access to student information, student records or student-generated content as a result of a contract with a local or regional Board of Education.

2. **"Operator"** means the operator of an Internet website, online service, online application, (app) or mobile application with actual knowledge that such Internet website, service, or mobile application is used primarily for school purposes and was designed and marketed for school purposes and who collects, maintains or uses student information.

3. **"Consultant"** means a professional who provides non-instructional services, including administrative, planning, analytical, statistical, or research services to a board of education under a contract.

4. **"Student"** means a Connecticut resident enrolled in a preschool program participating in the state-wide public school information system, pursuant to section 10-10a of the general statutes, or enrolled in grades K to 12, inclusive, in a public school, or receiving special education and related services under an individualized education program, or otherwise the responsibility of the Board.

5. **"Deidentified information"** means any information that has been altered to prevent the identification of an individual student.

6. **"Eligible student"** means a student who has reached 18 years of age.

7. **"Student-generated content"** means materials created by a student, including, but not limited to, essays, research reports, portfolios, creative writing, music or other audio files, or photographs. "Student-generated content" does not include student responses to a standardized assessment.

8. **"Student records"** means any information directly related to a student that is maintained by the school district, the State Board of Education or the Department of Education or any information acquired from a student through the use of educational software assigned to the student by a teacher or other district employee.

"Student records" does not mean any of the following:

a. Deidentified information, allowed under the contract to be used by the contractor to improve educational products for adaptive learning purposes and for customizing student learning.

b. Deidentified information, used to demonstrate the effectiveness of the contractor's products in the marketing of such products.

c. Deidentified information, used for the development and improvement of the contractor's products and services.

9. **"Online service"** includes Cloud computing services, which must comply with this policy if they otherwise meet the definition of an operator.

10. **"Student information"** is personally identifiable information regarding a student that in any media or format that is not publicly available that meets any of the following:

a. Is created or provided by a student, or the student's parent or legal guardian, by using an operators' website, online service, or mobile application (app) for school purposes.

b. Is created or provided by an employee or agent of the board of education, to an operator for school purposes.

c. Is gathered by an operator through the operation of the operator's Internet website, online service, or mobile application (app) and identifies a student including but not limited to information in the student's educational record or email account, first and last name, home address, telephone number, date of birth, email address, or other information that allows physical or online contact, discipline records, test results, special education data, juvenile dependency records, grades, evaluations, criminal records, medical records, health records, social security number, biometric information, disabilities, socioeconomic information, food purchases, political affiliations, religious information, text messages, documents, student identifiers, search activity, photos, voice recordings, or behavioral assessments.

11. **"School purposes"** means purposes that customarily take place at the direction of a teacher, or a board of education 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/legal guardians.

12. **"Targeted advertising"** means presenting an advertisement to a student where the selection of the advertisement is based on student information, student records or student-generated content or inferred from the usage of the operator's Internet website, online service or mobile application by such student. It does not include any advertising to a student on a website that the student accesses at the time or in response to a student's response or request for information or feedback.

The Board, through this policy, places restrictions on an "operator" as defined in this policy. An operator shall not knowingly engage in any of the following activities with respect to their internet website, online service or mobile application:

1. Engage in targeted advertising on the operator's site, service, or application, or on any other Internet website, online service or mobile application;

2. Use student information to create a profile of a student for purposes other than the furtherance of school purposes;

3. Sell student information, unless the sale is part of the purchase, merger, or acquisition of an operator by a successor operator and the operator and the successor operator continue to be subject to the provisions of this policy regarding student information; or

4. Disclose student information, unless the disclosure is made (a) in furtherance of school purposes of the Internet website, online service or mobile application, provided the recipient of the student information uses such student information to improve the operability and functionality of the Internet website, online service or mobile application and complies with this policy; (b) to ensure compliance with federal or state law; (c) in response to a judicial order; (d) to protect the safety of users or others, or the security of the Internet website, online service or mobile application; or (e) to an entity hired by the operator to provide services for the operator's Internet website, online service or mobile application, provided the operator contractually (i) prohibits the entity from using student

information for any purpose other than providing the contracted service to, or on behalf of, the operator, (ii) prohibits the entity from disclosing student information provided by the operator to subsequent third parties, and (iii) requires the entity to comply with this policy.

The Board recognizes that an operator may:

1. Use student information (1) to maintain, support, evaluate or diagnose the operator's Internet website, online service or mobile application (app), or (2) for adaptive learning purposes or customized student learning.

2. Use de-identified student information (1) to develop or improve the operator's Internet website, online service or mobile application (app), or other Internet websites, online services or mobile applications owned by the operator, or (2) to demonstrate or market the effectiveness of the operator's Internet website, online service or mobile application.

3. Share aggregated de-identified student information for the improvement and development of Internet websites, online services or mobile applications designed for school purposes.

Nothing in this policy shall be construed to:

1. limit the ability of a law enforcement agency to obtain student information from an operator as authorized by law or pursuant to a court order;

2. limit the ability of a student or the parent or legal guardian of a student to download, transfer or otherwise save or maintain student information;

3. impose a duty upon a provider of an interactive computer service, as defined in 47 USC 230, as amended from time to time, to ensure compliance with this section by third-party information content providers, as defined in 47 USC 230, as amended from time to time;

4. impose a duty upon a seller or provider of online services or mobile applications to ensure compliance with this policy with regard to such online services or mobile applications;

5. limit an Internet service provider from providing a student, parent or legal guardian of a student or local or regional Board of Education with the ability to connect to the Internet;

6. prohibit an operator from advertising other Internet websites, online services or mobile applications that are used for school purposes to parents or legal guardians of students, provided such advertising does not result from the operator's use of student information;

7. apply to Internet websites, online services or mobile applications that are designed and marketed for use by individuals generally, even if the account credentials created for an operator's Internet website, online service or mobile application may be used to access

Internet websites, online services or mobile applications that are designed and marketed for school purposes.

The Board, upon determination that a request for directory information is related to school purposes, may disclose directory information to any person requesting such directory information. If the Board determines that a request for directory information is not related to school purposes, the Board shall not disclose such directory information.

(cf. 3520.1 - Information Security Breach and Notification)

(cf. 3520.11 - Electronic Information Security)

(cf. 3520.12 - Data-Based Information Management System Confidentiality Policy)

(cf. 5125 - Student Records)

(cf. 5145.15 - Directory Information)

(cf. 6162.51 - Surveys of Students/Student Privacy)

Legal Reference: Connecticut General Statutes

1-19(b)(11) Access to public records. Exempt records.

7-109 Destruction of documents.

10-15b Access of parent or guardians to student's records.

10-209 Records not to be public.

10-234aa Definitions

10-234bb Contracts between boards of education and contractors re student data. Requirements. (as amended by PA 18-125)

10-234cc Requirements for operators re student data

10-234dd Duties re unauthorized release, disclosure or acquisition of student data (as amended by PA 18-125)

11-8a Retention, destruction and transfer of documents

11-8b Transfer or disposal of public records. State Library Board to adopt regulations.

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

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

P.A. 16-189 An Act Concerning Student Privacy

PA 17-200 An Act Making Revisions to the Student Data Privacy Act of 2016

PA 18-125 An Act Concerning Revisions to the Student Data Privacy Act

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

Dept. of Education, 34 C.F.R. Part 99 (May 9, 1980 45 FR 30802) regs. implementing FERPA enacted as part of 438 of General Educ. Provisions Act (20 U.S.C. 1232g) parent and student privacy and other rights with respect to educational records, as amended 11/21/96.

Protection of Pupil Rights Amendment (PPRA) 20 U.S.C. § 1232g (2014)

Children's Online Privacy Protection Act (COPPA) 15 U.S.C. §§6501 et seq. (2014)

Policy adopted:

Rational for Revised Regulation:

AR 6155 Class Examinations

This regulation is being considered for revision to bring final exams for ½ year courses (January) in line with finals for full year courses (June).

CLASS EXAMINATIONS

Examinations: High School

1. Examinations are to be administered in all classes at the end of each semester. A special examination schedule will be developed to afford all students ample opportunity to do well. Exams are to be weighted as 20% of the final grade for semester courses and the semester grade for year-long courses.

2. Students who have an excused absence during the scheduled exam period must make specific arrangements with the teacher to complete the exam upon the student's return to school.

3. Students who miss an exam without a legitimate reason will be unexcused for the examination and not entitled to make up the exam. These students will receive a grade of zero (0) for the exam.

4. During the exam schedule days, students are required to attend school only when they are scheduled for an exam. If students attend school when not scheduled for an exam, they will be required to report to a designated area. Loitering in the building or on school grounds is not be permitted.

5. ~~During the spring semester ONLY,~~ ~~s~~ Seniors will be exempt from **final** exams in any class where they have at least an A- (90%) combined average. ~~for quarters 3 and 4~~. **This applies to ½ year courses for January exams and full and ½ year courses for June exams.** Seniors will not be exempt from school designated Capstone Projects. There are NO exemptions for freshmen, sophomores and juniors.

Regulation Revised: June 6, 2016
Regulation Approved: Oct. 19, 1992

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