

# NORWICH FREE ACADEMY



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## Policies of Norwich Free Academy

**POLICIES OF  
NORWICH FREE ACADEMY**

(Last Updated: 8.16.22)

**Table of Contents**

**SERIES 3000: BUSINESS & NON-INSTRUCTIONAL OPERATIONS**

<input type="checkbox"/> Tuition Policy	#3240
<input type="checkbox"/> Grants Policy	#3280
<input type="checkbox"/> Purchasing Policy	#3313/3320
<input type="checkbox"/> Procurement Policy	#3321
<input type="checkbox"/> Business Contracts Policy	#3324
<input type="checkbox"/> Accounting Practices for Groups & Clubs	#3325
<input type="checkbox"/> Facilities Use Policy	#3326
<input type="checkbox"/> Compliance with Section 504 Regulations of the Rehabilitation Act of 1973 Policy	#3511
<input type="checkbox"/> Policy on Use of Service Animals	#3515
<input type="checkbox"/> Document Retention Policy	#3520
<input type="checkbox"/> Pesticide Application & Management Policy	#3524.1

**SERIES 4000: PERSONNEL**

<input type="checkbox"/> Certified Staff Recruiting/Posting of Vacancies/Hiring Policy	#4111
<input type="checkbox"/> Reduction in force of Certified Staff Policy	#4117.3
<input type="checkbox"/> Non-Discrimination Policy	#4118
<input type="checkbox"/> Prohibition Against Sexual Harassment Policy	#4118.11(b)/4218.11
<input type="checkbox"/> Retaliation & Whistle Blowing Policy	#4118.211(a)/4218.211
<input type="checkbox"/> Inclusion, Equity & Diversity Policy	#4118.3
<input type="checkbox"/> Professional Development Policy	#4131
<input type="checkbox"/> Family & Medical Leave Policy	#4150.1/4253.1
<input type="checkbox"/> Staff Development Policy	#4212.4
<input type="checkbox"/> Drug-Free Policy for Employees	#4217.6
<input type="checkbox"/> Social Networking Policy	#4218
<input type="checkbox"/> Employee Use of Electronic Mail Policy	#4218.4
<input type="checkbox"/> COVID-19 Vaccination and Testing Policy	#4300
<input type="checkbox"/> Memorial Policy	#4400

**SERIES 5000: STUDENTS**

<input type="checkbox"/> Student Enrollment Policy	#5111
<input type="checkbox"/> Disenrollment of Students Policy	#5112.4
<input type="checkbox"/> Student Attendance Policy	#5113
<input type="checkbox"/> AIDS Policy	#5114
<input type="checkbox"/> Possession of Weapons Policy	#5114.1

<input type="checkbox"/>	Threats or Threatening Behavior Policy	#5114.2
<input type="checkbox"/>	Student Discipline for Behavior On-Campus & at School-Sponsored Activities Policy	#5114.3
<input type="checkbox"/>	Homeless Students Policy	#5118.1
<input type="checkbox"/>	Promotion & Retention of Students Policy	#5123
<input type="checkbox"/>	Tutoring & Credits Policy	#5123.1
<input type="checkbox"/>	Class Rank Policy	#5124
<input type="checkbox"/>	Records & Directory Information Confidentiality and Access to Education Records Policy	#5125
<input type="checkbox"/>	Substance Abuse Policy	#5131.6
<input type="checkbox"/>	Student Discipline for Off-Campus Behavior Policy	#5131.8
<input type="checkbox"/>	Hazing Policy	#5131.9
<input type="checkbox"/>	Bullying Policy	#5131.911
<input type="checkbox"/>	Interscholastic Sport vs. Club Determination Policy	#5138
<input type="checkbox"/>	School Health Policy	#5141
<input type="checkbox"/>	Administration of Medication Policy	#5141.2
<input type="checkbox"/>	Emergency Administration of Naloxone (Narcan)	#5141.21
<input type="checkbox"/>	Recommendations for the Use of Psychotropic Drugs by Children Policy	#5141.23
<input type="checkbox"/>	Compliance Guidelines for the OSHA Bloodborne Pathogen Standard	#5141.3
<input type="checkbox"/>	Suspected Abuse & Neglect of Students Policy	#5141.4
<input type="checkbox"/>	Suicide Prevention and Intervention Policy	#5141.5
<input type="checkbox"/>	Discipline/Use of Reasonable Physical Force Policy	#5144.1
<input type="checkbox"/>	Student Search & Seizure Policy	#5145.12
<input type="checkbox"/>	On Campus Recruitment by the Armed Forces of the United States of America Policy	#5145.14
<input type="checkbox"/>	Student Publications & Productions Policy	#5145.3
<input type="checkbox"/>	Student Demonstrations Policy	#5145.4
<input type="checkbox"/>	School-Family-Community Partnerships Policy	#5145.5

**SERIES 6000: INSTRUCTION**

<input type="checkbox"/>	Statement of Education Goals Policy	#6000
<input type="checkbox"/>	School Ceremonies & Observances Policy	#6115
<input type="checkbox"/>	Acceptable Use of the Internet and	
<input type="checkbox"/>	Computer Networks Policy	#6141.321
<input type="checkbox"/>	School Web Site Publication Policy	#6141.322
<input type="checkbox"/>	Student Nutrition and Physical Activity (Wellness) Policy	#6142.101
<input type="checkbox"/>	Graduation Requirements Policy	#6146
<input type="checkbox"/>	Grading & Assessment Systems Policy	#6146.1
<input type="checkbox"/>	Student Trip Policy	#6153/6153.1

- Homework Policy #6154
- Selection of Textbooks, Equipment & Materials Policy #6161(a)(b)
- Student Privacy (Survey of Students) Policy #6162.51
- Library Collection Selection, Management & Use Policy #6163.1
- Exemption from AIDS Instruction Policy #6164.12
- Home Schooling Policy #6172.3
- Homebound Instruction Policy #6173
- Alternative Credit Policy #6176

**SERIES 9000: BOARDS**

- Board of Trustees Conflict of Interest Policy #9270
- Carl D. Perkins Grant Policy #9330.1

## **POLICY #3240**

### **NORWICH FREE ACADEMY TUITION POLICY**

#### **A. Establishing Tuition for Sending Towns**

The Norwich Free Academy considers its primary responsibility to be providing quality educational services to students from the established sending towns. After consultation with the Superintendent/Head of School and on an annual basis, the Board of Trustees of The Norwich Free Academy shall vote to establish tuition based upon anticipated expenses and revenues. The tuition will be established as follows:

1. Tuition for students enrolled in the regular education program.
2. Tuition for students enrolled in special education programs.
3. A tuition rebate on a per student basis will be granted to the City of Norwich in return for city services (fire and police protection) as determined by the Board of Trustees.

After consultation with the Superintendent/Head of School, the Board of Trustees reserves the right to offer a pro-rated tuition to part-time students, students approved by the sending town for fifth-year enrollment, and to set tuition for any new programs at their discretion. Additional costs, not covered in tuition, for services to students due to special education or other needs is the responsibility of the sending school district. The Board of Trustees, at their discretion, may enter into agreements with any established sending town, or other towns, for practices and procedures to assist with the establishment of educational costs.

#### **B. Private Tuition**

The enrollment of private tuition students at The Norwich Free Academy serves to broaden the academic, artistic, cultural, geographic, and socioeconomic diversity of the school. The Board of Trustees may permit students from school districts outside of the sending town area to enroll in The Norwich Free Academy on a case-by-case basis and at the discretion of the Superintendent/Head of School or designee. Private tuition students shall pay a tuition fee as established by the administration. The Academy may consider requests for the enrollment of private tuition students under the following conditions:

1. When school and class enrollment will accommodate the addition of private tuition students without undue crowding.
2. When the acceptance of the private tuition student, he or she will not place a hardship on the resources or finances of the Academy.
3. When there are established and available programs provided at the Academy that meet the educational needs of the private tuition student. No additional costs shall be incurred by the Academy and the Academy shall not be required to add additional classes or programs to accommodate the needs of a private tuition student.

The Academy will fully comply with CIAC regulations in regards to recruitment and the administration of all athletic programs.

Transportation to and from school is the responsibility of the parents/guardians of the private tuition student. The Superintendent/Head of School or designee can, with adequate notice, terminate such student's educational program for just and appropriate cause, including but not limited to, space availability or disciplinary reason. In the event that a conflict arises between the terms of this policy, related procedures, and the rights of a private tuition student, the Superintendent/Head of School or designee shall have the authority to resolve the issue in his or her sole discretion.

### C. Tuition Remission

#### Tuition Waiver for Faculty and Staff Children

The children of faculty and staff of The Norwich Free Academy who reside outside of established sending town school districts may attend the Academy at no cost, or a discounted rate to the parent/guardian upon approval for enrollment by the Board of Trustees. The Superintendent/Head of School shall recommend such enrollment to the Board of Trustees with consideration given to the following conditions:

1. In order to be eligible, the faculty or staff member must, at all times during student attendance, be employed by the Academy.
2. Recommendation for enrollment by the Superintendent/Head of School shall be on a case-by-case basis after a review of the student's record and any other criteria deemed relevant by the Superintendent/Head of School.
3. The enrollment of the student will not place a hardship on the resources or finances of the Academy. Faculty and staff members who require special programming for their child will be required to pay these extra costs.
4. Established programs are provided at the Academy that meet the educational needs of the student. No additional costs shall be incurred by the Academy and the Academy shall not be required to add additional classes or programs to accommodate the needs of the student.

Transportation to and from school is the responsibility of the parents/guardians of the student. The Superintendent/Head of School or designee can, with adequate notice, terminate such student's educational program for just and appropriate cause, including but not limited to, space availability or disciplinary reasons. In the event that a conflict arises between the terms of this policy, related procedures, and the rights of the student, the Superintendent /Principal or designee shall have the authority to resolve the issue in his or her sole discretion.

#### Tuition Aid for Private Tuition Students

Tuition aid for private tuition students accepted to the Academy enables qualified students to enroll at The Norwich Free Academy who might not otherwise have access to an independent school education. This aid pertains only to private tuition students whose

tuition would otherwise be paid by the parents/guardians of the student. The following criteria shall be utilized:

1. A parent/guardian's financial need as determined by IRS tax returns and other related documents pertaining to the ability to pay tuition.
2. A student's demonstrated outstanding talent in academics or the arts as evidenced by;
  - a. superior grades in academics over a substantial time period and,
  - b. an established ability in the humanities or the sciences,
  - c. or an established ability in the arts.
3. In addition to the above criteria the student must demonstrate a positive character through school and/or community activities.

The awarding of tuition aid is the responsibility of the Superintendent/Head of School or designee in conjunction with a committee composed of the Director of Guidance, Director of Operations and other administrative personnel as deemed appropriate by the Superintendent/Head of School. This tuition aid shall be in the form of a full or partial tuition waiver to be determined on an annual basis. The Superintendent/Head of School or designee shall report to the Board of Trustees for the approval of tuition waivers. The Superintendent/Head of School or designee shall report on the status of tuition remission as requested by the Board of Trustees. All information related to tuition aid shall be confidential to the extent allowable by law.

Legal Reference: Connecticut General Statutes, 10-34, 10-760  
Policy adopted: December 8, 1998  
Policy revised: March 28, 2000  
May 22, 2007  
February 16, 2021

## **POLICY #3280**

### **NORWICH FREE ACADEMY GRANTS POLICY**

Only the Board of Trustees can accept on behalf of and for the Norwich Free Academy any grant for a purpose deemed by the Board of Trustees to be suitable.

Any grant awarded to the Norwich Free Academy must be accompanied by documentation from the grantor identifying the subject and purpose of the grant and any restrictions that may apply for official action and acceptance by the Board of Trustees. Donor confidentiality, if requested, may only be provided to the degree allowable by law.

To be accepted, a grant must satisfy the following criteria:

1. Have a purpose consistent with those of the Norwich Free Academy.
2. Be offered by a grantor acceptable to the Board of Trustees.
3. Acceptance of a grant by the Board of Trustees does not imply that upon completion of the grant time line that the Board of Trustees be obligated to continue the program supported by the grant.
4. Would not bring undesirable or hidden costs to the Norwich Free Academy.
5. Will place no unacceptable restrictions on other school programs.
6. Will not be inappropriate or harmful to the best education of students.
7. Will not be in conflict with any provision of the school code or public law.
8. Will not imply endorsement of any business or product.

If any grant is rejected by the Board of Trustees, the Superintendent/Head of School shall communicate to the grantor with a statement indicating the reason for rejection of such grant. Any grant proceeds shall become the property of the Board of Trustees.

Legal References: Connecticut General Statutes  
7-194 Powers  
Policy Adopted: March 9, 1994  
Revised: May 22, 2007

## **POLICY #3313/3320**

### **Norwich Free Academy Purchasing Policy**

#### **Intent:**

Norwich Free Academy, (hereinafter, "NFA"), recognizes its obligation to deal fairly in its purchasing practices. NFA and its employees will not knowingly extend favoritism to any vendor. Each transaction will be conducted on the basis of quality, price and delivery. Past service may be a factor in the vendor selection process when other considerations are equal. NFA, at its discretion, will use local vendors if all factors are within comparable parameters. Competitive bidding open to the public or to select vendors may be practiced wherever feasible and to the advantage of NFA.

This policy will also apply to purchases for extracurricular school or other student activities.

#### **Vendor Relations:**

No member of the Board of Trustees or employee of NFA shall accept, either directly or indirectly, any gifts from any person, firm or other corporation doing, or desiring to do business with the school.

#### **Definitions for this policy:**

Quotation: A notice, either oral or written, whereby a vendor informs the purchaser of the conditions and price under which supplies, material, equipment or services are to be furnished to the purchaser.

Bid: A notice, in writing and in a sealed envelope, delivered to the purchaser by a specified date. In accordance with the specifications set forth by the purchaser, the vendor will inform the purchaser of the conditions and price under which supplies, material, equipment or services are to be furnished to the purchaser.

Goods and Services: Intangible products including, but not limited to, labor, architectural, and design work, and the goods required to perform the contracted service.

Goods: Tangible products including, but not limited to, furniture, custodial and office supplies, parts and equipment.

#### **General Information:**

All purchases, when possible, feasible, and to the advantage of NFA, shall be based on at least three competitive quotations or prices. Quotations should be submitted with the purchase order, or be on file in the appropriate office. When there are instances where a product is proprietary and three quotations cannot be obtained, they must be approved by the Superintendent/Head of School or the Chief Financial Officer, or, in their absence, the designee as appointed by the Superintendent/Head of School.

Transactions must be by purchase order requisition. The Superintendent/Head of School or the Chief Financial Officer, or, in their absence, the designee as appointed by the Superintendent/Head of School shall approve purchase order requisitions and contracts.

The name and address for delivery of bids to the appropriate corporation is:

Chief Financial Officer  
Norwich Free Academy  
305 Broadway  
Norwich, CT 06360

Bids:

Bids must be submitted in sealed envelopes and appropriately marked on the outside of the envelope. After the bids have been opened and tabulated, they will be available for those interested to copy or examine. The bids shall not be removed from the Finance, Facilities or other appropriate office. NFA reserves the right to reject any or all bids or portions thereof, and reserves the right to waive any informalities in any bid. When requested, the vendor must supply current evidence of insurability, bonding, references, etc. Signing of insurance indemnification clauses may also be required.

**Purchasing Procedure:**

Purchases for less than \$10,000

All purchases under \$10,000 must be approved via the purchase order process prior to the receipt of goods or services. The purchaser shall solicit an oral or written quotation, but may dispense with bidding, if it is not to the advantage of NFA to secure bids

Purchases over \$10,000

All purchases over \$10,000 shall be bid and have at least three quotations in accordance with the direction of the Superintendent/Head of School or Chief Financial Officer. If three bids can't be procured, documented declination from vendors is required. When possible, solicitation for bids shall be from a list of authorized vendors, maintained in the Finance Office.

All purchases over \$10,000 for services or combined goods and services must be approved using the purchase order process prior to their receipt and require a formal NFA contract/service agreement.

Purchases for goods over \$10,000 do not require a formal NFA contract/service agreement, all other bidding requirements apply.

Purchases over \$40,000

All purchases over \$40,000, not approved in the budget, shall be brought to the Board for approval.

**Emergency situation:**

In an emergency situation, the process for specific purchases may be eliminated. The Superintendent/Head of School or Chief Financial Officer, or in their absence, the designee as appointed by the Superintendent/Head of School shall make the decision as to whether a given situation is an emergency situation.

Policy Adopted: November 10, 1993  
Policy Revised: January 21, 2003  
May 22, 2007  
November 21, 2017  
April 24, 2018

## POLICY #3321

### NORWICH FREE ACADEMY PROCUREMENT POLICY

#### I. Purpose

The purpose of this policy is to establish guidelines that meet or exceed the procurement requirements for purchases of goods (apparatus, supplies, materials, and equipment), services, and construction or repair projects when federal funds are being used in whole or in part to pay for the cost of the contract. To the extent that other sections of procurement policies and procedures adopted by Norwich Free Academy are more restrictive than those contained in this policy, local policies and procedures shall be followed.

#### II. Policy

- A. **Application of Policy.** This policy applies to contracts for purchases, services, and construction or repair work funded with federal financial assistance (direct or reimbursed). The requirements of this Policy also apply to any sub recipient of the funds.

All federally funded projects, loans, grants, and sub-grants, whether funded in part or wholly, are subject to the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for federal awards (Uniform Guidance) codified at 2 C.F.R. Part 200 unless otherwise directed in writing by the federal agency or state pass-through agency that awarded the funds.

- B. **Compliance with Federal Law.** All procurement activities involving the expenditure of federal funds must be conducted in compliance with the Procurement Standards codified in 2 C.F.R. § 200.317 through § 200-326 unless otherwise directed in writing by the federal agency or state pass-through agency that awarded the funds. Norwich Free Academy will follow all applicable local, state, and federal procurement requirements when expending federal funds. Should the Norwich Free Academy have more stringent requirements, the most restrictive requirement shall apply so long as it is consistent with state and federal law.
- C. **Contract Award.** All contracts shall be awarded only to the lowest responsive responsible bidder possessing the ability to perform successfully under the terms and conditions of the contract.
- D. **No Evasion.** No contract may be divided to bring the cost under bid thresholds or to evade any requirements under this Policy or state and federal law.
- E. **Contract Requirements.** All contracts paid for in whole or in part with federal funds shall be in writing. The written contract must include or incorporate by reference the provisions required under 2 C.F.R § 200.326 and as provided for under 2 C.F.R. Part 200, Appendix II.
- F. **Contractors' Conflict of Interest.** Designers, suppliers, and contractors that assist in the development or drafting of specifications, requirements, statements of work, invitation for bids or requests for proposals shall be excluded from competing for such requirements.
- G. **Approval and Modification.** The administrative procedures contained in this Policy are administrative and may be changed as necessary at the staff level to comply with state and federal law.

### III. General Procurement Standards and Procedures:

Either the Purchasing Department or the Requesting Department shall procure all contracts in accordance with the requirements of this Section of the Policy.

- A. Necessity.** Purchases must be necessary to perform the scope of work and must avoid acquisition of unnecessary or duplicative items. The Purchasing Department and/or the Requesting Department should check with the federal surplus property agency prior to buying new items when feasible and less expensive. Strategic sourcing should be considered with other departments and/or agencies that have similar needs to consolidate procurements and services to obtain better pricing.
- B. Clear Specifications.** All solicitations must incorporate a clear and accurate description of the technical requirements for the materials, products, or services to be procured, and shall include all other requirements which bidders must fulfill and all other factors to be used in evaluating bids or proposals. Technical requirements must not contain features that restrict competition.
- C. Notice of Federal Funding.** All bid solicitations must acknowledge the use of federal funding for the contract. In addition, all prospective bidders or offers must acknowledge that funding is contingent upon compliance with all terms and conditions of the funding award.
- D. Compliance by Contractors.** All solicitations shall inform prospective contractors that they must comply with all applicable federal laws, regulations, executive orders, and terms and conditions of the funding award.
- E. Fixed Price.** Solicitations must state that bidders shall submit bids on a fixed price basis and that the contract shall be awarded on this basis unless otherwise provided for in this Policy. Cost plus percentage of cost contracts are prohibited. Time and materials contracts are prohibited in most circumstances. Time and materials contracts will not be used unless no other form of contract is suitable and the contract includes a "Not to Exceed" amount. A time and materials contract shall not be awarded without express written permission of the federal agency or state pass-through agency that awarded the funds.
- F. Use of Brand Names.** When possible, performance or functional specifications are preferred to allow for more competition leaving the determination of how to reach the required result to the contractor. Brand names may be used only when it is impractical or uneconomical to write a clear and accurate description of the requirement(s). When a brand name is listed, it is used as reference only and "or equal" must be included in the description.
- G. Lease versus Purchase.** Under certain circumstances, it may be necessary to perform an analysis of lease versus purchase alternatives to determine the most economical approach.
- H. Dividing Contract for M/WBE Participation.** If economically feasible, procurements may be divided into smaller components to allow maximum participation of small and minority businesses and women business enterprises. The procurement cannot be divided to bring the cost under bid thresholds or to evade any requirements under this Policy.
- I. Documentation.** Documentation must be maintained by the Purchasing Department and/or the Requesting Department detailing the history of all procurements. The documentation should include the procurement method used, contract type, basis for contractor selection, price, sources solicited, public notices, cost analysis, bid documents, addenda, amendments, contractor's responsiveness, notice of award, copies of notices to unsuccessful bidders or offers, record of protests or disputes, bond documents, notice to proceed, purchase order, and contract. All documentation relating to the award of any contract must be made available to the granting agency upon request.
- J. Cost Estimate.** For all procurements costing \$250,000 or more, the Purchasing Department and/or Requesting Department shall develop an estimate of the cost of the procurement prior to soliciting bids. Cost estimates may be developed by reviewing prior contract costs, online review of similar products or services, or other means by which a good

faith cost estimate may be obtained. Cost estimates for construction and repair contracts may be developed by the project designer.

- K. Contract Requirements.** The Requesting Department must prepare a written contract incorporating the provisions referenced in Section II.C of this Policy.
- L. Debarment.** No contract shall be awarded to a contractor included on the federally debarred bidder's list.
- M. Contractor Oversight.** The Requesting Department receiving the federal funding must maintain oversight of the contract to ensure that contractor is performing in accordance with the contract terms, conditions, and specifications.
- N. Open Competition.** Solicitations shall be prepared in a way to be fair and provide open competition. The procurement process shall not restrict competition by imposing unreasonable requirements on bidders, including but not limited to unnecessary supplier experience, excessive or unnecessary bonding, specifying a brand name without allowing for "or equal" products, or other unnecessary requirements that have the effect of restricting competition.
- O. Geographic Preference.** No contract shall be awarded on the basis of a geographic preference.
- P. Be responsible for settlement of all issues.** § 200.318 General procurement standards. The non-Federal entity alone must be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the non-Federal entity of any contractual responsibilities under its contracts. The Federal awarding agency will not substitute its judgment for that of the non-Federal entity unless the matter is primarily a Federal concern. Violations of law will be referred to the local, state, or Federal authority having proper jurisdiction.
- Q. Ensure prequalified lists are current, free and open comp.** § 200.319 Competition. The non-Federal entity must ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. Also, the non-Federal entity must not preclude potential bidders from qualifying during the solicitation period.
- R. If no competition, negotiate profit as a separate element.** § 200.323 Contract cost and price. The non-Federal entity must negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed. To establish a fair and reasonable profit, consideration must be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

#### **IV. Specific Procurement Procedures**

Either the Purchasing Department or the Requesting Department shall solicit bids in accordance with the requirements under this Section of the Policy based on the type and cost of the contract.

- A. Micro-purchases.** Less than \$3,500
  1. No competitive quotes required
  2. Spread purchases out among qualified suppliers
  3. Threshold is \$2,000 for purchases subject to the Davis-Bacon Act

- B. Small purchases.** Between \$3,500 and \$150,000
1. Rate quotes must be obtained from an “adequate” number of qualified sources (the organization determines what “adequate” is for each procurement)
  2. Quotes can be obtained from suppliers or from public websites
- C. Sealed bids.** More than \$150,000
1. Two or more qualified bidders
  2. Publicly advertised and solicited from adequate suppliers
  3. Lowest bidder for the fixed price contract wins
- D. Competitive proposals.** More than \$150,000
1. Written policy for conducting technical evaluations of reviewing proposals and selecting the recipient
  2. Most advantageous bid wins, price and other factors considered
- E. Sole source.:** Any amount, must meet one of the following four requirements:
1. Good/service is only available from a single source
  2. Only one source can provide the good/service in the time frame required
  3. Written pre-approval from the Federal awarding agency
  4. Competition is deemed inadequate, after solicitation
- F. Service Contracts** (except for A/E professional services) and **Purchase Contracts costing less than \$10,000** shall be procured using the Uniform Guidance “micro-purchase” procedure (2 C.F.R. § 200.320(a)) as follows:
1. The contract may be awarded without soliciting pricing or bids if the price of the goods or services is considered to be fair and reasonable.
  2. To the extent practicable, purchases must be distributed among qualified suppliers.
- G. Service Contracts** (except for A/E professional services) and **Purchase Contracts costing \$10,000 up to \$90,000** shall be procured using the Uniform Guidance “small purchase” procedure (2 C.F.R. § 200.320(b)) as follows:
1. Obtain price or rate quotes from an “adequate number” of qualified sources (a federal grantor agency might issue guidance interpreting “adequate number,” so the Requesting Department should review the terms and conditions of the grant award documents to confirm whether specific guidance has been issued).
  2. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as required under 2 C.F.R. § 200.321.
  3. Cost or price analysis is not required prior to soliciting bids.
  4. Award the contract on a fixed-price basis (a not-to-exceed basis is permissible for service contracts where obtaining a fixed price is not feasible).
  5. Award the contract to the lowest responsive, responsible bidder.
- H. Service Contracts** (except for A/E professional services) and **Purchase Contracts costing \$90,000 and above** shall be procured using a combination of the most restrictive requirements of the Uniform Guidance “sealed bid” procedure (2 C.F.R. § 200.320(c)) and state formal bidding procedures (G.S. 143-129) as follows:
1. Cost or price analysis is required prior to soliciting bids.
  2. Complete specifications or purchase description must be made available to all bidders.
  3. The bid must be formally advertised in a newspaper of general circulation for at least seven full days between the date of the advertisement and the date of the public bid opening. Electronic-only advertising must be authorized by the governing board. The advertisement must state the date, time, and location of the public bid opening, indicate where specifications may be obtained, and reserve to the governing board the right to reject any or all bids only for “sound documented reasons.”

4. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as required under 2 C.F.R. § 200.321.
  5. Open bids at the public bid opening on the date, time, and at the location noticed in the public advertisement. All bids must be submitted sealed. A minimum of 2 bids must be received in order to open all bids.
  6. Award the contract to the lowest responsive, responsible bidder on a fixed-price basis. Governing board approval is required for purchase contracts unless the governing board has delegated award authority to an individual official or employee. Any and all bids may be rejected only for “sound documented reasons.”
- I. Service Contracts** (except for A/E professional services) costing \$250,000 and above may be procured using the Uniform Guidance “competitive proposal” procedure (2 C.F.R. § 200.320(d)) when the “sealed bid” procedure is not appropriate for the particular type of service being sought. The procedures are as follows:
1. A Request for Proposals (RFP) must be publicly advertised. Formal advertisement in a newspaper is not required so long as the method of advertisement will solicit proposals from an “adequate number” of qualified firms.
  2. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as provided under 2 C.F.R. § 200.321.
  3. Identify evaluation criteria and relative importance of each criteria (criteria weight) in the RFP.
  4. Consider all responses to the publicized RFP to the maximum extent practical.
  5. Must have a written method for conducting technical evaluations of proposals and selecting the winning firm.
  6. Award the contract to the responsible firm with most advantageous proposal taking into account price and other factors identified in the RFP. Governing board approval is not required.
  7. Award the contract on a fixed-price or cost-reimbursement basis.
- J. Construction and repair contracts costing less than \$10,000** shall be procured using the Uniform Guidance “micro-purchase” procedure (2 C.F.R. § 200.320(a)) as follows:
1. The contract may be awarded without soliciting pricing or bids if the price of the goods or services is considered to be fair and reasonable.
  2. To the extent practicable, contracts must be distributed among qualified suppliers.
- K. Construction and repair contracts costing \$10,000 up to \$250,000** shall be procured using the Uniform Guidance “small purchase” procedure (2 C.F.R. § 200.320(b)) as follows:
1. Obtain price or rate quotes from an “adequate number” of qualified sources (a federal grantor agency might issue guidance interpreting “adequate number,” so the requesting department should review the terms and conditions of the grant award documents to confirm whether specific guidance has been issued).
  2. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as required under 2 C.F.R. § 200.321.
  3. Cost or price analysis is not required prior to soliciting bids, although price estimates may be provided by the project designer.
  4. Award the contract on a fixed-price or not-to-exceed basis.
  5. Award the contract to the lowest responsive, responsible bidder. Governing board approval is not required.
- L. Construction and repair contracts costing \$250,000 up to \$500,000** shall be procured using the Uniform Guidance “sealed bid” procedure (2 C.F.R. § 200.320(c)) as follows:
1. Cost or price analysis is required prior to soliciting bids (this cost estimate may be provided by the project designer).

2. Complete specifications must be made available to all bidders.
3. Publically advertise the bid solicitation for a period of time sufficient to give bidders notice of opportunity to submit bids (formal advertisement in a newspaper is not required so long as other means of advertising will provide sufficient notice of the opportunity to bid). The advertisement must state the date, time, and location of the public bid opening, and indicate where specifications may be obtained.
4. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as provided under 2 C.F.R. § 200.321.
5. Open the bids at the public bid opening on the date, time, and at the location noticed in the public advertisement. All bids must be submitted sealed. A minimum of 2 bids must be received in order to open all bids.
6. A 5% bid bond is required of all bidders. A performance and payment bond of 100% of the contract price is required of the winning bidder.
7. Award the contract on a firm fixed-price basis.
8. Award the contract to the lowest responsive, responsible bidder. Governing board approval is not required. Any and all bids may be rejected only for “sound documented reasons.”

**M. Construction and repair contracts costing \$500,000 and above** shall be procured using a combination of the most restrictive requirements of the Uniform Guidance “sealed bid” procedure (2 C.F.R. § 200.320(c)) and state formal bidding procedures (G.S. 143-129) as follows:

1. Cost or price analysis is required prior to soliciting bids (this cost estimate should be provided by the project designer).
2. Complete specifications must be made available to all bidders.
3. Formally advertise the bid in a newspaper of general circulation for at least seven full days between the date of the advertisement and the date of the public bid opening. Electronic-only advertising must be authorized by the governing board. The advertisement must state the date, time, and location of the public bid opening, indicate where specifications may be obtained, and reserve to the governing board the right to reject any or all bids only for “sound documented reasons.”
4. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as provided under 2 C.F.R. § 200.321.
5. Open the bids at the public bid opening on the date, time, and at the location noticed in the public advertisement. All bids must be submitted sealed and in paper form. A minimum of 3 bids must be received in order to open all bids.
6. A 5% bid bond is required of all bidders (a bid that does not include a bid bond cannot be counted toward the 3-bid minimum requirement). A performance and payment bond of 100% of the contract price is required of the winning bidder.
7. Award the contract on a firm fixed-price basis.
8. Award the contract to the lowest responsive, responsible bidder. Governing board approval is required and cannot be delegated. The governing board may reject and all bids only for “sound documented reasons.”

**N. Construction or repair contracts involving a building costing \$300,000 and above** must comply with the following additional requirements under state law:

1. Formal HUB (historically underutilized business) participation required under G.S. 143-128.2, including local government outreach efforts and bidder good faith efforts, shall apply.
2. Separate specifications shall be drawn for the HVAC, electrical, plumbing, and general construction work as required under G.S. 143-128(a).

3. The project shall be bid using a statutorily authorized bidding method (separate-prime, single-prime, or dual bidding) as required under G.S. 143-129(a1).

**O. Contracts for Architectural and Engineering Services costing under \$250,000** shall be procured using the state “Mini-Brooks Act” requirements (G.S. 143-64.31) as follows:

1. Issue a Request for Qualifications (RFQ) to solicit qualifications from qualified firms (formal advertisement in a newspaper is not required). Price (other than unit cost) shall not be solicited in the RFQ.
2. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as provided for under 2 C.F.R. § 200.321.
3. Evaluate the qualifications of respondents based on the evaluation criteria developed by the Purchasing Department and/or Requesting Department.
4. Rank respondents based on qualifications and select the best qualified firm. Price cannot be a factor in the evaluation. Preference may be given to in-state (but not local) firms.
5. Negotiate fair and reasonable compensation with the best qualified firm. If negotiations are not successfully, repeat negotiations with the second-best qualified firm.
6. Award the contract to best qualified firm with whom fair and reasonable compensation has been successfully negotiated. Governing board approval is not required.

**P. Contracts for Architectural and Engineering Services costing \$250,000 or more** shall be procured using the Uniform Guidance “competitive proposal” procedure (2 C.F.R. § 200.320(d)(5)) as follows:

1. Publically advertise a Request for Qualifications (RFQ) to solicit qualifications from qualified firms (formal advertisement in a newspaper is not required). Price (other than unit cost) shall not be solicited in the RFQ.
2. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as provided under 2 C.F.R. § 200.321.
3. Identify the evaluation criteria and relative importance of each criteria (the criteria weight) in the RFQ.
4. Proposals must be solicited from an “adequate number of qualified sources” (an individual federal grantor agency may issue guidance interpreting “adequate number”).
5. Must have a written method for conducting technical evaluations of proposals and selecting the best qualified firm.
6. Consider all responses to the publicized RFQ to the maximum extent practical.
7. Evaluate qualifications of respondents to rank respondents and select the most qualified firm. Preference may be given to in-state (but not local) firms provided that granting the preference leaves an appropriate number of qualified firms to compete for the contract given the nature and size of the project.
8. Price cannot be a factor in the initial selection of the most qualified firm.
9. Once the most qualified firm is selected, negotiate fair and reasonable compensation. If negotiations are not successfully, repeat negotiations with the second-best qualified firm.
10. Award the contract to best qualified firm with whom fair and reasonable compensation has been successfully negotiated. Governing board approval is not required.

## V. Exceptions

Non-competitive contracts are allowed *only* under the following conditions and with the written approval of the federal agency or state pass-through agency that awarded the federal funds:

- A. Sole Source.** A contract may be awarded without competitive bidding when the item is available from only one source. The Purchasing Department and/or Requesting Department shall document the justification for and lack of available competition for the item. A sole source contract must be approved by the governing board.
- B. Public Exigency.** A contract may be awarded without competitive bidding when there is a public exigency. A public exigency exists when there is an imminent or actual threat to public health, safety, and welfare, and the need for the item will not permit the delay resulting from a competitive bidding.
- C. Inadequate Competition.** A contract may be awarded without competitive bidding when competition is determined to be inadequate after an attempt to solicit bids from a number of sources as required under this Policy does not result in a qualified winning bidder.
- D. Federal Contract.** A contract may be awarded without competitive bidding when the purchase is made from a federal contract available on the U.S. General Services Administration schedules of contracts.
- E. Awarding Agency Approval.** A contract may be awarded without competitive bidding with the express written authorization of the federal agency or state pass-through agency that awarded the federal funds so long as awarding the contract without competition is consistent with state law.

**POLICY #3324**

**NORWICH FREE ACADEMY  
BUSINESS CONTRACTS POLICY**

**BUSINESS CONTRACTS**

All contracts between the school system and outside agencies shall conform to prescribed standards as required by law including, but not limited to, discrimination.

All contracts between the school system and outside agencies shall be prepared under the supervision of the Superintendent/Head of School, and where appropriate, subject to approval of the legal advisor of the school system.

The school system shall not enter into any contract with a person, agency, or organization if it has knowledge that such person, agency or organization discriminates either in employment practices or in the provision of benefits or services to employees on the basis of any protected class status as set forth in applicable law, including, but not limited to race, color, religious creed, age, sex, marital status, national origin, ancestry, pregnancy, present or past mental disorder, mental retardation or physical disability, including, but not limited to, blindness of any individual except in the case of a bona fide occupational qualification or need.

Legal Reference:	Connecticut General Statutes 46a-60 Discriminatory employment practices prohibited 4-114a Nondiscrimination clauses in state contract (46a-60) Title IX, Equal Employment Opportunity
Policy Adopted:	December 10, 1991
Revised:	May 22, 2007

## **POLICY #3325**

### **NORWICH FREE ACADEMY ACCOUNTING PRACTICES FOR GROUPS AND CLUBS POLICY**

#### Student Activity Funds

The basic purpose of education is to prepare each generation of children for life's experiences. In order for this preparation to occur properly, the programs available to young people must be as broad as life itself. An important segment of these programs are extracurricular activities. These programs represent experiences which should be available to our students.

The following is being established as a guide to student activities financial accounting. This is to insure that efficient procedures are available for the creation, operation and disbursement of student activities funds.

Regardless of the methods used to finance school activities, the Norwich Free Academy and thus the administration is ultimately responsible for the funds. State Statutes require that separate accounts be maintained and further, that such school activity funds be considered NFA accounts and audited in the same manner as all other Academy accounts.

The raising and expending of activity money by student bodies should have but one purpose: to promote the general welfare, education and morale of the students and to finance the normal, legitimate, extracurricular activities of the student body organization. Student activity money shall insofar as possible be expended in such a way as to benefit those pupils currently in school who have contributed to the accumulation of such money. The management of student activity funds shall be in accordance with sound business practices, including sound budgetary and accounting procedures and thorough audits.

It is the intent of these guidelines to recommend a system of bookkeeping procedures for handling the money, and the policies governing the school activity accounting.

#### A. Principles Governing Activity Fund Accounting

The accounting procedures outlined in this section are based on the following principles:

1. The administration of the activity funds shall be governed by rules and regulations prescribed by the State of Connecticut and The Norwich Free Academy Board of Trustees.
2. The Superintendent/Head of School of NFA, as trustee for the fund, shall be directly responsible for the conduct of the student financial activities in accordance with policies, rules and procedures set forth by the State and the Board of Trustees.
3. The Superintendent/Head of School, as trustee for the fund, shall be directly responsible for all student activity funds within the school and shall be responsible

for the maintenance of records and administration of procedures as prescribed by Chief Financial Officer of The Norwich Free Academy.

4. The Chief Financial Officer shall have responsibility and authority to implement all policies and rules pertaining to the supervision and administration of student activity funds in schools in accordance with established policies and rules of the Board of Trustees.

#### B. Management of Student Activity Funds

Student activity records and financial procedures shall be subject to periodic audits by internal personnel and annual audits by outside independent auditors. Additional audits shall be conducted whenever deemed necessary by the administration and/or the Board of Trustees. Audit reports shall be referred to the Superintendent/Head of School and Chief Financial Officer for informative purposes and possible improvement of procedures. Regular monthly and annual reports shall be prepared by the Chief Financial Officer or his/her designee and submitted to the particular club/activity advisor.

Student activity funds shall not be used for any purpose which represents an accommodation, loan, or credit to any person or for any unlawful purpose or purpose that violates school rules or Board policy.

The Chief Financial Officer shall designate a person or persons, in addition to himself or herself, who shall be authorized to receive, deposit and account for funds. At least two signatures (club/activity advisor and Student Activity Director) shall be required for all withdrawals. Supporting evidence shall be required prior to signing the check or withdrawal slip. Blank checks shall never be signed. Such action makes the signer personally liable for anything recorded over his/her signature.

Each account must be so accounted for that the identity of its resources, obligations, revenues, and expenditures is maintained at all times without exception.

#### C. General Procedures for Receiving and Disbursing Money

##### Collection and Deposit of Cash

All monies collected from any source must be substantiated by prenumbered duplicate-copy receipt. A receipt will be issued immediately upon receipt of funds by the school's Finance Office. The first copy of the receipt is to be given to the person from whom the money is received. The second copy is to be retained by the Finance Office as a permanent record of money received. Collections should be deposited daily, whenever possible. Money should never be left unsecured or in the school over weekends or holidays. All monies collected shall be placed in the school safe for safekeeping. Said monies shall remain in the school safe only until such time as deposit can be reasonably completed. All checks to be deposited in the student activity bank account shall be endorsed immediately upon receipt showing a restrictive endorsement.

## **Student Activity Funds**

### **Disbursements**

All disbursements shall be made on pre-numbered checks which serve as the basis for making an entry recording the disbursement. Disbursements shall be prompted by a purchase order (reimbursements on a voucher). Accuracy of prices, extensions and totals should be checked prior to payment. When a check has been written, the invoice and supporting documents, shall be marked. "PAID BY CHECK NUMBER---- " and "DATE OF PAYMENT--- " and shall be filed for auditing purposes. TWO signatures shall be required for all disbursements.

### **Records of Transactions**

The Chief Financial Officer or his/her designee shall maintain a complete set of books recording all monies deposited and disbursed. The Cash Receipts Journal and the Cash Disbursements Journal shall serve as a control whereby the total amount of money deposited and expended for all funds is maintained continuously. All transactions shall be entered and categorized to permit appropriate analysis.

Legal Reference: Connecticut General Statutes  
Policy Adopted: June 14, 1995  
Revised: May 22, 2007

**POLICY #3326**

**NORWICH FREE ACADEMY  
FACILITIES USE POLICY**

Norwich Free Academy (hereinafter, “NFA”) campus and facilities exist to support the mission of the institution. Beyond instructional, extracurricular, and athletic uses, in recognition of NFA’s commitment to community partnership and public service, NFA may allow, on a limited basis, use of certain facilities to other groups, entities, and organizations.

Requests for appropriate use of NFA facilities are subject to compliance with the processes, restrictions, fees, safeguards, and approvals outlined below.

Use of facilities by NFA takes precedence over use by other groups, entities, and organizations. NFA reserves the right to limit any use which in its judgment does not support, or relate to, NFA’s mission.

Use of NFA’s facilities and the associated facility fees and/or reimbursable costs are not intended to produce revenue for NFA. Approved users assume costs to reimburse NFA for expenses associated with the use of NFA’s facilities.

**DEFINITION**

For the purposes of this policy an “Event” is defined as any occurrence outside of NFA’s every day, ordinary, academic, and business activity.

**ELIGIBLE GROUPS, ENTITIES, AND ORGANIZATIONS AND PRIORITY OF USE**

NFA reserves the right to limit any use of school facilities which in its judgment does not support, or relate to, NFA’s mission. As identified below, the use of NFA facilities under this Policy is limited to use by various types of approved groups, entities, and organizations in furtherance of NFA’s mission, including its commitment to community partnership and public service. This Policy is not intended to make NFA facilities available for individual private use unaffiliated with a group, entity, or organization or unrelated to NFA’s mission and instructional, extracurricular, and athletic uses.

**USER GROUPS**

<b>Group I</b>	All Regulations Apply except 7, 12, 16, 17, 20, 21	NFA Instructional, extracurricular, and athletic functions. Group I users may be billed applicable costs. This group includes the NFA Foundation, Inc., the NFA Alumni Association, Slater Museum, and the Friends of Slater Museum.
<b>Group II</b>	All Regulations	Governmental, charitable, and/or nonprofit groups, entities, and organizations in or related to NFA’s partner communities. Group II pays only applicable reimbursable costs.

<b>Group III</b>	All Regulations Apply	<p>All other groups, entities, and organizations other than Group I and II. Group III pays the Facility Fee and any applicable reimbursable costs.</p> <p>The approval of the Head of School, or his/her designee, is required for all facility usage requests submitted by governmental, charitable, and/or nonprofit groups, entities, and organizations not from or related to NFA's partner communities, and any private or otherwise for-profit groups, entities, or organizations, or any other groups, entities, or organizations seeking to use NFA facilities for for-profit purposes.</p>
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**REGULATIONS**

1. A representative of NFA must be present at all times when school facilities are in use and that representative's determination regarding any questions, concerns, or conflicts which may arise shall be final.
2. Any required or discretionary approvals provided for under this Policy shall be issued by the Head of School or his/her designee. Any notices required of Users under this Policy shall be provided in writing, unless otherwise specified, to the Head of School or his/her designee. The appropriate manner to provide such notice, and the name and contact information of such designee, if applicable, shall be provided as part of the application and approval process.
3. Each group, entity, or organization (hereinafter, "User") is responsible for the conduct and supervision of all Event participants and/or guests. A representative or representatives of the User must remain on the NFA premises throughout the Event and must maintain control at all times. Names and addresses of all persons designated to act as representatives for the above-described purpose must be submitted with the application, and that person or those persons will be held responsible for the supervision of the Event participants and/or guests and any property damage.
4. All use of NFA facilities must conform to all state and local fire, safety, and public health, ordinances, codes, and/or regulations and receive approval from the City of Norwich Fire Marshal. All posted occupancy limits must be observed. In the event that a fire alarm is triggered for any reason, the facility must be cleared immediately. The facility will then be under the control of the fire official in charge and may not be re-entered until said official gives authorization to re-enter.
5. At the beginning of any Event at which twenty-five (25) or more persons will be present for the entire time, in accordance with state and local fire and safety ordinances, codes, and/or regulations, an announcement shall be made about emergency exits and clear aisles.

6. Parking on NFA school grounds is limited. Parking for NFA use takes precedence over Events hosted by non-NFA Users pursuant to this policy. All approvals for facilities use will take into consideration parking demands. Campus Safety will review parking demands for facilities use requests before any approval can be granted.
- \*7. For Group II and Group III Users only, all Event promotion must clearly indicate the Event sponsor as distinct and separate from NFA so as to avoid any misperception or misrepresentation about sponsorship. All print and digital media and signage will include the following statement “[NAME OF USER], the [NAME OF EVENT] sponsor and its employees, volunteers, agents and any of its programming, instruction, and training is not affiliated with, endorsed by, or sponsored by NFA or NFA Foundation, Inc.”  
*This regulation does not apply to Group I Users.*
8. Illegal activities are prohibited on NFA school grounds and will not be tolerated. Any violations may justify immediate cessation of an Event, and permanent restriction of the User(s) involved.
9. Use or possession of unauthorized alcoholic beverages and illegal drugs or unauthorized controlled substances is prohibited on the school grounds of NFA at all times.
10. All tobacco, smoking, and vaping products/devices are prohibited on the school grounds, both indoors and outdoors, of NFA.
11. Possession, consumption, use, service, sale, purchase, and/or distribution of alcoholic beverages during every day, ordinary, academic, and business activity on the school grounds of NFA is prohibited. NFA complies with the laws of the State of Connecticut related to the possession, consumption, use, service, sale, purchase, and/or distribution of alcoholic beverages and those laws and/or regulations promulgated by any local or city agency with regulatory authority regarding the same. The use and possession of alcoholic beverages on the school grounds of NFA by persons other than those of legal drinking age as defined by the laws of the State of Connecticut will not be condoned. Notwithstanding the foregoing, the possession, consumption, use, service, sale, purchase, and/or distribution of alcoholic beverages may occur during Events on the school grounds of NFA held pursuant to this Policy in accordance with the procedural guidelines set forth below:
  - a. For purposes of this policy, “alcoholic beverage” means alcohol, beer, spirits, and wine and every liquid or solid, patented or not, containing alcohol, spirits, wine, or beer and capable of being consumed by a human being for beverage purposes.
  - b. Alcoholic beverages may only be possessed, consumed, used, served, sold, purchased, or distributed on the school grounds of NFA during an Event approved and held pursuant to this Policy. Any User intending to host an Event on the school grounds of NFA at which it is intended that alcoholic beverages may be present, consumed, used, served, sold, purchased, or distributed must, in addition to any other requirements for holding an Event under this Policy, obtain approval to possess, consume, use, serve, sell, purchase or distribute alcoholic beverages at such Event.

- c. Under no circumstances may any individual under the age of twenty-one (21) years old possess, serve, consume, use, or purchase alcohol on the school grounds of NFA.
- d. Any possession, consumption, use, service, sale, purchase, or distribution of alcoholic beverages permitted pursuant to this policy must comply with the laws of the State of Connecticut related to the possession, consumption, use, service, sale, purchase, and/or distribution of alcoholic beverages and those laws and/or regulations promulgated by any applicable local or city agency with regulatory authority regarding the same.
- e. Under no circumstances may an Event held pursuant to this Policy include or permit the possession, consumption, use, service, sale, or distribution of alcoholic beverages on a regular school day during regular school hours.
- f. A User desiring to permit the possession, consumption, use, service, sale, purchase, or distribution of alcoholic beverages at an Event held pursuant to this Policy may only do so in the form of alcoholic beverage service provided by an outside vendor experienced in alcoholic beverage service, contracted by the User to provide such service at such Event, and approved by NFA. NFA may, in its discretion, maintain a list of approved outside vendors that Users will be required to use. The User's agreement with the vendor shall make the vendor responsible for the service, sale, and distribution of alcoholic beverages at the User's Event. The User shall be responsible for ensuring that the vendor provides appropriately qualified, trained, licensed, certified, and/or authorized staff for the service, sale, and/or distribution of alcoholic beverages. The vendor's staff shall be considered appropriately minimally qualified if staff members have been trained and/or certified as part of an alcohol server education, training, and/or certification program that includes program designed to teach participants to prevent intoxication, drunk driving, and underage drinking among the people to whom they sell or serve alcohol, such as TIPS or ServSafe.
- g. NFA is not in the business of selling, serving, or otherwise distributing alcoholic beverages and does not possess any permits, licenses, or authorizations for selling, serving, or distributing the same. It is the responsibility of the User to obtain the permit(s), license(s), and/or authorization(s) for the possession, consumption, use, service, sale, purchase, or distribution of alcohol, as appropriate, at the User's Event from the State of Connecticut, City of Norwich, and/or other authority which may be required under the laws of the State of Connecticut and those laws and/or regulations promulgated by any local or city agency with regulatory authority regarding the same. The User must provide copies or documentation of such permit(s), license(s), and/or authorization(s) to NFA at least forty-eight (48) hours prior to such Event. This requirement may be satisfied if the outside vendor contracted to provide alcoholic beverage service, sale, and/or distribution as described above can provide copies or documentation of the appropriate permit(s), license(s), and/or authorization(s).

- h. Alcoholic beverage service permitted under this Policy shall be limited to beer and wine service, which may include cider.
- i. Food and non-alcoholic beverages must be available at Events where alcoholic beverages are served. If alcoholic beverages are available to Event participants and/or guests at no cost, then food and non-alcoholic beverages must be available to Event participants and/or guests at no cost.
- j. Only one alcoholic beverage may be served to an individual at a time. An exception to this limitation may be permitted for beer or wine tasting events when: (i) the tasting event is limited only to one category of samples, i.e., a beer tasting or a wine tasting; and (ii) servings of alcoholic beverages per person are limited to no more than four (4) three-ounce (3 oz.) samples of beer at any one time, or no more than four (4) one-and one-half ounce (1.5 oz.) samples of wine at any one time.
- k. Alcoholic beverage service may be made available for no more than three (3) hours during an Event and must end at least one (1) hour prior to the pre-determined end of the Event.
- l. NFA may require, in its discretion, a police or other security detail for any Event with more than fifty (50) guests or as may be required by appropriate permitting or licensing authorities. The level of coverage required, as well as any exceptions, are to be determined by NFA.

\*12. Food is allowed only in certain areas of NFA facilities and will incur an additional surcharge. Any food and/or catering may only be provided by NFA's official food provider or a food service provider properly licensed to provide such services in Connecticut. No potluck is allowed.

*\*This regulation does not apply to Group I Users.*

13. Use of NFA facilities for Events will be strictly limited only to those areas and times specifically requested and approved.

14. Without prior written approval by NFA, Users may not share a facility, nor may any User display or exhibit promotional or advertising materials related to a separate group, entity, or organization, unless specifically disclosed and approved in the application process.

15. Use of NFA facilities for Events requiring certification, licensing, permitting, authorization, etc. which may be required under the laws of the State of Connecticut and those laws and/or regulations promulgated by any local or city agency with regulatory authority regarding the same (e.g., raffles, movies, 50/50, etc.), must conform to all applicable laws and regulations. Securing any required certification(s), license(s), permit(s) and/or authorization(s) is the responsibility of the User who must submit proof of the required certificate(s), license(s), permit(s), authorization(s) etc. as applicable at least forty-eight (48) hours prior to such Event.

\*16. Any User using NFA facilities is responsible for any damage to property that occurs during the period of use and will be billed for such damage.

*\*This regulation does not apply to Group I Users.*

- \*17. Any User must have or purchase liability insurance in the amount of \$1,000,000, listing NFA as an additional insured, unless otherwise covered by existing NFA insurance. Such certificate of insurance from the insurance carrier must be submitted before final approval is granted.

*\*This regulation does not apply to Group I Users.*

18. Depending upon the scope, size, and/or nature of an Event, NFA may require the User to contract services of the Norwich Police Department, Norwich Fire Department, local ambulance service, emergency medical provider, or similar service providers as identified and/or approved by NFA. It will be the responsibility of the User to make arrangements directly with the applicable service provider and provide proof of those arrangements if services are deemed necessary. Such proof will be required before any approval is granted.
19. If schools are closed because of inclement weather or for other unforeseen circumstances, a User's Event will be automatically canceled and all prepaid fees will be refunded. A rescheduled Event will be given priority over new requests.
- \*20. All fees will be billed through NFA's Finance Office. Fees will be charged as determined by the Fee Structure. Users will receive a cost quotation before final approval. A deposit of 50 % of that quotation will be required before final approval is granted. Payment must be made in full at least forty-eight (48) hours before the Event.  
*\*This regulation does not apply to Group I Users.*
- \*21. After the Event, a final invoice will be issued, which may include additional financial obligations, including those incurred for damages caused by the User or any guests. All financial obligations must be met within two (2) weeks following the receipt of the final invoice.  
*\*This regulation does not apply to Group I Users.*
22. Any equipment (e.g., technology, audio visual, chairs, tables, props, etc.) to be brought on NFA school grounds must be inspected and approved by the NFA Facilities Department in advance.
23. Any use of NFA-owned technology equipment (e.g., computers, projection display, sound system, theatrical lighting, microphones, etc.) requires an additional fee for the services of an NFA IT/AV technician or duly appointed representative to be on site to operate and /or oversee use of the technology equipment.
24. No nails or screws may be driven into any part of the facility, or any objects, items, or displays, or fastened in any way to walls, doors, railings, etc. without the prior written consent of NFA. Construction of scenery, ramps, extensions, or the like is also prohibited.
25. No animals (other than duly documented service or therapy animals) are permitted within school buildings or on school grounds.

26. Events are expected to end by a pre-determined ending time. School facilities must be completely cleared of Event participants and/or guests immediately following the scheduled completion of an Event. A User shall remove all personal property that it brought to NFA immediately following completion of its Event, and leave the Event space in clean, broom swept condition with all rubbish and debris generated by the Event deposited into appropriate refuse containers.
27. School facilities may not be used for the promotion of any commercial interest or private or corporate profit other than by a duly organized and recognized charity or nonprofit organization. At its sole discretion, NFA reserves the right to refuse facility use to any individual, group, entity, or organization.
28. All use of facilities shall, in the sole determination of NFA, have educational or community value. No program will be scheduled if it interferes with the normal use of the school facility for school purposes.
29. Users seeking to cancel an approved Event must provide notice to NFA no later than forty-eight (48) hours before the Event or else the Facility Fee will be forfeited.

**AREAS AVAILABLE**

The areas available under this policy are listed below and are strictly subject to layout and setup as predetermined and approved by the City of Norwich Fire Marshal.

**FEE STRUCTURE**

The fee structure is revised annually based upon the NFA fiscal year, July 1-June 30.

<b>AREA</b>	<b>FACILITY FEE</b>	<b>GROUP I</b>	<b>GROUP II</b>	<b>GROUP III</b>
<b>Gym</b>	\$100/HR	May be billed applicable costs	Applicable reimbursable costs	Facility Fee & applicable reimbursable costs
<b>Atrium</b>	\$500/Four Hours	May be billed applicable costs	Applicable reimbursable costs	Facility Fee & applicable reimbursable costs
<b>Conference Room</b>	\$200/Four Hours	May be billed applicable costs	Applicable reimbursable costs	Facility Fee & applicable reimbursable costs

<b>Classroom</b>	\$100/Four Hours	May be billed applicable costs	Applicable reimbursable costs	Facility Fee & applicable reimbursable costs
<b>Cafeteria</b> (use of kitchen facilities prohibited)	\$300/Four Hours	May be billed applicable costs	Applicable reimbursable costs	Facility Fee & applicable reimbursable costs
<b>Auditorium</b>	\$500/Four Hours	May be billed applicable costs	Applicable reimbursable costs	Facility Fee & applicable reimbursable costs
<b>Slater A/B</b>	\$300/Four Hours	May be billed applicable costs	Applicable reimbursable costs	Facility Fee & applicable reimbursable costs
<b>Practice Field</b>	\$100/HR	May be billed applicable costs	Applicable reimbursable costs	Facility Fee & applicable reimbursable costs
<b>Turf Field</b>	\$100 -Reservation fee (non – refundable) \$100 - Security fee \$100/HR - Field & Track \$100/HR - Lights \$150 - Event Supervisor (per Event) \$100 – Scoreboard & Sound (per Event)	May be billed applicable costs	Applicable reimbursable costs	Facility Fee & applicable reimbursable costs
<b>NFA Grounds</b>	\$500 minimum (total fee determined by area)	May be billed applicable costs	Applicable reimbursable costs	Facility Fee, applicable reimbursable costs

## REIMBURSABLE COSTS

*Security NFA Campus Safety Personnel	Actual cost incurred per Event. Fees vary and are dictated by straight time, overtime and double time rates as applicable.
*Facilities Maintenance Personnel	Actual cost incurred per Event. Fees vary and are dictated by straight time, overtime and double time rates as applicable.
*AV/Technology Equipment & Personnel	Actual cost incurred per Event. Fees vary and are dictated by equipment requirement, straight time, overtime and double time rates as applicable.
*Athletic Equipment & Personnel	Actual cost incurred per Event. Fees vary and are dictated by equipment requirement, straight time, overtime and double time rates as applicable.
*Utilities	\$20/HR per Event
*Food and Beverage Surcharge	\$250 per Event (in addition to any catering fee).
*Custodial Fees	Actual cost incurred per Event. Fees vary and are dictated by straight time, overtime and double time rates as applicable.

Approved: August 11, 2017

**POLICY #3511**

**NORWICH FREE ACADEMY  
COMPLIANCE WITH SECTION 504 REGULATIONS  
OF THE REHABILITATION ACT OF 1973 POLICY**

It is the policy of The Norwich Free Academy to comply with all aspects of the Section 504 regulations of the Rehabilitation Act of 1973. Section 504 prevents discrimination on the basis of disability in programs and activities operated by the school system.

No otherwise qualified individual with disabilities shall, solely by reason of his or her disability, as defined in Section 706(8) of the Rehabilitation Act, be denied the benefits of, or be subjected to discrimination under any program or activity conducted by The Norwich Free Academy.

The Norwich Free Academy has a responsibility to follow the procedural requirements of Section 504 to afford each eligible student a free, appropriate education, which includes procedures for pre-placement evaluation, placement procedures, and procedural safeguards. Additionally, Section 504 addresses placement in the least restrictive environment for both academic and nonacademic settings. The Academy also recognizes that there may be some impaired students who are not eligible for Special Education services under IDEA but who are still defined as disabled and may be eligible for services and protection from discrimination under the Section 504 definitions and regulations.

Procedures shall be in place to ensure that The Norwich Free Academy does not discriminate in providing equal access to programs and services on the basis of disability.

Legal Reference:	Connecticut General Statutes Section 504, U.S. Rehabilitation Act, 29 U.S.C. 791
See Also:	The Norwich Free Academy, Student Services, Section 504 of the 1973 Rehabilitation Act, Guidelines
Policy Adopted:	March 28, 2000
Revised:	May 22, 2007

## **POLICY #3515**

### **NORWICH FREE ACADEMY USE OF SERVICE ANIMALS POLICY**

The Americans with Disability Act (ADA), as amended, allows service animals assisting persons with disabilities to enter and be present on premises maintained by public entities. Norwich Free Academy (the “School”) does not discriminate on the basis of disability and persons with disabilities have the same rights to access school property or school-sponsored activities as nondisabled persons. Service animals, in compliance with the provisions of this policy, will be allowed on school property and at school-sponsored activities to which the disabled person served by the service animal is allowed access.

#### **I. Definitions**

“*Service animal*” means any dog or miniature horse that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. “Service animal” includes “trained service dogs” and “trained service miniature horses” as defined below. The work or tasks performed by a service animal must be directly related to the individual's disability. Examples of work or tasks include, but are not limited to: assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

“Service animal” is intended to include “trained service dogs,” which are dogs that have been individually trained to provide services to persons with disabilities including: hearing dogs; guide dogs; assistance dogs; seizure alert dogs; mobility dogs; psychiatric service dogs; autism service dogs; and other service dogs. For the purposes of this policy, “trained service dogs” includes therapy dogs. “Service animal” and “trained service dogs” does *not* include family or companion dogs or pets.

Under federal regulations, “service animal” also includes “trained service miniature horses,” which are generally 24-34 inches in height (measured to the withers or shoulders) and generally weigh between 70-100 pounds. The School reserves the right to determine whether reasonable modifications in policies, practices, or procedures can be made to allow a miniature horse on school property or at a school-sponsored activity, and reserves the right to consider the following factors in making such determination—

- a) The type, size, and weight of the miniature horse and whether the facility can accommodate these features;

- b) Whether the handler has sufficient control of the miniature horse;
- c) Whether the miniature horse is housebroken; and
- d) Whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.

“Person with a disability” - means a person with a disability or a person who requires accommodations under Section 504 of the Rehabilitation Act or the Americans with Disabilities Act to address a condition affecting a major life activity.

## **II. Requests for service animal use on school property or at school-sponsored activities**

An individual with a disability, or for a student under 18 years of age, the individual’s parent(s), seeking approval for use of a service animal on school property or at a school-sponsored activity must submit a request for approval to the individual’s building principal or building administrator at least ten (10) days prior to the day on which access is requested. The building principal or building administrator may request additional information to support the request and will forward such request and supporting documentation to the Head of School or his/her designee for review. Requests will be considered on a case-by-case basis.

A request for approval for use of a service animal on school property or at a school-sponsored activity should include the following:

- a) An up-to-date copy of the service animal’s health certification or similar documentation demonstrating that the service animal is in good health, free from parasites and has received all required or recommended vaccinations;
- b) A description of the individual’s disability, the disability-related conditions requiring the assistance of the service animal, and the services provided or tasks or functions performed by the service animal that necessitate the service animal’s use and mitigate the individual’s disability-related conditions. The School may require documentation from a healthcare provider verifying or supporting such information;
- c) Documentation demonstrating that the service animal is trained, approved and/or certified for “public access” so that the School can determine that the service animal is stable, well-behaved, unobtrusive and does not pose a health or safety threat to any student, personnel or other individuals. The School has discretion to determine the standards for satisfaction of this requirement; and
- d) Documentation demonstrating that the individual to be served by the service animal has received sufficient education, training, and/or certification to function as the service animal’s primary handler and/or to otherwise demonstrate an ability to care for, control, restrain and otherwise meet the needs of the service animal without assistance from other persons. If the individual to be served by the service animal is not the primary handler, the name of the handler must be provided and must be willing to submit to appropriate inquiry as to the handler’s qualification to be present

on school property or at a school-related activity. The School has discretion to determine the standards for satisfaction of this requirement.

The foregoing requirements shall apply equally to the School's use of service animals on school property or at a school-sponsored activity pursuant to educational programs or initiatives sponsored by the School (e.g., the use of therapy dogs are part of educational programming).

Prior to approval, an access plan may be required for use of a service animal on school property or at a school-sponsored activity upon approval of a request for use. Such an access plan will not be considered a contract between the School and the requesting individual but rather a guide for the parties involved. *An access plans use of a service animal will not be considered an accommodation under Section 504 of the Rehabilitation Act or a service or accommodation under a student's Individual Education Plan (IEP).*

In considering a request for use of a service animal or developing an access plan, the School may consider the impact that the service animal will have on other students or employees in the same school buildings or property or at the same school-sponsored activity. Allergies to or fear of a service animal alone will not constitute reasons to deny the service animal access to the building. The parties affected will strive to accommodate the needs of all affected parties.

Requests for use of service animals in training to become "trained" service animals (e.g., "trained service dogs" and "trained service miniature horses") will be allowed if the service animal is in training to be placed with the individual for whom the request is made. Instruction time will not be used for training purposes. The School's administration reserves the right to place this restriction on students because training service animals for placement with other persons may interfere with the student's educational experience or disrupt the educational environment. The building administrator may make limited exceptions to this restriction.

### **III. Service animal use on school property or at school-sponsored activities**

All service animals must have up-to-date health certification at all times in order to be approved for use including at all times after approval is granted. The individual using the service animal must be the service animal's primary handler and must demonstrate the ability to care for, control, restrain and otherwise meet the needs of the service animal without assistance from other persons. If the individual using the service animal is not the primary handler, the primary handler must be qualified to be present on school property or at school-sponsored activities. The individual, or in the case of a student under 18 years of age, the student's parent(s), requesting approval for a service animal to be present on school property or at school-sponsored activities will be responsible for all costs, certifications and equipment associated with the service animal.

A service animal must not interfere with the educational process of any student, disrupt the work environment of employees or otherwise interfere with the school or work environment. A service animal must not pose a direct threat to the health or safety of any

student, school personnel or other persons. In consideration thereof, whenever a service animal is to be present on school property or at a school-sponsored activity, the following conditions must be met:

- The service animal must remain in the direct custody and control of its handler;
- A service animal must have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control (*e.g.*, voice control, signals, or other effective means).

In the circumstance where a request is made for use of a service animal and such use may cause conflict with the current use of another service animal, the Head of School and/or building administration reserve the right to make or change assignments to rooms or programs based on the needs of the building, the student body or the staff.

#### **IV. Denial of Access or Withdrawal of Approval for Access**

The use of service animals for which approval has previously been granted may be denied and/or approval withdrawn if at any time the following conditions are not complied with:

- a) The service animal is out of control and the service animal's handler does not take effective action to control it;
- b) The service animal is not housebroken;
- c) The service animal is not clean, well-groomed or has an offensive odor;
- d) The service animal solicits attention, visits or annoys any member of the student body or school personnel;
- e) The service animal vocalizes unnecessarily, *i.e.*, barking, growling, howling or whining;
- f) The service animal shows aggression toward people or other animals;
- g) The service animal solicits or steals food or other items from the student body or school personnel; or
- h) The service animal interferes with the educational program of any students.

#### **V. Responsibility for Service Animals**

The School is not responsible for the care or supervision of a service animal while on school property or at a school-sponsored activity, including food, feeding, elimination needs, exercise, grooming or resting place accommodations. The School does not assume responsibility for the care or conduct of a service animal that has been approved for use on school property or at a school-sponsored activity. The individual using, owning or otherwise responsible for the service animal, including the parent(s) of a student under 18 years of age, will remain liable for any injury or damage to facilities, equipment or other persons caused by the service animal.

If use of a service animal by an individual on school property or at school-sponsored activities is approved, the School will educate and/or train School personnel as well as the student population as the School's deems necessary and appropriate.

Policy adopted: 2/25/14

## **POLICY #3520**

### **NORWICH FREE ACADEMY DOCUMENT RETENTION POLICY**

This Policy applies to all departments of The Norwich Free Academy (the "School").

#### **I. OBJECTIVES**

The objectives of this Document Retention Policy are to:

- A. establish a consistent policy for managing, retaining, storing and disposing of Documents, regardless of the media in which they are stored;
- B. ensure the preservation of Documents relevant to any pending, threatened, reasonably foreseeable or contemplated legal action or proceeding or government investigation;
- C. ensure that Documents required for the School's operations are maintained in an efficient manner so they can be readily accessed when necessary;
- D. comply with applicable legal requirements for retaining documents;
- E. reduce the volume and cost of storing Documents that are no longer needed by the School; and
- F. ensure an appropriate and orderly Document disposal process.

#### **II. POLICY**

The general policy of the School is to retain for an appropriate time all documents that are needed to operate the School or required by law to be retained. Documents should be retained or routinely disposed of in accordance with the time periods indicated by state and federal regulations. These time periods apply to all documents regardless of how or where they are maintained. The time periods do not apply, however, where the Head of School specifically has indicated through the issuance of a Litigation Hold Notice that certain documents or categories of documents should be retained. This policy will be consistently and uniformly applied throughout the School.

Documents related to any reasonably foreseeable or contemplated (i) legal action or proceeding (e.g., a civil lawsuit) or (ii) government investigation (e.g., an IRS audit), should not under any circumstances, be altered, mutilated, concealed, deleted, destroyed or otherwise disposed of without the specific authorization of the Head of School. Under the circumstances described above, routine document disposal must be suspended pending authorization by the Head of School to resume routine document disposal.

### III. RESPONSIBILITY

Every employee is required to manage documents in such employee's possession or control in accordance with this Document Retention Policy.

### IV. ADMINISTRATION

The Head of School (or designee) is responsible for the overall implementation and maintenance of the School's Document Retention Policy. The Head of School's responsibilities include:

1. As may be necessary or appropriate from time to time, notifying employees (through a Litigation Hold Notice) regarding Documents that must be retained because they are reasonably likely to be relevant to a pending, threatened, reasonably foreseeable or contemplated legal action or proceeding or government investigation;
2. Interpreting for employees any provisions of the Document Retention Policy as such provisions may apply to specific situations; and,
3. Advising employees of material changes in the laws, regulations, and amendments governing the retention or disposal of documents.

### V. IMPLEMENTATION

Documents that are being retained should be stored in a secure storage area that is reasonably safeguarded against theft, inappropriate access, misuse and damage (including events such as fire and flood).

Access to records will be in accordance with the following laws: the Connecticut Freedom of Information Act, C.G.S. § 1-200 et seq.; the Health Insurance Portability and Accountability Act of 1996; the Individuals with Disabilities Education Act; the No Child Left Behind Act; the Family Educational Rights Privacy Act; and the Federal Rules of Civil Procedure, including, but not limited to, any rules concerning electronic discovery and preservation of documents.

Definition: "DOCUMENT" means any communication, memorandum, report, record, data compilation or other similar item generated, received, transmitted or maintained by the School or any School employee for or on behalf of the School (including informational, working and personal copies), regardless of the format or storage method or medium used to store the item, including, but not limited to, any paper, chart, card, book, photograph, microfilm, microfiche, magnetic media, daytimer, electronic calendar, computer tape, floppy disc, zip cartridge, computer hard drive, email, electronic image or CD-ROM, and any copy, back-up or printout thereof.

Adopted: May 18, 2010

## **POLICY #3524.1**

### **NORWICH FREE ACADEMY PESTICIDE APPLICATION AND MANAGEMENT POLICY**

The intent of this policy is to ensure that students, parents/guardians, and employees receive adequate notice, in conformity with applicable statutes, prior to pesticide application within the school buildings and on the campus of The Norwich Free Academy. Further, effective July 1, 2000, The Norwich Free Academy will only employ certified pesticide applicators for any non-emergency pesticide use in the school buildings or on the campus of The Norwich Free Academy.

The Norwich Free Academy shall:

- Provide notice of planned pesticide application to students, parents/guardians, and employees in the manner required by law.
- Post the areas scheduled to receive pesticide application(s).
- Maintain written records of each pesticide application for five years.
- Provide continuing instruction to those students who, based upon written medical request, find it necessary to absent themselves during the period of application.
- Inform annually parents/guardians and staff of The Norwich Free Academy's pesticide application/management policy.
- Establish a registry of parents/guardians and staff who want to receive advance notice of all pesticide use and provide such notice as required by law.

Pest control applicators employed by The Norwich Free Academy shall provide the school's facilities manager with written notice at least seventy-two (72) hours prior to the date and time the pesticide application is to occur. This notice shall include the brand name, concentration, rate of application, pesticide label, material safety data sheet, list of the area(s) where the pesticide is to be applied, the date and time the application is to occur, any restrictions required by the pesticide label, and the name and address of the applicator.

No application of any pesticide may be made in any building or on the grounds of any school during regular school hours or during planned activities at any school except that an emergency application may be made to eliminate an immediate threat to human health if (1) it is necessary to make the application during such a period, and (2) such emergency application does not involve a restricted use pesticide, as defined in Connecticut General Statutes section 22a-47.

In case of pesticide applications performed for or by public health agencies or emergency applications because of immediate threat to the public health, the licensed applicator shall

give the school's facilities manager oral and, if possible, written notice, with posting of the area(s) to be treated.

The Superintendent/Head of School or designee may require the pest control applicator to make the required postings in accordance with all applicable statutes and with The Norwich Free Academy's policy.

Pesticide purchases shall be limited to amounts authorized by the Superintendent/Head of School or designee for use during the year. Pesticides shall be stored in a secure site not accessible to students or unauthorized staff. They shall be stored and disposed of in accordance with EPA registered label directions and applicable state statutes.

Legal Reference: PA 99-165. An Act Concerning Notice of Pesticide Applications at School and at Day Care Centers.  
Policy Adopted: January 16, 2001  
Policy Revised: May 22, 2007

## **POLICY #4111**

### **NORWICH FREE ACADEMY CERTIFIED STAFF RECRUITING/POSTING OF VACANCIES/HIRING POLICY**

The Board of Trustees desires that the Superintendent/Head of School develop and maintain a recruitment program designed to attract and hold the best possible personnel for Norwich Free Academy.

Recruiting and hiring of all personnel shall be accomplished with strict adherence to the laws governing equal opportunity employment.

#### New Position Announcements

All openings for new certified positions and promotions shall be posted as per the contract provisions established by NFA and the EANFA. All professional staff members shall be given an opportunity to make application for any such positions.

#### Interviews

The Superintendent/Head of School and the administrative staff are responsible for the initial interview of candidates for professional staff positions.

The administration shall be responsible for establishing recruitment, selection and appointment procedures.

#### Hiring

The Superintendent/Head of School is authorized to hire all certified and classified staff.

All persons hired by the Superintendent/Head of School shall meet the requirements established by the Board of Trustees and the Connecticut State Department of Education for the position for which that person is hired.

Legal References: Connecticut General Statutes  
10-151 Employment of Teachers  
46a-60 Discriminatory Employment Practices Prohibited  
Adopted: February 8, 1995

## **POLICY #4117.3**

### **NORWICH FREE ACADEMY REDUCTION IN FORCE OF CERTIFIED STAFF POLICY**

Whenever a teaching position in a particular department or specialized area is eliminated, the determination of the teacher to be separated will be based on:

1. seniority, except as non-tenured;
2. teaching performance;
3. area of certification; and
4. professional training and education.

Teachers laid off shall remain on a recall list until September 1 in the calendar year following their layoff. Teachers shall be removed from the recall list if offered reappointment to any position for which they are certified involving .5 time or more.

Any teacher on the reappointment list shall be sent, through certified mail, a written offer of employment at least fifteen (15) days prior to the date of reappointment. Said teacher shall accept or reject the appointment in writing within ten (10) days of receipt of the offer.

As this policy is based wholly on the Agreement Between the Trustees of The Norwich Free Academy and the Education Association of The Norwich Free Academy, any changes in this portion of the contract shall also be reflected in this policy without action by the Board of Trustees of NFA.

Legal References: Connecticut General Statutes  
10-151 Employment of teachers. Notice and hearings on termination  
of contract.

Policy Adopted: January 27, 1994  
Revised: May 22, 2007

## **POLICY #4118**

### **NORWICH FREE ACADEMY NON-DISCRIMINATION POLICY**

Norwich Free Academy (NFA) does not discriminate in employment and educational opportunities and promotes an educational environment free from harassment and discrimination. NFA provides equal access to the Boy Scouts and other designated youth groups in accordance with federal law.

NFA does not discriminate on the basis of race, color, religious creed, age, marital status, nation origin, ancestry, sex, sexual orientation, gender identity and expression, pregnancy, physical disability, present or past history of mental disability, intellectual disability, learning disability, or any other classification protected by applicable law. NFA will provide reasonable accommodations to qualified individuals when required by law. NFA prohibits discrimination in employment, including, but not limited to, the following: hiring and promotion of personnel, job assignment, compensation, leaves of absence, fringe benefits, and contracts and professional agreements.

NFA does not discriminate in educational opportunities, programs and services. NFA does not discriminate against students based upon their race, color, religious creed, sex, age, national origin, ancestry, marital status, sexual orientation, gender identity and expression, past/present history of mental disorder, and/or disability including in, but not limited to, the following areas: admissions; student assignment to schools and classes; in student discipline; in location and use of facilities; in educational offerings and materials; in financial assistance; in competitive athletics; and in school sponsored extracurricular activities.

NFA, through its Board of Trustees (Board) shall adopt and publish grievance procedures providing for prompt and equitable resolution of discrimination complaints concerning the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, Title IX, and the Age Discrimination Act and may adopt additional complaint or grievance procedures for other types of civil rights complaints. As part of the procedures, the Board shall appoint and publish the names of the individual(s) to contact with any such complaints. The Board assigns to the Superintendent/Head of Schools the responsibility to monitor compliance with this policy.

Federal civil rights laws prohibit discrimination and/or retaliation against an individual because he/she has opposed any discriminatory act or practice or because that person has filed a charge, testified, assisted or participated in an investigation, proceeding or hearing. NFA shall not retaliate against any person for these types of protected activities, or coerce, intimidate, threaten or interfere with an individual for exercising the rights guaranteed under these federal laws.

## Legal Reference

### Federal Laws

Rehabilitation Act of 1973, 29 U.S.C. § 701 et seq., 34 CFR § 104.1 et seq.  
Americans with Disabilities Act, 42 U.S.C. § 12131 et seq.,  
28 CFR § 35.101 et seq.  
Title IX of the Educational Amendments of 1972, 20 U.S.C. § 1681 et seq.,  
34 CFR § 106.1 et seq.  
Title VI, Civil Rights Act, 42 U.S.C. § 2000d, et seq.  
Title VII, Civil Rights Act, 42 U.S.C. § 2000e, et seq.  
Age Discrimination Act of 1975, 42 U.S.C. § 6101 et seq., 34 CFR § 110.1 et  
seq.  
Guidelines on Discrimination Because of Sex, 29 CFR § 1604.1, et seq.  
Guidelines on Discrimination Because of Religion, 29 CFR § 1605.1 et  
seq.  
Guidelines on Discrimination Because of National Origin, 29 CFR § 1606.1  
et seq.  
OCR Guidelines on Sexual Harassment, 62 Fed Reg. 12034 (March 13, 1997)  
and 66 Fed. Reg. 5512 (January 19, 2001).

### Connecticut General Statutes

46a-60 Discriminatory employment practices prohibited.  
46a-75 Discrimination in educational and vocational programs prohibited.  
10-15c Discrimination in public schools prohibited. School attendance by  
five year olds.  
10-153 Discrimination on account of marital status.  
Public Act 11-55 An Act Concerning Discrimination.

Policy adopted: December 10, 1991

Revised: May 22, 2007

September 15, 2015

## **POLICY #4118.11(b)/4218.11**

### **NORWICH FREE ACADEMY PROHIBITION AGAINST SEXUAL HARASSMENT**

The Norwich Free Academy recognizes that sexual harassment, including sexual assault, is unlawful sex discrimination. The Board of Trustees of Norwich Free Academy (Board) prohibits sex discrimination/sexual harassment in the school's education program or activities. Education program or activity includes locations, events, or circumstances over which the school exercises substantial control over both the respondent (alleged perpetrator of sexual harassment) and the context in which the sexual harassment occurs. In addition to occurring on school grounds, sexual harassment may potentially occur off campus, in places or situations where athletic and extracurricular activities occur, on field trips, on the school bus, at school related conferences or through use of school technology.

Norwich Free Academy shall respond to sexual harassment occurring in the school's education program or activities for which they have "actual knowledge." "Actual knowledge" means notice of sexual harassment or an allegation of sexual harassment brought to the attention of the Title IX Coordinator(s), any official of the school who has authority to institute corrective measures on the behalf of the school, as well as to any other employee of Norwich Free Academy.

Sexual harassment may take the form of student-on-student, employee-on-student, employee-on-employee, student-on-employee sexual harassment, or may be perpetrated against students or employees by third parties under the control of the school. Students who engage in proven sexual harassment may be subject to discipline, up to and including expulsion. Employees who engage in proven sexual harassment may be subject to disciplinary action, up to and including termination, as well as, other action required under the law.

#### **Definition of Sexual Harassment for the Purposes of Title IX**

Sexual harassment is conduct on the basis of sex that satisfies one or more of the following:

- (i) A school employee conditioning an education benefit or service on participation in unwelcome sexual conduct (i.e. quid pro quo);
- (ii) Unwelcome conduct that a reasonable person would determine is so severe, pervasive and objectively offensive that it effectively denies a person equal access to the school's education program or activity;
- (iii) "Sexual assault" as defined in 20 U.S.C. 1092 (f)(6)(A)(v)(the Clery Act), "dating violence" as defined 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(3) (the Violence Against Women Act (VAMA)).

Examples of sexual harassment may include, but are not limited to:

- pressure for sexual activity
- repeated remarks with sexual or sexually demeaning implications
- unwelcome or inappropriate touching
- sexual assault
- suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning a student's grades or academic standing or an employee's employment status
- telling lewd jokes or sharing stories about sexual experiences – even if not directed at you but done in your presence to cause you discomfort
- sending unwanted suggestive or lewd emails, letters or other communications or sharing images of a sexual nature around the workplace or displaying posters, items or screensavers of a sexual nature
- repeatedly asking for dates despite being rebuffed
- making sexually offensive gestures or facial expressions
- dating violence or stalking

### **Other Definitions**

‘Complainant’ is defined as a person who is alleged to be the victim of conduct that could constitute sexual harassment.

“Respondent” is defined as a person who is alleged to be the perpetrator of conduct that could constitute sexual harassment.

“Supportive measures” are defined as non-disciplinary, non-punitive, individualized services, offered as appropriate and without charge to a complainant or respondent before or after the filing of a formal complaint, or where no complaint has been filed.

### **Title IX Coordinator**

The Superintendent/Head of School designates and authorizes the Tirrell House Principal and the Sachem House Principal to be Norwich Free Academy's Title IX Coordinators. These individuals shall be given the title of and be referred to as Title IX Coordinator and they are responsible for ensuring compliance across the school with Title IX, corresponding state law, and applicable board policy concerning sex discrimination/sexual harassment.

Applicants for admission and employment, students, parents or legal guardians of students, employees, and all unions shall be notified of the name, title, office address, electronic mail address, and telephone number of the Title IX Coordinator(s).

The Title IX Coordinator's contact information shall be posted on the school's website and included in student and employee handbooks and published in other locations as deemed appropriate.

## **Reporting Sexual Harassment**

Any person, including, but not limited to, students, their parents or guardians, employees, bystanders or third parties (whether or not the person is the alleged victim), may report sex sexual harassment, including sexual assault, occurring in the school's education program or activities. Reporting may occur in person, by mail, by telephone or by electronic mail, using the contact information provided for the Title IX Coordinator(s), or by any other means that results in the Title IX Coordinator(s) receiving the person's verbal or written report. Reports may be made at any time including during non-business hours.

A formal complaint is defined as a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against an individual and requesting that the school investigate the alleged sexual harassment. In an instance where the Title IX Coordinator signs the complaint, the Title IX Coordinator is not a party to the complaint nor is such action taken on behalf of the complainant.

The Title IX Coordinator will make forms available for both informal reports and formal complaints of sexual harassment. Additionally, such forms will be posted on the school's website. Informal reports are permissible and may be brought by any person. However, only a complainant and the school's Title IX Coordinator(s) may file a formal complaint. All formal complaints will be investigated. Supportive measures shall be offered to a complainant with or without the filing of a formal complaint.

There is no time limit on a complainant's decision to file a formal complaint, but complainants are encouraged to promptly report incidents of sexual harassment, and/or to file a formal complaint.

## **Response including Supportive Measures**

Any school employee with actual knowledge of sex discrimination/sexual harassment shall promptly inform the school's Title IX Coordinator(s). The failure to do so may be grounds for disciplinary action.

Upon actual knowledge of sexual harassment, the Title IX Coordinator will promptly contact the complainant to advise and discuss with the complainant (1) the availability of supportive measures with or without the filing of a formal complaint, (2) the right to file a formal complaint and (3) how to file a formal complaint.

A complainant as well as a respondent shall be offered free, individualized "supportive measures" (e.g. counseling, course related adjustments, modification of work or class schedules, escort services, increased security/monitoring of certain areas, mutual restrictions on contact between the parties) designed to restore or preserve equal access to education with or without a formal complaint. These, as well as other measures may be part of a final remedy.

Upon the filing a formal complaint, the complainant will be provided with a copy of this policy and its grievance procedures.

Written notice shall be provided to the respondent and the complainant advising that a formal complaint has been filed. The respondent shall be entitled to a presumption of innocence during investigation of the complaint. Both parties will be treated fairly throughout the investigation and shall be entitled to an unbiased investigator who has not prejudged the matter being investigated.

Complaints that fail to allege a violation of Title IX shall be dismissed without investigation. This does not preclude the school administration from investigating or addressing the underlying conduct under relevant codes of conduct or board policy.

### **Emergency Removal/Administrative Leave**

An emergency removal of a respondent from the education program or activity is permissible provided that the school conducts an individualized safety and risk analysis and determines that emergency removal is necessary in order to protect a student or other individual from an immediate threat to physical health or safety and notice and an opportunity to challenge the decision is provided. This does not modify any rights under the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act (ADA).

An employee-respondent may be placed on administrative leave during the pendency of a grievance process.

### **Informal Resolution**

At any point in the formal complaint process, the Title IX Coordinator, in his/her discretion, may offer to facilitate an informal resolution option such as mediation or restorative justice.

Both parties must give voluntary, informed written consent.

Either party has a right to withdraw consent at any time, in which case the formal investigation shall proceed.

The informal resolution process shall not be available if the complainant/Victim is a student and the respondent is an employee.

### **Grievance Procedures**

The school will promptly and thoroughly investigate all formal complaints of sexual harassment in accordance with established grievance procedures.

School grievance procedures shall be established in the form of a regulation accompanying this policy.

The grievance procedure shall be used for the reporting and investigation of, and response to a formal complaint of sexual harassment in the school's education program and activities against a person in the United States.

The school's grievances procedures shall be designed to comply with the regulation under Title IX as promulgated by the U.S. Department of Education, as it may be amended from time to time. Among other required provisions, the grievance procedures shall establish standards for fairness and equity, including a requirement that the decision maker not be the same individual as the Title IX Coordinator or the investigator, explain how to file a complaint, address required notice, set out timelines for various components of the investigation and adjudication process, establish and explain grounds for the dismissal of a complaint and provide and explain the appeal process available to both parties, include a presumption of innocence for the respondent, state the evidence standard to be used to determine responsibility and require objective evaluation of all available evidence.

### **Training**

Training shall be provided to Title IX personnel in accordance with the regulation under Title IX as promulgated by the U.S. Department of Education, as it may be amended from time to time. Additional training may be provided to all school employees as deemed advisable.

Training materials used to train Title IX personnel shall be posted on the school's website.

### **Prohibition Against Retaliation**

Retaliation against any party, witness or other participant to the grievance process is prohibited. Retaliation may form a basis for a complaint under this policy. The charging of a person with a code of conduct violation based upon a person making a materially false statement in bad faith in an investigation is not considered retaliatory.

### **Dissemination, Posting and Discussion of Policy**

This policy along with its accompanying regulation/grievance procedure shall appear in the Student Handbook, be discussed with students at least annually and more often as needed, be posted in prominent and accessible locations in each school building and in the school administrative offices and be published on the school's website along with the name/title and contact information for the Title IX Coordinator(s).

### **Record Keeping**

The District/Academy must keep records related to reports of alleged sexual harassment for a minimum of seven years, including investigation records, disciplinary sanctions, remedies, appeals, and records of any action taken, including supportive measures. Additionally, the District/Academy must also keep for a minimum of seven years any materials used to train Title IX Coordinators, investigators, decision makers, any employee designed to facilitate an informal process.

### **Alternate Complaint Procedures**

In addition, or as an alternative to the filing of a sex discrimination/sexual harassment complaint through the school's grievance procedure, a person may choose to file a complaint with the Office for Civil Rights of the United States Department of Education.

## Statement of Protected Rights

Application of this policy and its grievance procedure shall not be interpreted to restrict rights protected under the U.S. Constitution, including the right to free speech, to be free from self-incrimination and to due process of law.

Legal References: Connecticut General Statutes

10-15c Discrimination in public schools prohibited. School attendance by five-year-olds.

United States Constitution, Article XIV.

Title IX of the Education Amendments of 1972, 20 U.S.C. 1681, *et seq.*

Title IX of the Education Amendments of 1972, 34 C.F.R. 106.1, *et seq.*

Title IX Regulation, 34 C.F.R. Part 106

20 U.S.C. 1092 (f)(6)(A)(v)

34 U.S.C. 12291 (a)(8), (a)(10), (a)(36)

*Franklin v. Gwinnett County Public Schools*, 503 U.S. 60 (1992)

*Gebser v. Lago Vista Independent School District*, 524 U.S. 274 (1998)

*Davis v. Monroe County Bd. Of Educ.*, 526 U.S. 629 (1999)

Policy adopted: October 3, 1992

Policy Revised: April 21, 2009

November 18, 2020

**POLICY #4118.211(a)/4218.211**

**NORWICH FREE ACADEMY  
RETALIATION AND WHISTLE BLOWING POLICY**

Employees are encouraged to report suspected illegal activity to appropriate administrators. The Board of Trustees will not tolerate any form of reprisal, retaliation or discrimination against any employee, or applicant for employment, on the basis that he/she has:

- Opposed any practice that he/she reasonably believed to be made unlawful by any federal, state, or local law prohibiting employment discrimination on the basis of a protected category, including but not limited to sex, sexual orientation, race, color, national origin, ancestry, age, religion, marital status, physical or mental disability, or veteran status.
- Filed a charge, testified, assisted or participated in any manner in an investigation, proceeding or hearing under federal, state, or local law prohibiting employment discrimination on the basis of sex, sexual orientation, race, color, national origin, ancestry, age, religion, marital status, physical or mental disability, or veteran status or because he/she reported a suspected violation of such laws according to this policy; or,
- Reported, or was about to report, a suspected violation of any federal, state or local law to a public body (unless the individual knew that the report was false) or was requested by any court or public agency to participate in an investigation, hearing or inquiry held by that court or public agency.

An employee or applicant for employment who believes that he/she has suffered reprisal, retaliation or discrimination in violation of this policy is strongly encouraged to report the incident(s) to the Superintendent/Head of School of The Norwich Free Academy or his/her designee. It is the policy of the Board of Trustees that no employee or applicant for employment who makes such a report shall suffer any form of reprisal, retaliation or discrimination for making the report. Individuals are forbidden from preventing or interfering with any good faith disclosures of misconduct.

In accordance with section 31-51m of the Connecticut General Statutes, the Board of Trustees or its agents will not discharge, discipline or otherwise penalize any employee because the employee or someone acting on the employee's behalf reports, verbally or in writing, a violation or suspected violation of any state or federal law or regulation or any town/city ordinance or regulation to a public body, or because an employee is requested by a public body, as defined in the statute, to participate in an investigation, hearing or inquiry held by that public body, or a court action. Further, the Board of Trustees or its agents will not discharge, discipline or otherwise penalize any employee because the employee, or a person acting on his/her behalf, reports, verbally or in writing, to a public body concerning unethical practices, mismanagement or abuse of authority by the employer. This section does not apply when an employee knowingly makes a false report.

The Norwich Free Academy will exercise reasonable efforts to:

- Investigate any complaints of retaliation or interference made by any employee;
- Take immediate steps to stop any alleged retaliation; and
- Discipline any person associated with The Norwich Free Academy found to have prevented or interfered with any good faith report of an illegal practice, opposition to an illegal practice, or participation in any investigation or proceeding concerning an illegal practice.

The Board of Trustees considers any violation of this policy to be a major offense that will result in disciplinary action against the offender, regardless of the offender's position within the District.

Legal Reference: Conn. Gen. Stat. 31-51m. Protection of employee who discloses employer's illegal activities or unethical practices. Civil action.  
Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e-3(a)  
Age Discrimination in Employment Act, 29 U.S.C. 623(d)  
Americans with Disabilities Act, 42 U.S.C. 12203  
Fair Labor Standards Act, 29 U.S.C. 215(a)(3)  
Occupational Safety and Health Act, 29 U.S.C. 660(c)  
Family and Medical Leave Act, 29 U.S.C. 2615  
National Labor Relations Act, 29 U.S.C. 158(a)

Policy adopted: October 20, 2009

## POLICY #4118.3

### NORWICH FREE ACADEMY INCLUSION, EQUITY & DIVERSITY POLICY

#### Purpose

Every student deserves a respectful learning environment in which their cultural, racial and ethnic diversity is valued and contributes to successful academic outcomes. The Norwich Free Academy is committed to identifying and correcting practices and policies that perpetuate the achievement gap and institutional racism in all forms in order to provide all of its students with the opportunity to succeed. Learning and work environments are enriched and improved by the contributions, perspectives and very presence of diverse participants. NFA is committed to the success of every student in each of our schools and to our mission and vision statements.

The Board of Trustees (Board) believes that the responsibility for student success is broadly shared by staff, families, our community and our student's own efforts. Achievement gaps between white students and students of color are unacceptable if we are to meet our mission and vision statements and our moral obligations to our students, their families and our community as a whole. These gaps are contrary to our belief that all children can learn and succeed. Adult behaviors must not contribute to achievement gaps or create barriers to success. Adult behaviors must be concentrated on elimination of gaps, particularly those that are predicated on a student's race, ethnicity, home language, personal characteristics or culture and on assurance of educational equity between students. The Board, Head of School and staff commit to conducting an equity and diversity impact assessment on all future policies that have a significant impact on student learning and resource allocation. This commitment also includes conducting assessments on policies that are periodically reviewed and updated through the policy development process that have a significant impact on student learning and resources allocation.

The diversity of our student body, our community and our staff is a strength of this school that should be fostered. Educational equity benefits all students and our entire community.

The purpose of this policy is to establish a framework for the elimination of bias, particularly racism and cultural bias, as factors affecting student achievement and learning experiences, and to promote learning and work environments that welcome, respect and value diversity. Further the purpose is to establish particular actions that the School shall take to address disparities in educational opportunity and achievement.

#### Definitions

For the purposes of this policy the following terms shall have these meanings:

- A. "**Diversity**" includes characteristics of persons including, but not limited to race, culture, color, creed or religion, national origin, gender, mental and physical ability, age, marital status, family structure, citizenship status, sexual orientation, sexual expression or identity, economic status, veteran's status, and any other protected class in conformance with federal, state and local laws.
- B. "**Staff**" includes all employees, consultants and contractors of the Norwich Free Academy.
- C. "**Educational equity**" means raising the achievement of all students while (1) narrowing the gaps between the lowest and highest performing students, and (2) eliminating the racial or cultural predictability and disproportionality of which student groups occupy the highest and lowest achievement categories including rates of graduation.
- D. "**Institutional racism**" means the collective failure of a public or private organization to provide an appropriate and professional service to people because of their race, color, culture or ethnic origin which can be seen or detected in practices, processes, systems, attitudes and behavior. It looks beyond individual acts of prejudice to the systemic biases that may be built into institutions. These systemic biases

discriminate against and disadvantage people of color through unwitting prejudice, ignorance, thoughtlessness or racial stereotyping.

### **General Statement of Policy**

A. NFA welcomes, respects and values the diversity of its students, parents, staff and the broader community.

B. The following are established as school values:

1. All students deserve optimal treatment, opportunities and education.
2. All students and their families have dignity and worth.
3. All students are equally, while differently, gifted.
4. Academic and participation outcomes, not intentions, shall be the measure of whether we are successful.
5. Inclusion of all students and families supports school goals to increase student engagement and academic performance.
6. Embracing our diversity through inclusion creates an environment that leverages that diversity and creates schools where students, families, community members, and employees feel welcomed, valued, supported, and where students and staff can perform to their personal bests.

C. The school is committed to advancing optimum participation in, contribution to, benefit from and enjoyment of learning and work experiences by diverse students, parents, staff and community.

D. The school is committed to promoting and providing equitable distribution of resources, opportunities, facilities and supports, even when this means differentiating resource allocations on the basis of student needs. Resource allocation shall support the definition of educational equity adopted in this policy while complying with state and federal funding mandates.

E. The school shall employ staffing processes that support and engender racial, gender, and language diversity in its staff through recruitment, employment, training and retention of employees. It is important that children of all races, cultures, and backgrounds are provided with familiar role models in schools. The recruitment of diverse teachers and staff provides all students with a better chance of seeing themselves as part of the education system. Diversity in education provides all children with the opportunity to learn from others with dissimilar backgrounds and recognizes the value of diversity in all learning environments. The school is committed to increasing the recruitment and retention of highly qualified diverse staff. The school is committed to fostering a learning environment where diversity is encouraged and to recruiting and retaining a workforce that reflects the diversity of our students and community. The Board is committed to hiring the best employees of all racial and ethnic backgrounds who will bring their unique talents and skills into the school system.

F. The school shall offer opportunities for all staff to improve its cultural competencies in serving a diverse student body and community. The District staff shall work together to increase their individual and collective capacity to effectively teach a culturally, racially and ethnically diverse student population and serve culturally, racially and ethnically diverse families and communities. The School shall offer opportunities for all staff to improve culturally responsive instructional practices, curriculum, and assessments competencies in serving our diverse student body and community to increase individual and collective capacity to effectively teach our diverse student population and serve diverse families. Practices, procedures and programs that result in over or under representation of any group of students compared to peers shall be subject to close review to assure that such results are due to meeting student legitimate educational, social or emotional needs. Practices that do not meet this close review shall be eliminated.

Teachers, administrators and school staff shall collaborate to establish and implement culturally responsive instructional practices, curriculum and assessments.

G. The School shall promote the diversification of its vendor and supplier corps in accordance with law and school policy.

H. The School shall provide professional development to teaching staff specifically designed to strengthen employee's knowledge and skills for eliminating opportunity and achievement gaps between groups of students.

I. The School shall seek partnerships with outside agencies, organizations and persons who have demonstrated culturally specific expertise to assist the School in meeting its equitable education and business goals, including, but not limited to: (1) government agencies, (2) non-profit organizations, (3) businesses, and (4) other community groups that support educational equity and cultural competencies.

## **Responsibility**

A. The Board shall consider the values stated in this policy in conducting its business and in exercising its responsibilities to the people of this community.

B. The Head of School shall establish in accordance with this policy such plans and procedures as may be necessary and appropriate to accomplish its purpose and intent. Plans and procedures established shall include clear accountability for actions and oversight.

C. The Head of School may promulgate regulations for the implementation of this policy as deemed necessary.

D. The Board and Head of School may establish specific goals to implement this policy as permitted by law and deemed necessary.

E. The Head of School shall annually report to the Board and the community regarding School performance goals on academic achievement and progress toward meeting these goals and closing the achievement gap. The report will also highlight discrepancies between the targets set and actual performance when applicable. This annual public report shall include an equity and diversity impact assessment that demonstrates policies with the least disparate impact have been adopted by the School.

F. School staff shall within the parameters of their various duties and responsibilities comply with and execute such plans as are designed to address the values and directions included in this policy. School staff is further responsible to make such suggestions to the appropriate authority to improve the ability of the School to reduce the achievement and opportunity gaps that exist.

G. Families are partners with the School in its effort to address achievement and opportunity gaps.

H. Students are partners in their academic achievement. School attendance and engagement are essential to reduce achievement and opportunity gaps that exist.

I. The Board, Head of School and employees will work with students and families to identify barriers to achievement and opportunities for academic success.

Legal Reference: Connecticut General Statutes

46a 60 Discriminatory employment practices prohibited.

10-15c Discrimination in public schools prohibited. School attendance by five-year olds. (Amended by P.A. 97-247 to include "sexual orientation" and P.A. 11-55 to include "gender identity or expression")

10-153 Discrimination on account of marital status.

17a-101 Protection of children from abuse.

Connecticut State Board of Education "Position Statement on Culturally Responsive Education," adopted May 4, 2011

Title VII, Civil Rights Act, 42 U.S.C. 2000e, et seq.

29 CFR 1604.11, EEOC Guidelines on Sex Discrimination.

Title IX of the Educational Amendments of 1972, 20 U.S.C. 1681 et seq.

34 CFR Section 106.8(b), OCR Guidelines for Title IX.

Definitions, OCR Guidelines on Sexual Harassment, Fed. Reg. Vol 62, #49, 29 CFR Sec. 1606.8 (a0 62 Fed Reg. 12033 (March 13, 1997) and 66 Fed. Reg. 5512 (January 19, 2001)

Section 8525, ESEA as amended by the Every Student Succeeds Act

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

Faragher v. City of Boca Raton, No. 97-282 (U.S. Supreme Court, June 26,1998)

Gebbser v. Lago Vista Indiana School District, No. 99-1866, (U.S. Supreme Court, June 26,1998)

Davis v. Monro County Board of Education, No. 97-843, (U.S. Supreme Court, May 24, 1999.)

The Vietnam Era Veterans' Readjustment Act of 1974, as amended, 38 U.S.C. §4212

Title II of the Genetic Information Nondiscrimination Act of 2008

The Americans with Disabilities Act as amended by the ADA Amendments Act of 2008

Public Law 111-256

Meacham v. Knolls Atomic Power Laboratory 128 S.Ct. 2395, 76 U.S.L.W. 4488 (2008)

Federal Express Corporation v. Holowecki 128 S.Ct. 1147, 76 U.S.L.W. 4110 (2008)

Kentucky Retirement Systems v. EEOC 128 S.Ct. 2361, 76 U.S.L.W. 4503 (2008)

Sprint/United Management Co. v. Mendelsohn 128 S.Ct. 1140, 76 U.S.L.W. 4107 (2008)

**Policy adopted: September 21, 2021**

**POLICY #4131**

**NORWICH FREE ACADEMY  
BOARD OF TRUSTEES PROFESSIONAL DEVELOPMENT POLICY**

The Norwich Free Academy encourages its teachers and administrators to broaden and deepen their knowledge, their understanding of the teaching-learning process, their understanding of students, and their perception of themselves and their colleagues as worthy and effective professionals. To this end, The Norwich Free Academy Board of Trustees is committed to the support of a planned, ongoing, and systematic professional development program designed to maintain, enrich and/or improve the skills, knowledge and abilities needed by educational personnel to meet their professional responsibilities. The ultimate goal of the professional development program is to improve student learning.

In order to assist district educators to maintain, enrich and/or improve their effectiveness with students, the Board of Trustees will, to the extent possible, support a planned professional development program for all certified staff by providing funds and making time available for planning and implementing the program. In addition, the Superintendent/Head of School is directed to appoint a district coordinator for professional development and to establish a steering committee composed of representatives from the Board of Trustees, the administration, teachers and other appropriate staff. The Superintendent/Head of School is also directed to report annually to the Board of Trustees on the professional development program and its effect with recommendations for changes as needed.

This commitment to professional development on the part of the school district is a commitment to the affirmation of learning as a lifelong process which contributes to the well being of the individual, the local school district, and the society.

Legal Reference: 10-27 Exchange of professional personnel and students  
10-220a In-service training  
10-226g Inter-group relations training for teachers  
10-145b Teaching Certificates  
Policy Adopted: March 17, 1992  
Policy Revised: April 21, 2009

## **POLICY #4150.1/4253.1**

### **NORWICH FREE ACADEMY FAMILY AND MEDICAL LEAVE POLICY**

An employee who (1) has been employed with the Norwich Free Academy (“NFA”) for a minimum of twelve months and who has worked at least 1,250 hours in the twelve months leading up to the employee’s request for leave, or (2) is covered under the terms of a negotiated contract explicitly providing for eligibility for family and medical leave, and who satisfies the contract’s leave requirements, provided that they are no greater than the general eligibility requirements stated in number (1) above, is eligible to take twelve weeks of unpaid family and medical leave (“FMLA”) in a twelve month period, provided that the employee takes leave for any one of the following reasons:

1. The birth or placement of a child for adoption or foster care in your home;
2. To care for an immediate family member (spouse, child, parent) with a serious health condition;
3. To take medical leave when the employee is unable to work because of a serious health condition.

For the purposes of this policy only, the term “teacher” will denote an NFA employee.

Under certain circumstances, employees may take FMLA leave intermittently. This means taking leave in blocks of time or by reducing their normal weekly or daily work schedule.

An employee seeking to use FMLA leave must make requests for leave a least thirty days in advance of foreseeable events, and as soon as possible for unforeseeable events. In most cases, employees will be required to provide medical certification documenting the need for family or medical leave.

Employees may request to substitute paid sick leave, personal leave, and/or vacation to cover otherwise unpaid family or medical leave. It should be noted that NFA will not allow substitution of paid leave for unpaid leave in a situation where NFA would not normally allow such paid leave.

NFA will maintain health insurance coverage for an employee on FMLA leave whenever such insurance was provided before the leave was taken and on the same terms and conditions as if the employee had continued to work (for example, employees taking unpaid FMLA leave will be responsible for paying their share of health insurance premiums while on leave).

The Norwich Free Academy will require teachers taking leave more than five weeks prior to the end of the semester, to continue taking leave until the end of the semester, where the leave lasts three or more weeks and the teacher's return to employment would occur in the last three week period of the semester.

Where a teacher commences leave, during the last five weeks of the semester, the Norwich Free Academy will require the teacher to continue taking leave until the end of the semester where: (1) the leave lasts more than two weeks, and; (2) the teacher's return to employment would occur during the final two weeks of the semester.

Where a teacher commences leave during the final three weeks of the semester, and the leave lasts longer than five working days, the Norwich Free Academy will require the teacher to continue taking leave until the end of the semester.

So that an employee's return to work can be properly scheduled, an employee on family or medical leave is required to provide at least two weeks advance notice of the date the employee intends to return to work. When the leave period ends, the employee will be reinstated to the same position, if it is available, or to an equivalent position for which the employee is qualified.

#### Military and Family Leave Entitlements

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

In regards to military caregiver leave, no more than a total of 26 weeks' combined leave during the one (1) year period will be granted to a husband and wife both employed by the Board. However, each spouse may be entitled to additional leave for other qualifying reasons under the Act, such as the employee's own illness or for the serious illness of the employee's child.

Policy Adopted: June 14, 1995  
Policy Revised: April 21, 2009

**POLICY #4212.4**

**NORWICH FREE ACADEMY  
STAFF DEVELOPMENT POLICY**

The practices to be followed by the Norwich Free Academy in regards to the employment of non-certified staff shall be developed in the "Working Conditions & Benefits" handbook for staff employees. This handbook shall be developed by the Finance Office and Director of Personnel of the Academy and reviewed and revised as necessary.

The practices addressed by this handbook include but are not to be limited to Life Insurance, Health Insurance, Personal Days, Sick Days, Vacation, Overtime, Workers' Compensation, Pension Plan, Paid Holidays, Early Dismissal, Return to Work, Emergency Closings, and School Vacations and Summer Hours. The Norwich Free Academy reserves the right to amend its employment practices at any time without notice except as may be required by law.

Legal References: Connecticut General Statutes  
46a-60 Discriminatory Employment Practices Prohibited  
Policy adopted: January 11, 1995  
Policy Revised: April 21, 2009

## **POLICY #4217.6**

### **NORWICH FREE ACADEMY DRUG-FREE POLICY FOR EMPLOYEES**

#### **PERSONNEL - CERTIFIED/NON-CERTIFIED**

The Board of Trustees is concerned with maintaining a safe and healthy working and learning environment for all staff and students. Medical research indicates that the use of alcohol, drugs and tobacco are hazardous to one's health. In addition to the health hazard to the individual, staff are entrusted with the responsibility of imparting knowledge and serving as role models to students. As an employer, The Norwich Free Academy is concerned about the dangers of drug abuse in the workplace. Accordingly, the Academy announces the following policy regarding the use of drugs, alcohol, and tobacco by its employees:

The Academy is committed to establishing and maintaining a drug-free, alcohol-free, and tobacco-free workplace. In compliance with federal and state requirements, employees are prohibited from the unlawful manufacture, distribution, dispensing, possession or use on or in the workplace of any alcohol, narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, or any other controlled substance. Controlled drugs are further defined in Schedules I through V or Section 202 of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation at 21 C.F.R. 1300.11 through 1300.15.

For purposes of this policy, the workplace includes any school building or school premises, any school owned vehicle or other school approved vehicle used to transport students to and from school activities, and any off-school property during any school sponsored or school approved activity, event or function, including but not limited to, field trips or athletic events, where students are under the jurisdiction of the school district.

As a condition of employment with the Academy, employees shall abide by the terms of this policy. Any employee who violates the above prohibitions may be subject to appropriate disciplinary action, up to and including discharge, and referral for criminal prosecution.

Members of the administrative staff shall report any suspected violation of the standards of conduct directly to the Superintendent/Head of School. The Superintendent/Head of School or his/her designee will immediately investigate the allegation and meet with the alleged violator.

The Academy has available drug, alcohol, and tobacco counseling, rehabilitation and employee assistance programs.

Legal Reference: Drug-Free Workplace Act. 102 Stat. 4305-4308.  
Drug-Free Schools and Community Act, P.L. 99-570,  
as amended by P.L. 101-226 (1991)  
21 U.S.C. 812, Controlled Substances Act, I through V, 202.  
21 C.F.R. 1300.11 through 1300.15  
54 Fed. Reg. 4946 (1989)

Policy Adopted: December 10, 1991

Policy Revised: April 21, 2009

## **POLICY #4218**

### **NORWICH FREE ACADEMY SOCIAL NETWORKING POLICY**

The Norwich Free Academy (“Academy”) recognizes the importance of social media for its employees and acknowledges that in certain circumstances its employees have the right under the First Amendment to the United States Constitution to speak out on matters of public concern. However, the Academy will regulate the use of social media by employees, including employees’ personal use of social media, when such use:

- (1) interferes with the work of the Academy;
- (2) is used to harass co-workers or other members of the Academy community;
- (3) creates a hostile work environment;
- (4) breaches confidentiality obligations of Academy employees,
- (5) disrupts the work of the Academy;
- (6) harms the goodwill and reputation of the Academy in the community; or,
- (7) violates the law, Academy policies, and/or other school rules and regulations.

The Academy therefore adopts the following guidelines for the use of social media by Academy employees.

Definitions:

Social media includes, but is not limited to, social networking sites, such as Twitter, Facebook, LinkedIn, YouTube, and MySpace.

Norwich Free Academy includes all names, logos, buildings, images and entities under the authority of the Norwich Free Academy Board of Trustees and Norwich Free Academy.

#### **Rules Concerning Personal Social Media Activity**

1. An employee may not mention, discuss or reference the Academy, its programs, or teams on personal social networking sites, unless the employee also states that the post is the personal communication of the employee and that the views posted are the employee’s alone and do not represent the views of the Academy.
2. Employees must refrain from mentioning other Academy employees or other members of the school community (e.g., parents or others) on personal social networking sites, without such individuals’ express consent unless the employee is addressing an issue of public concern and the employee’s speech falls under applicable constitutional protections pertaining to same.
3. Employees are required to maintain appropriate professional boundaries with students, parents, and colleagues. For example, it is not appropriate for a teacher or administrator to “friend” a student or otherwise establish special relationships with selected students through personal social media, and it is not appropriate for an employee to give students access to personal postings unrelated to school.

4. An employee may not use the logos or trademarks of the Academy on their personal social media posts unless the employee receives prior written consent from the Academy's Board of Trustees or its designee. Please note that this prohibition extends to the use of logos or trademarks associated with the Academy and any of its programs or teams.
5. Employees are required to use appropriately respectful speech in their personal social media posts; and to refrain from harassing, defamatory, abusive, discriminatory, threatening or other inappropriate communications. Such posts can reflect poorly on the reputation of the Academy, can affect the educational process and may substantially and materially interfere with an employee's ability to fulfill his/her professional responsibilities.
6. Employees are individually responsible for their personal posts on social media. Employees may be sued by other employees, parents or others, and any individual that views an employee's social media posts as defamatory, pornographic, proprietary, harassing, libelous or creating a hostile work environment. As such activities are outside the scope of employment, employees may be personally liable for such claims.
7. Employees are required to comply with all Academy policies and procedures, including the acceptable use policy, with respect to the use of computer equipment, networks or electronic devices when accessing social media sites. Any access to personal social media activities while on Academy property or using Academy equipment must comply with those policies, and may not interfere with an employee's duties at work.
8. The Academy reserves the right to monitor all employee use of Academy computers and other electronic devices, including employee blogging and social networking activity. An employee should have no expectation of personal privacy in any personal communication or post made through social media while using Academy computers, cellular telephones or other electronic data devices.
9. All posts on personal social media must comply with Academy policies concerning confidentiality, including the confidentiality of student information. If an employee is unsure about the confidential nature of information the employee is considering posting, the employee shall consult with his/her supervisor prior to making the post.
10. An employee may not link a personal social media site or webpage to the Academy's website or the websites of the Academy's programs or teams; or post the Academy's material on a social media site or webpage without written permission of the Board of Trustees or its designee.
11. All Academy policies that regulate off-duty conduct apply to social media activity including, but not limited to, policies related to public trust, illegal harassment, code of conduct, and protecting confidential information.

12. If an employee seeks to use social media sites as an educational tool or in relation to extracurricular activities or programs of the Academy, the employee must seek and obtain the written permission of the Head of School prior to such use.

### **Disciplinary Consequences**

Violation of this policy may lead to discipline, up to and including the termination of employment, consistent with state and federal law.

### **Rules Concerning Social Media Activity Sponsored by the Norwich Free Academy**

1. If an employee wishes to use Facebook or any other social media site to communicate meetings, activities, games, responsibilities, announcements etc., for a school-based club or a school-based activity or an official school-based organization, or an official sports team, the employee must also comply with the following rules:
  - a. The employee must first request in writing and receive in writing permission from the Head of School to establish and operate an Academy-sponsored social media site.
  - b. The employee must set up the social media site as a group list which will be "closed and moderated."
  - c. Members will not be established as "friends," but as members of the group list.
  - d. Anyone who has access to the communications conveyed through the site may only gain access by the permission of the employee (e.g. teacher, administrator, supervisor or coach). Persons desiring to access the page may join only after the employee invites them and allows them to join.
  - e. Parents shall be permitted to access any site that their child has been invited to join.
  - f. Access to the site may only be permitted for educational purposes related to the club, activity, organization or team.
  - g. The employee responsible for the site will monitor it regularly.
  - h. The employee's supervisor shall be permitted access to any site established by the employee for a school-related purpose.
  - i. Employees are required to maintain appropriate professional boundaries in the establishment and maintenance of all such Academy-sponsored social media activity.
2. Employees are required to use appropriately respectful speech in their social media posts on Academy-sponsored sites; and to refrain from harassing, defamatory, abusive, discriminatory, threatening or other inappropriate communications.
3. Employees are required to comply with all Academy policies and procedures and all applicable laws with respect to the use of computer equipment, networks or devices when accessing Academy-sponsored social media sites.
4. The Academy reserves the right to monitor all employee use of Academy computers and other electronic devices, including employee blogging and social networking

activity. An employee should have no expectation of personal privacy in any communication or post made through social media while using Academy computers, cellular telephones or other data devices.

5. All posts on Academy-sponsored social media must comply with Board policies concerning confidentiality, including the confidentiality of student information. If an employee is unsure about the confidential nature of information the employee is considering posting, the employee shall consult with his/her supervisor prior to making the post.
6. An employee may not link an Academy-sponsored social media site or webpage to any personal social media sites or sites not sponsored by the Academy.
7. An employee may not use Academy-sponsored social media communications for private financial gain, political, commercial, advertisement, proselytizing, or solicitation purposes.
8. An employee may not use Academy-sponsored social media communications in a manner that misrepresents personal views as those of the Academy or its programs, or in a manner that could be construed as such.

### **Disciplinary Consequences**

Violation of this policy may lead to discipline, up to and including the termination of employment, consistent with state and federal law.

## **POLICY #4218.4**

### **NORWICH FREE ACADEMY EMPLOYEE USE OF ELECTRONIC MAIL POLICY**

Electronic mail (E-mail) is provided to an employee for the purpose of conducting the business of The Norwich Free Academy. The Norwich Free Academy encourages the use of E-mail services to share information, to improve communication, and to exchange ideas. E-mail systems provided by the school are the sole property of The Norwich Free Academy.

Confidentiality cannot be ensured. Users, therefore, should exercise extreme caution in using E-mail to communicate confidential or sensitive matters.

E-mail should be read only by the person to whom it is addressed and is not to be read by any other employee without the addressee's permission, including those with sufficient computer privileges to do so. However, users should be aware that on occasion, network and computer operations personnel and system administrators may, during the performance of their duties, see the contents of E-mail messages. The administration reserves the right to periodically monitor employees' use of any electronic system.

All employees are expected to conduct themselves with the same integrity and personal demeanor in electronic communications as in face-to-face dealings with one another.

Any use perceived to be illegal, harassing, offensive, or in violation of other policies, could be the basis for disciplinary action including restriction of access to the system, up to and including termination of employment. Inappropriate practices include, but are not limited to:

- abuse of computer resources
- any deliberate attempt to disrupt computer resources
- any attempt to break into computer resources at The Norwich Free Academy or other sites
- extreme network etiquette violations including mail that degrades, demeans, or harasses other individuals
- sharing of one's E-mail account or access password
- use of E-mail for commercial or private business purposes
- personal, non-work related use of computer systems

Legal Reference: Connecticut General Statutes

The Freedom of Information Act

See Also: Acceptable Use of the Internet and Computer Networks 6141.321

Workplace Monitoring 4118.4

Web Site Publication 6141.322

Policy Adopted: March 28, 2000

Policy Revised: April 21, 2009

## POLICY #4300

### NORWICH FREE ACADEMY COVID-19 VACCINATION AND TESTING POLICY

On September 10, 2021, Governor Lamont issued Executive Order No. 13G (“Protection of Public Health and Safety During COVID-19 Pandemic – Vaccination Requirements for State Employees, School Staff, and Child Care Workers”) requiring all covered workers in a public or non-public pre-K through grade 12 school system to be at least partially vaccinated against COVID-19 by September 27, 2021, and if not fully vaccinated on or after that date, to submit to weekly COVID-19 testing. Executive Order No. 13G further requires school boards to implement policies containing certain requirements set forth in the Order as applicable to the schools or school systems operated by such boards. Accordingly, the Norwich Free Academy Board of Trustees (the “Board”) adopts this policy as applicable to the Norwich Free Academy (the “District”) and the schools that are a part of the District.

#### A. DEFINITIONS:

**Contractor** means any person or business entity, including a vendor of support services or subcontractor, that provides personnel who function as District covered workers, except any contractor or employee of an outside vendor who visits the school district only to provide one-time or limited-duration repairs, services, or construction.

**Covered Worker** means all employees, both full-time and part-time, contract workers, providers, assistants, substitutes, and other individuals working in the District, including individuals providing operational or custodial services or administrative support or any person whose job duties require them to make regular or frequent visits to the school district. Covered worker does not include a contract worker or employee of an outside vendor who visits the school district only to provide one-time or limited-duration repairs, services, or construction, or a volunteer.

**COVID-19** is a respiratory disease caused by SARS-CoV-2, a new coronavirus discovered in 2019. The virus is thought to spread mainly from person to person through respiratory droplets produced when an infected person coughs, sneezes, or talks.

**Fully Vaccinated** means at least 14 days have elapsed since the covered worker has received the final dose of a vaccine approved for use against COVID-19 by the U.S. Food and Drug Administration (“FDA”), or as otherwise defined by the Centers for Disease Control and Prevention (“CDC”). In general, people are considered fully vaccinated at least 14 days after their second dose in a two-dose series, such as the Pfizer or Moderna vaccines, or at least 14 days after a single-dose vaccine such as Johnson & Johnson’s Janssen vaccine.

#### B. COVID-19 VACCINATION REQUIREMENT:

- (1) **Covered Workers Hired By the Board or Working in the District Before September 27, 2021:** On or before **September 27, 2021**, all covered workers hired by the Board or working in the District before that date must:
  - (a) Be fully vaccinated against COVID-19;
  - (b) Have received the first dose and have either received a second dose *or* have an appointment for a second dose in a two-dose series vaccination, such as Pfizer or Moderna vaccines, or have received a single-dose vaccine, such as Johnson & Johnson’s Janssen vaccine;
  - (c) Be exempt from the vaccination requirement because a physician, physician’s assistant (“PA”), or advanced practice registered nurse (“APRN”) determined that the administration of a COVID-19

vaccine is likely to be detrimental to the covered worker's health, or the covered worker objects to vaccination on the basis of a sincerely held religious or spiritual belief, and the covered worker is able to perform his or her essential job functions with a reasonable accommodation that is not an undue burden on the Board; or

- (d) As an alternative to vaccination, and regardless of whether the covered worker has a medical or religious exemption, comply with the testing requirements contained in this policy and any other applicable safety precautions of the Board and/or the District.

(2) **Prospective Employees:** On and after **September 27, 2021**, a covered worker not employed by the Board or working in the District as of that date shall not be extended an offer of employment, and the District shall not enter into a contract for the services of a covered worker, unless the covered worker:

- (a) Is fully vaccinated against COVID-19;
- (b) Has received the first dose and has either received a second dose *or* has an appointment for a second dose in a two-dose series vaccination, such as Pfizer or Moderna vaccines, or has received a single-dose vaccine, such as Johnson & Johnson's Janssen vaccine; or
- (c) Is exempt from the vaccination requirement because a physician, physician's assistant ("PA"), or advanced practice registered nurse ("APRN") determined that the administration of a COVID-19 vaccine is likely to be detrimental to the covered worker's health, or the covered worker objects to vaccination on the basis of a sincerely held religious or spiritual belief, and the covered worker is able to perform his or her essential job functions with a reasonable accommodation that is not an undue burden on the Board.

### **C. COVID-19 VACCINATION VERIFICATION REQUIREMENT:**

By September 27, 2021, covered workers of the Board employed by the Board or working in the District before September 27, 2021 are required to provide proof of COVID-19 vaccination status to the Board unless otherwise exempt from the vaccine requirement as permitted by law. Covered workers of the Board employed by the Board or working in the District on or after September 27, 2021 are required to provide proof of COVID-19 vaccination status to the District prior to becoming employed by the Board or working in the District unless otherwise exempt from the vaccine requirement as permitted by law.

(1) **Vaccination Verification:** The District shall authenticate the vaccination status of covered workers, maintain documentation of vaccination or exemption of such covered workers, and report compliance with Executive Order No. 13G, in a form and manner directed by the Department of Public Health.

(2) **Acceptable Proof of Vaccination:** To provide proof of COVID-19 vaccination, a covered worker must submit one of the following:

- (a) A valid CDC COVID-19 Vaccination Record Card or photo of the Vaccination Record Card. The card must contain the name and date of birth of the covered worker, the manufacturer of the COVID-19 vaccine that was administered, and the date(s) on which the vaccine was administered.
- (b) A record from the covered worker's vaccine provider indicating the name and date of birth of the covered worker, the manufacturer of the COVID-19 vaccine that was administered, and the date(s) on which the vaccine was administered ("Provider Vaccination Record"). Covered workers may contact their vaccination provider to request a copy or log into the patient portal for that provider.
- (c) A certificate from the Vaccine Administration Management System ("VAMS") if the individual received vaccination through the VAMS system ("VAMS Certificate"). The VAMS Certificate

must contain the name and date of birth of the covered worker, the manufacturer of the COVID-19 vaccine that was administered, and the date(s) on which the vaccine was administered.

- (d) A copy of the covered worker's official immunization record from the Connecticut Immunization Information System, CT WiZ. Valid CT WiZ immunization records contain the name and date of birth of the covered worker, the manufacturer of the COVID-19 vaccine that was administered, and the date(s) on which the vaccine was administered.

**Covered workers shall not include any additional medical or genetic information with proof of COVID-19 vaccination.**

- (3) **Declaration of Authenticity:** Covered workers who have submitted a copy of a vaccination record as proof of vaccination shall complete and sign a declaration as to the authenticity of their proof of vaccination. Proof of vaccination will not be deemed valid unless accompanied by the covered worker's signed declaration. **Personal attestation alone will not be accepted as an acceptable form of proof of vaccination.**
- (4) **Submission of COVID-19 Vaccine Documentation:** All covered workers who are fully or partially vaccinated must submit proof of COVID-19 vaccination and a completed declaration form to the following:

Amy Tavares  
Medical Center Supervisor  
tavaresa@nfaschool.org  
ph: (860) 425-5552  
fax: (860) 889-3291

Covered workers employed by the Board or working in the District prior to September 27, 2021 shall submit such documentation by September 27, 2021.

#### **D. EXEMPTION FROM COVID-19 VACCINATION REQUIREMENT:**

Covered workers may receive an exemption from the COVID-19 vaccination requirement for medical or religious/spiritual belief reasons as described below:

- (1) **Medical Exemption:** Covered workers may receive a medical exemption because a physician, physician's assistant ("PA"), or advanced practice registered nurse ("APRN") determined that the administration of a COVID-19 vaccine is likely to be detrimental to the covered worker's health and the covered worker is able to perform his or her essential job functions with a reasonable accommodation that is not an undue burden on the District.
- (2) **Religious/Spiritual Belief Exemption:** Covered workers may receive a religious/spiritual belief exemption because the covered worker objects to vaccination on the basis of a sincerely held religious or spiritual belief and the covered worker is able to perform his or her essential job functions with a reasonable accommodation that is not an undue burden on the District.

Covered workers who seek a medical or religious/spiritual belief exemption to the vaccine requirement must apply for the exemption and must provide appropriate supporting documentation upon the District's request. To submit a request for a medical or religious/spiritual belief exemption, covered workers must complete the appropriate District form(s) send their request to the below:

Amy Tavares  
Medical Center Supervisor  
tavaresa@nfaschool.org  
ph: (860) 425-5552  
fax: (860) 889-3291

Covered workers employed by the Board or working in the District prior to September 27, 2021 shall send their request by September 27, 2021. Each exemption request will be considered on an individualized, case-by-case basis. All exemptions will be considered pending until the covered worker has received written notice of an approval or denial. Covered workers granted an exemption are required to comply with the testing requirements of Executive Order No. 13G and this policy.

**E. REFUSAL TO RECEIVE COVID-19 VACCINATION:**

Covered workers then-presently employed by the Board or working in the District *before* September 27, 2021, and who did not apply for or applied and did not receive a medical or religious/spiritual belief exemption from the COVID-19 vaccination requirement under Executive Order No. 13G and who are not fully vaccinated, regardless of reason, shall notify the District by sending written notice to the below by September 27, 2021:

Amy Tavares  
Medical Center Supervisor  
tavaresa@nfaschool.org  
ph: (860) 425-5552  
fax: (860) 889-3291

In addition, covered workers entering the workplace who are not fully vaccinated against COVID-19 must follow any additional safety precautions imposed by the District, which may include, but are not limited to, wearing a face covering, working at a social distance from coworkers or students, working a modified shift, accepting a reassignment, quarantining, and/or isolating.

**F. WEEKLY COVID-19 TESTING VERIFICATION OF COVERED WORKERS NOT FULLY VACCINATED:**

- (1) **Testing Requirement:** Beginning **September 27, 2021**, covered workers who are either not fully vaccinated or have not provided proof of full vaccination must submit to COVID-19 testing one time per week on an ongoing basis until fully vaccinated and provide adequate proof of the test results on a weekly basis (i.e., at least one test every seven (7) days) in a form and manner directed by the Department of Public Health unless they can provide documented proof that they have tested positive for, or been diagnosed with, COVID-19 infection in the prior ninety (90) days and have been granted a temporary waiver from SARS-CoV-2 testing. To comply with the testing requirement, testing must be either PCR or antigen SARS-CoV-2 tests and must be administered and reported by a state licensed clinical laboratory, pharmacy-based testing provider, or other healthcare provider facility with a current Clinical Laboratory Improvement Amendments (CLIA) waiver. Only test results submitted to the District within 72 hours of the test administration date will be deemed compliant with the testing requirement. Test result reports should include the name and location of the testing laboratory or provider facility performing the test, the name of the person tested, the date the sample was collected, and the test result. Home-based testing and results obtained outside of a facility of the type indicated above are not considered adequate proof of a SARS-CoV-2 test for the purposes of complying with Executive Order No. 13G and this policy. Processing delays with vaccine providers, VAMS, web-based applications, laboratories, medical providers, or state agencies will not excuse compliance with Executive Order No. 13G and this policy.

- (2) **Submission of Testing Verification:** Covered workers must provide adequate proof of the test results on a weekly basis (i.e., at least one test every seven (7) days) to:

Amy Tavares  
Medical Center Supervisor  
tavaresa@nfaschool.org  
ph: (860) 425-5552  
fax: (860) 889-3291

**Covered workers shall not include any additional medical or genetic information with COVID-19 test results.**

- (3) **Negative Test Results Required:** Covered workers required to participate in weekly testing in lieu of vaccination are required to submit at least one SARS-CoV-2 test result every seven (7) days and comply with all other provisions of Executive Order No. 13G and this policy in order to retain access to on-site work. Covered workers shall not be permitted, and shall not attempt, to be present on District premises or at District-sponsored activities unless the most recent test result provided is “negative” or indicates that virus material is “not detected.” Results provided as “inconclusive” are not considered negative results and as such require retesting. If a covered worker receives an inconclusive result and cannot be retested and provide a negative result within seven (7) days of their last negative test, then that covered worker shall be excluded from, and shall not attend, on-site work until they can provide a negative test result.
- (4) **Temporary Testing Waivers:** Covered workers who wish to request a temporary waiver from SARS-CoV-2 testing on the basis of having had COVID-19 within the prior ninety (90) days must submit a Temporary Waiver request completed and signed by their healthcare provider, using the submission format and process for submitting test results provided above. Any covered worker granted a temporary waiver from SARS-CoV-2 testing must return to regular weekly testing after the expiration date indicated on the waiver form if they are not fully vaccinated by that date.
- (5) **Additional Safety:** In addition, the above covered workers entering the workplace who are not fully vaccinated against COVID-19 must follow any additional safety precautions imposed by the District, which may include, but are not limited to, wearing a face covering, working at a social distance from coworkers or students, working a modified shift, accepting a reassignment, quarantining, and/or isolating.

#### **G. CONTRACTOR REQUIREMENTS:**

On and after September 27, 2021, any and all contractors of the District shall be required to authenticate the vaccination status of its contract workers as required by Executive Order No. 13G, maintain documentation of vaccination or exemption of such contract workers, and provide such documentation upon request and report compliance to the District on September 28, 2021 and thereafter upon request in a form and manner directed by the Department of Public Health. Further, on and after September 27, 2021, any and all contractors of the District shall implement a policy that requires its contract workers who have not demonstrated proof of full vaccination to submit to COVID-19 testing not less than once per week on an ongoing basis until fully vaccinated and provide adequate proof of the results of the testing on a weekly basis to the District in a form and manner prescribed by the Department of Public Health. Additionally, any and all contractors of the District shall positively affirm that they and their contract workers are in compliance with the provisions of Executive Order No. 13G prior to entering District premises.

#### **H. CONFIDENTIALITY:**

All records of vaccinations, weekly COVID-19 tests, exemptions, and any other information or documentation

submitted, collected, or maintained regarding a covered worker pursuant to Executive Order No. 13G shall be kept confidential as required by law.

The District shall treat all employee-provided medical information as confidential medical records, separate from the employee's personnel file. If necessary, medical information may be shared in limited circumstances and subject to appropriate controls to those persons who have a legitimate need to know including, but not limited to, District administration, first aid and safety personnel, and government officials, as required by law or other relevant guidance.

## **I. VIOLATIONS AND ENFORCEMENT:**

A covered worker who fails to comply with the requirements of this policy shall not be allowed on the premises of the District or at District-sponsored activities until the covered worker provides adequate proof of compliance or without prior written authorization of the District. **Violations of this policy may result in appropriate disciplinary action, up to and including termination.** Violations of this policy by covered workers can result in findings that the Board and/or the District has violated the requirements of Executive Order No. 13G or other laws or regulations which could subject the Board to legal penalties, including, but not limited to, loss of state-provided educational funding.

**Legal Reference:** CT. Executive Order No. 13D, August 19, 2021  
CT. Executive Order No. 13G, September 10, 2021  
Connecticut General Statutes  
§ 10-145 Certificate necessary to employment. Forfeiture for noncompliance. Substitute teachers.  
*Implementation Guidance for Executive Order 13G: Vaccination Mandate for Individuals Working for State Facilities, State Hospitals, Public and Non-Public PreK-12 Schools, and Child Care Facilities,* Connecticut State Department of Public Health, Sep. 17, 2021.

**Policy Adopted:** September 21, 2021

## **POLICY #4400**

### **NORWICH FREE ACADEMY MEMORIAL POLICY**

#### **I. PURPOSE**

Norwich Free Academy recognizes that the loss of a student or staff member deeply impacts students, staff, and families. The purpose of this policy is to support staff, students, and families impacted by a death by assisting them with connections to appropriate school and community resources. Because it is recognized that memorial decisions made immediately in the aftermath of a crisis or death may be made without full consideration of the potential implications for students, staff, families, and the community, Norwich Free Academy will provide a process for memorial decision-making, as well as Board-approved policies regarding memorial activities for students and staff affiliated with the school community at the time of their passing.

#### **II. DEFINITIONS**

- A. Memorials: Objects or activities to remember an event or deceased person(s).
- B. Memorial Funds: Community contributions made to establish endowed or current-use funds with the NFA Foundation.
- C. Incident Management Team (IMT): An appointed group of staff members who develop and execute procedures for the handling of mental health needs in the recovery phase of a crisis situation.
- D. Crisis: Any natural disaster or unexpected event that negatively affects a student, a staff member, or school community members and usually involves serious emotional, psychological, and/or physical injury or death.
- E. Impact: The magnitude of the potential loss or seriousness of the crisis.

#### **III. GENERAL STATEMENT OF POLICY**

In recognition that schools are designed primarily to support learning, school sites should not serve as the main venue for the memorializing of students or staff. Memorial activities expressed at school need to be coordinated and approved through the Incident Management Team (IMT). The IMT will assist families, students, and community members in selecting memorial activities that are appropriate for the school.

#### **IV. MEMORIAL POLICY**

- A. Memorial Activities:
  - a. Yearbooks: An enrolled Norwich Free Academy student who has died may be acknowledged in the yearbook their senior year of high school with parent/guardian input and/or approval. Information about the student will be included on a memorial page representing all memorialized students in the graduation year. Information on such a shall be limited to the student's name, photo, dates of birth and death, and school activities in which the student participated.
  - b. Commemorative activities: Commemorative activities may be established and held in the name of the deceased student or staff member providing such activities are not held during the school day and are sponsored by a class, club, or activity in which the deceased student or staff member participated. Advertisement of activities will not take place during the school day and must be coordinated with the communications department. Such activities will not utilize school financial resources. Commemorative activities involving fundraising must be directed to and managed by the NFA Foundation.

Memorialization events, such as wakes, services and ceremonies, are not permitted.

- c. Graduation Recognition: Deceased members of the graduating class and staff members employed at the time of their passing, will be recognized in the graduation publication and by a member of the school

administration during a moment of silence. No additional visual or physical representation will be present at the ceremony. The issuance of an honorary diploma will be considered on a case by case basis.

- d. Moment of Silence Recognition: A moment of silence will occur within two school days after notification of the deceased and will only include the deceased's name with parent/family permission. Moments of silence are also approved for use at co-curricular events in which the deceased participated.

#### B. Memorial Funds and Donations

All memorial funds are established through the NFA Foundation, Inc. Memorial funds established in the name of deceased students and staff must have educational or program significance to Norwich Free Academy. Funds may be established for immediate use or may be endowed, providing perpetual support for the designation selected by the family and approved by the NFA Foundation.

#### C. Memorials

Memorials involving property or physical objects are limited to existing objects on campus and must follow the naming guidelines as per NFA Foundation policy. Memorials will neither add to nor alter school property. Existing memorials established prior to the implementation of this policy remain intact. Memorials involving property or physical objects are not perpetual and may be removed by Norwich Free Academy.

### V. PROHIBITED MEMORIAL ACTIVITIES

Selling and/or fundraising of memorial items during the school day is prohibited. Student activity accounts cannot be used to support, finance, or fundraise for memorialization. Funds raised may not be donated to external charities or organizations as proceeds from co-curricular activities must be directed to and managed by the NFA Foundation for the benefit of Norwich Free Academy. Utilizing formal all-school or school-wide events, including graduation, homecoming, prom, and other thematic events or weeks to memorialize deceased students or staff is prohibited.

Formal, school-wide recognition of anniversary dates will not occur. If the death of a student or staff member occurred in a public location accessible by community members, such as a crash site, school staff will not provide memorial monitoring.

Policy adopted:                April 26, 2022

## **POLICY #5111**

### **NORWICH FREE ACADEMY STUDENT ENROLLMENT POLICY**

The Norwich Free Academy (NFA) considers its primary responsibility to be providing quality educational services to all eligible students from the established sending towns. Therefore, The Board of Trustees maintains facilities, grades nine through twelve inclusive, for the purpose of providing a high school education to all eligible students. Each eligible student shall have an equal opportunity to participate in the programs and activities of The Norwich Free Academy without discrimination on the basis of race, color, sex, religion, national origin, sexual orientation, physical disability, or any other status protected by law. The Board of Trustees may, in the discretion of the Superintendent/Head of School or designee and as is otherwise consistent with its policies and the law, permit private tuition students from school districts outside of the sending town area to enroll at NFA on a case-by-case basis.

Furthermore, The Board of Trustees, at their discretion, may enter into agreements with any established sending town, or other towns, for practices and procedures regarding student enrollment.

#### Enrollment

- A. For students entering the ninth grade directly from an established sending town public school, or directly from a parochial school within the established sending town area so long as the student is a resident of an established sending town, The Norwich Free Academy shall require the following:
- Evidence of successful completion of the eighth grade.
  - Grade reports and discipline records from middle/junior high school.
  - The results of the eighth grade state assessment(s), if applicable, and/or any other standardized achievement tests, if available.
  - The appropriate immunization and medical records as required by state law and NFA policy.
  - Completion of the NFA online registration process.
  - Any other records and information, including but not limited to special education records, pertinent to educational planning or as otherwise required or permitted by law.
- B. For students requesting enrollment in grades nine through twelve inclusive and who have recently established residency within the established sending town area, The Norwich Free Academy shall require the following:
- A parent/guardian appointment with the NFA Registrar or designee and completion of the NFA Student Pre-Registration form.
  - A copy of the student's social security number and birth certificate.
  - Completion of the NFA Residency Affidavit and Pre-Registration Approval form.

- Evidence of successful completion of the eighth grade and/or high school records, whichever is applicable.
- Grade reports from middle/junior high school and/or high school transcripts, whichever is applicable, and discipline records.
- The appropriate immunization and medical records as required by state law and NFA policy.
- The results of the eighth grade state assessment(s), if applicable, and/or any other standardized achievement tests, if available.
- Any other records and information, including but not limited to special education records, pertinent to educational planning or as otherwise required or permitted by law.

C. The enrollment of private tuition students at The Norwich Free Academy serves to broaden the academic, artistic, cultural, geographic, and socioeconomic diversity of the school. The Board of Trustees may permit students from school districts outside of the sending town area to enroll in The Norwich Free Academy on a case-by-case basis and at the discretion of the Superintendent/Head of School or designee. The Academy may consider requests for the enrollment of private tuition students under the following conditions:

- When school and class enrollment will accommodate the addition of private tuition students without undue crowding.
- When the acceptance of the private tuition student will not place a hardship on the resources or finances of the Academy.
- When there are established and available programs provided at the Academy that meet the educational needs of the private tuition student. No additional costs shall be incurred by the Academy and the Academy shall not be required to add additional classes or programs to accommodate the needs of a private tuition student.

The acceptance of private tuition students at The Norwich Free Academy should, in no way, be considered student recruitment for athletic purposes in conflict with Connecticut Interscholastic Athletic Conference (CIAC) regulations. The Academy will fully comply with CIAC regulations in the administration of all athletic programs.

D. Whenever a student seventeen or older voluntarily terminates enrollment (withdraws) from a school and subsequently seeks admission to The Norwich Free Academy, the administration may deny admission for up to ninety school days from the date of such termination. Students who have previously attended four years of high school shall be referred to the Superintendent/designee of the sending school district for enrollment consideration. Students who have attained the age of nineteen or older and cannot acquire a sufficient number of credits for graduation by age twenty-one shall be referred to the sending school district for an alternative placement.

Whenever a student against whom an expulsion hearing is pending withdraws from a school after notification of such hearing, but before the hearing is completed and a decision rendered, The Norwich Free Academy may exclude the student from school attendance and privileges and conduct its own expulsion hearing or take other action, disciplinary or otherwise, consistent with its policies and the law.

In the event that student who is expelled from another school attempts to enroll at The Norwich Free Academy, prior to admission, The Academy will convene an expulsion hearing. The hearing will be for the limited purpose of determining whether the student's conduct warrants expulsion under Academy policy. The student shall be excluded from attendance and school privileges at The Norwich Free Academy pending such hearing and issuance of the determination on the issue of expulsion. During this period of exclusion, the student will be offered an alternative educational opportunity.

### Placement

Students who apply for initial enrollment to The Norwich Free Academy will be placed in the appropriate year based upon of the number of years the student has spent in high school. In the event that the number of years the student has spent in high school cannot be determined, placement in the appropriate year shall be based upon age. The appropriate class (grade) is determined by high school credits earned.

The administration may require a conference with the parent/guardian and/or student and with sending town personnel, if essential, for the purpose of determining the appropriate educational program prior to the student's enrollment. If this conference is required it shall be held in a timely manner.

### Exceptions

Exceptions to the enrollment policy may be made by the Superintendent/Head of School or designee on the basis of supporting physical, psychological, and/or educational evidence. If a special education student is being considered for an exception to the enrollment policy a Planning and Placement Team, including a representative from The Norwich Free Academy, shall be convened by the sending town.

Legal Reference: Connecticut General Statutes

See Also:           Norwich Free Academy Tuition Policy - 3240  
                  Norwich Free Academy Policy for Disenrollment of Students - 5112.4  
                  Norwich Free Academy Policy for Home Schooling - 6172.3  
                  Administrative Procedure for Student Enrollment and Placement - 5111

Policy Adopted:   May 15, 2001  
Policy Revised:   May 16, 2006  
                      April 22, 2008  
                      February 16, 2021

## **POLICY #5112.4**

### **NORWICH FREE ACADEMY DISENROLLMENT OF STUDENTS POLICY**

The Board of Trustees views regular attendance of school as the responsibility of each student and the student's parent/guardian(s). Regular school attendance is an integral part of the learning process and vital to student success. Additionally, the Board of Trustees understands the importance of maintaining accurate student enrollment data for the current and long range planning of The Norwich Free Academy. Therefore, the administration shall implement the necessary procedures to ensure accurate student enrollment data through the timely removal of those students no longer attending and/or eligible for services at The Norwich Free Academy (NFA).

The procedure for the disenrollment of students shall include but is not limited to the following components.

- Procedures shall be in place to monitor and document individual student school attendance and to investigate reasons for non-attendance.
- A prompt referral shall be made to a Planning and Placement Team by the Student Study Team or by staff of all children whose attendance in school is considered unsatisfactory or at a marginal level of acceptance in accordance with the requirement of RCSA Section 10-76d-7.
- Any enrolled student shall not be withdrawn from the school attendance rolls without reasonable attempts to obtain the parent/guardian(s) signature, or the signature of the student age eighteen or over, and the reason for the withdrawal on the established NFA withdrawal form.
- After reasonable attempts to obtain the parent/guardian(s) signature, or the signature of the student age eighteen or over, and the reason for the withdrawal on the established NFA withdrawal form, the school administration shall send a letter by certified mail to the last known address of the student. The letter shall include a residence inquiry and an adequate timeline by which the parent/guardian(s) of the student, or student age eighteen or over, shall contact the school or face withdrawal from the school attendance rolls and denial of school accommodations.
- Parent/guardian notification and request for the transfer of records to a school district outside of the NFA sending town area shall be cause to remove the student from the NFA attendance rolls. The school administration shall document this information on the established NFA withdrawal form.
- The notification of enrollment and request for the transfer of school records from a school district outside of the NFA sending town area shall be cause to remove the student from the NFA attendance rolls. The school administration shall document this information on the established NFA withdrawal form.

- In the event of a residency issue, the administration shall notify the Superintendent or designee of the sending school district of any dispute involving the residency of a student prior to the withdrawal from the NFA attendance rolls. The administration shall not withdraw from the NFA attendance rolls any student involved in a residency dispute without the approval of the Superintendent or designee of the sending school district.
- Procedures shall be in place to ensure the accuracy of the October 1 student census report.
- Procedures shall be in place to report student census information to the Superintendent or designee of the sending school districts on a regular basis.

Legal Reference: Connecticut General Statutes  
See Also: The Norwich Free Academy Policy For Student Enrollment 5111  
The Norwich Free Academy Policy for Student Attendance  
5113Policy Adopted: May 15, 2001  
Policy Revised: April 22, 2008, February 8, 2018

## **POLICY #5113**

### **NORWICH FREE ACADEMY STUDENT ATTENDANCE POLICY**

The Board of Trustees, administration, and faculty of Norwich Free Academy believe that the learning experiences that take place in the classroom environment are considered to be an essential part of its educational system. Therefore, prompt and regular attendance to school and to assigned classes is a valid and reasonable requirement for the promotion of academic success.

#### Attendance

Connecticut state law provides that each parent or other person having control of a child five years of age and older and under eighteen years of age is obligated to cause the child to attend school regularly during the hours and terms school is in session, unless such parent or other person shows that the child is elsewhere receiving equivalent instruction or that the child has graduated from high school or that the child age seventeen has withdrawn from school with the written permission of the parent or person having control of such child.

A tiered approach to intervention shall be implemented for students whose attendance in school is unsatisfactory or at marginal level of acceptance, and for students who are considered “truant.” Any enrolled student who has four (4) unexcused absences from school in any one month or ten unexcused absences in a school year shall be determined to be “truant” pursuant to Connecticut General Statutes Section 10-198a and Board Policy #5112.3. For truant students, the intervention approach shall include prompt referral to a planning and placement team in accordance with Connecticut Agencies Regulations Section 10-76d-7/

#### Course Credit

In order to receive credit for a course, students must earn a passing grade and fulfill the attendance requirements as stated below:

1. Course credit will be withheld when a student exceeds six (6) class absences in a semester course and twelve (12) class absences in a full year course.
2. Class absences due to a student participating in a pre-approved school-sponsored activity, suspension days, religious holidays, or an approved college visit, will not count toward the total number of class absences.
3. Course credit being withheld because of excessive absences will not affect the grade awarded and recorded as earned. However, course credit toward graduation may not be awarded.
4. A student who may have course credit withheld due to excessive absences may appeal to the administration for a waiver. All appeals must be made in writing to the student's house principal.

5. Parents/guardians and students can monitor attendance at any time by accessing the information through their Power School accounts.
6. After the last allowable class absence in a semester or year, parents/guardians will be notified of the student's course credit being withheld. Information on the appeals process shall be provided to the parent/guardian at that time.

#### Unexcused Class Absences (Class Cuts)

1. Unauthorized absences from class are prohibited.
2. Class cuts, study hall cuts, or detention cuts will result in discipline assigned to the student as determined by the school's disciplinary structure.
3. Class cuts, study hall cuts, and detention cuts are a major factor in the deliberations of the appeals committee.
4. Parents/guardians will be notified of unexcused class absences (class cuts).

#### Tardiness to Class

1. All students are expected to be on time to all classes.
2. If a student is detained or required to be out of class for a part of the class period, the student must present a pass when arriving to class.
3. Unexcused tardies of more than ten (10) minutes will be considered a class cut.
4. The appropriate discipline for tardiness to class will be assigned to the student as determined by the school's disciplinary structure.

#### Tardiness to School

1. When a student is tardy to school, he/she must report directly to the attendance office. Failure to do so will result in assignment of the appropriate discipline as determined by the school's disciplinary structure.
2. For students with chronic tardiness to school, appropriate interventions will be implemented to provide support to improve tardiness.
3. Class time missed due to tardiness to school will be considered as an absence from class and will count toward the total number of class absences.

### Early Dismissals

1. On the morning of a requested early dismissal from school, a student's parent/guardian must either present a signed request or call by phone the attendance office.
2. The request for early dismissal from school must include the date, time, and reason for the dismissal.
3. Classes missed due to early dismissal from school will be counted toward the total number of class absences.

### Family Travel/Vacation

Student absence from class for purposes of family travel or vacation results in a loss of valuable instructional time. If circumstances demand that students accompany their parents/guardians on travel or vacation during the school year, disciplinary action will not be taken. However, the number of school days missed as a result of family travel or vacation will be counted toward the total number of class absences for the semester in determining course credit.

### Appeal Process

A student who has exceeded the established number of class absences and class cuts for a semester and has had course credit withheld may appeal this action by submitting an attendance appeal application to the Dean's office. Requests for an attendance appeal, absent extenuating circumstances, must be made prior to the beginning of the exam period. The attendance appeals committee will be composed of administrative personnel and the student's guidance counselor. The attendance appeals committee, absent extenuating circumstances, will meet prior to the end of each semester. Students are reminded that an attendance appeal does not necessarily mean that a decision to grant an attendance waiver and course credit will be made. When filing an appeal, accountability must be made in all absences. Partial accountability of absences to bring the total number below the established number of class absences is not considered an acceptable appeal. Parents/guardians and students will receive written notification of the decision of attendance appeals committee.

The attendance appeals committee will consider, but not be limited to, the following criteria in its deliberations:

1. Extenuating circumstances for the absences in question with supporting documentation.
2. Class absences since the date of credit being withheld.
3. Recommendations of the classroom teacher or other school personnel.
4. Record of unexcused class absences (class cuts), study hall cuts, and detention cuts.
5. Record of tardiness to school.

6. Evidence of improvement.
7. Student's written reflection regarding his/her absences

Students are reminded that any and all cuts, including class, study hall, and detention cuts, will weigh heavily against granting an attendance waiver and course credit.

The administration shall publish the specific requirements for student attendance to school and class and the school's disciplinary structure in the Pilot, Norwich Free Academy's Student Handbook.

NOTE: For Wildcat Learning Academy and Night School remote students, they will be considered present if they spend more than half of their scheduled class time engaged in one or more of the following activities: synchronous virtual classes/meetings, time logged in electronic systems, or working on specific assignments

Legal Reference: Connecticut General Statutes:  
10-184  
10-185  
10-199  
10-221

See Also: The Pilot, Norwich Free Academy Student Handbook  
Annual Notice to Parents/Guardians of Obligations Under  
Connecticut General Statutes 10-184

Policy Adopted: August 11, 1993

Policy Revised: August 10, 1995  
November 27, 2001  
May 22, 2007  
April 22, 2008  
August 27, 2014  
February 8, 2018  
October 19, 2021  
August 16, 2022

## **POLICY #5114**

### **NORWICH FREE ACADEMY AIDS POLICY**

#### **STUDENTS**

##### Educating Students with Acquired Immune Deficiency Syndrome (AIDS) and Human Immunodeficiency Virus (HIV) Infection

Norwich Free Academy recognizes that children afflicted with Acquired Immune Deficiency Syndrome (AIDS) or Human Immunodeficiency Virus (HIV) infection have a right to receive a suitable education. Norwich Free Academy also recognizes that it has a responsibility to ensure that it provides a safe environment for all of its students and employees.

As a general rule, a child with AIDS/HIV infection shall be allowed to attend school in a regular or alternate classroom setting with the approval of the NFA school physician (medical advisor), Superintendent/Head of School and the child's physician, and shall be considered eligible to all rights, privileges, and services provided by law and the existing policy of The Norwich Free Academy.

The school will respect the right to privacy of the individual; therefore, knowledge that a child has AIDS/HIV infection will be confined to those persons with a direct need to know. Those persons will be provided with appropriate information concerning such precautions as may be necessary and should be aware of confidentiality requirements.

#### **PROCEDURE**

Norwich Free Academy recognizes that information whether a student (1) has been the subject of an HIV related test or (2) has HIV infection, HIV related illness or AIDS is confidential information subject to disclosure only in limited circumstances as provided for in state statute. If a school administrator, school teacher, school nurse or other school personnel receive such information concerning a student, he or she shall not disclose that information to any other school personnel or other person except in accordance with a signed written authorization for disclosure of confidential HIV related information, set forth in Appendix A, unless otherwise required by law.

School personnel who receive confidential HIV related information shall adhere to the following procedures:

1. The person receiving such information shall convey such information to the school medical advisor on a confidential basis and shall not otherwise disclose the information.
2. Upon receipt of such a report, the school medical advisor shall investigate the report and the underlying facts, and shall determine which, if any, school personnel have a need to know any such confidential HIV related information to protect the safety and health or the student subject of the report as well as other students and school personnel.

3. The school medical advisor shall meet with the student, parent, guardian or other person authorized to consent to health care for the individual, and shall review his/her determination of which school personnel have a need to know such confidential HIV related information. The school medical advisor shall provide the student, parent, guardian and other such person with a copy of this procedure and shall request written authorization to disclose such confidential HIV related information to such school personnel as he/she determines have a need to know, such authorization to be in the form as attached as Appendix A. Such confidential HIV related information shall not be disclosed to any other person, except as provided in section 5, below. The school medical advisor will also provide the student, parent, guardian or other such person with a copy of Section IV of the federal law entitled "Individuals with Disabilities Education Act" which deals with notification of parents rights. (See Appendix B)

4. Day Care enrollment of children and their participation in the program should be in response to their needs and the program's ability to meet them. The potential health risk to children with HIV infection should be a consideration. All parents shall be given information that includes the facility's policy on accepting children with HIV infection and specific information on HIV infection. All parents should be asked during the intake interview if there are any special care needs providers should be aware of to ensure the best care of the child. If the parents disclose their child's positive HIV status and give written consent to contact their physician, the physician may also provide intake information.

The nurse consultant will act as care coordinator to ensure that services are available for children who are HIV infected.

5. Where written authorization of disclosure of HIV status is not provided, in appropriate cases where the health and safety of the student and/or others would otherwise be threatened, the school medical advisor may seek a court order authorizing disclosure. In such cases, such confidential HIV related information may be disclosed as set forth in and subject to any limitations of such court order.
6. In a medical emergency, if a parent or guardian is not available, a school nurse or other professional who knows the HIV diagnosis may disclose this information directly to emergency service personnel or to a physician in order to ensure appropriate medical treatment.
7. Confidential School Health File

All HIV related information is confidential and may not be released without specific consent. Any such information concerning a child and HIV will be maintained in a special confidential health file. Only those persons given authorization via the Authorization Form for Release of HIV Related Information will have access to this confidential health file. This access shall be monitored to minimize the risk of the record being released to unauthorized personnel. Specific consent is required for transfer to another school district of HIV related information. School nursing plans for a

student with HIV infection may only be shared with those staff members who have been granted authorization to receive confidential HIV information.

## **PLACEMENT**

Children known to have HIV infection have a right to receive an appropriate education. The Academy has a responsibility to protect the health of all students and staff. Accordingly, the Board of Trustees and administration will ensure that:

1. As a general rule, a child with HIV infection will be allowed, with the approval of the child's physician, to attend school in a regular classroom setting and will be considered eligible for all rights, privileges, and services provided by law and existing policy of The Norwich Free Academy.
2. The school nurse will function as (a) the liaison with the child's physician, (b) the child's health care advocate in the school (i.e. assist in problem resolution, answer questions and coordinate school and community resources as needed).

## **REMOVAL FROM SCHOOL**

A child with HIV infection may need to be removed from the classroom for his/her own protection when other communicable diseases (e.g. measles or chicken pox) are occurring in the school population. This decision will be made by the child's physician and parent/guardian, in consultation with the school nurse and/or the school medical advisor.

Under certain circumstances a child with HIV infection might pose a risk of transmission to others. If any such circumstances exist, the school medical advisor, in consultation with the school nurse and the child's physician, must determine whether a risk of transmission exists. If it is determined that a risk exists, the student shall be removed from the classroom. Final determination is to be made by the school medical advisor.

Where a student or student's parents object to the decision of the school regarding removal, an appeal may be made to the Board of Trustees. The Board will provide a hearing, review pertinent facts concerning the removal, and render a decision.

A child with HIV infection may be temporarily removed from the classroom for the reasons stated above until an appropriate school program adjustment can be made, an appropriate alternative education program can be established, or the medical advisor determines that the risk has abated and the child can return to the classroom.

Removal from the classroom will not be construed as the only response to reduce the risk of transmission. School personnel should be flexible in developing alternatives and should attempt to use the least restrictive means to accommodate the child's needs, while protecting students and personnel who may come in contact with the child.

In any case of temporary removal of the student from the school setting, state regulations and school policy regarding homebound instruction will apply.

Routine and standard procedures as outlined in OSHA's Guide to the Prevention of Blood/Borne Pathogens shall be followed in all cases of possible exposure and clean-up of any bodily fluids.

Legal Reference: Connecticut General Statutes  
10-19(b) Instruction on acquired immune deficiency syndrome  
Policy adopted: December 10, 1991  
Policy Revised: December 14, 1994  
April 21, 2009

**APPENDIX A**

**NORWICH FREE ACADEMY  
HEALTH SERVICES**

**AUTHORIZATION FORM FOR RELEASE OF HIV RELATED INFORMATION**

I hereby authorize The Norwich Free Academy, acting through the Superintendent/Head of School and the School Medical Advisor, to release confidential HIV related information, as defined in P. A. 89-246, concerning \_\_\_\_\_ for the purpose of protecting the student's health and safety, as well as that of other students and staff, to the following personnel:

.....1. School Nurse

.....2. School Superintendent/Head of School

.....3. Student's Teacher(s)

List:

.....4. Director of Day Care

.....5. Direct care giver (Day Care)

List:

This authorization shall be valid for

.....A. The student's stay at The Norwich Free Academy or NFA Day Care

.....B. The current school year

.....C. Other

I provide this authorization based on my responsibility to consent for the health care of and I understand that such information shall be held confidential by the persons authorized here to receive such information, except as otherwise provided by law.

## APPENDIX B

### PARENTAL RIGHTS PER "INDIVIDUALS WITH DISABILITIES EDUCATION ACT"

#### CONFIDENTIALITY OF INFORMATION

The parent has the right to:

1. inspect and review all education records which are collected, maintained or used by the Academy with respect to: (a) the identification, evaluation and educational placement of the child, and (b) the provision of a free appropriate public education to the child. The Academy may presume that the parent has authority to inspect and review records relating to his or her child unless the Academy has been advised that the parent does not have such authority in accordance with applicable state law. The Academy shall comply with a request to inspect and review such records within ten school days of such request. If the request is made in order to prepare for a meeting regarding an individualized education program or any due process proceeding, the request to inspect and review shall be granted within three school days of the request. Any written request to inspect and review and copy all education records upon which a due process hearing may be based shall be honored by the Academy within three days after the Academy has received such request. The Academy must, notwithstanding the timelines noted above, comply with a parent request without unnecessary delay and before any meeting regarding an IEP or hearing;
2. a response from the Academy to reasonable requests for explanation and interpretations of the records;
3. one free copy of the education records. The Academy shall comply with such request within five school days of such request. The Academy may charge for additional copies provided that the fee does not effectively prevent the parents from exercising their right to inspect and review the education records. The Academy may not charge a fee to search for or retrieve information;
4. have a representative inspect and review the records;
5. review the record maintained by the Academy of parties (other than the parents and authorized employees of the Academy) having access to education records. The record shall include the name of the party, the date access was given, and the purpose of which the party was authorized to use records;
6. inspect and review or be informed of the specific information that relates to their child when any education record includes information on more than one child. Such access is limited to only the information relating to their child;
7. receive, upon request, a list of the types and locations of education records collected, maintained or used by the Academy;

8. request that the Academy amend information in the education records that the parent believes to be inaccurate, misleading or in violation of the privacy or other rights of the child. The Academy shall decide whether to amend the information in accordance with the request within a reasonable period of time of receipt of the request. If the Academy decides to refuse to amend the information, the parent shall be informed of the refusal and advised of the right to request a hearing to challenge the information in the education records.

The hearing shall be held within a reasonable period of time after the Academy has received the request. The parent shall be given notice of the date, place and time reasonably in advance of the hearing. The hearing may be conducted by any party, including an official of the Academy, who does not have a direct interest in the outcome of the hearing. The parent shall be afforded a full and fair opportunity to present evidence relevant to the issues raised and may be assisted by individuals of the parent's choice at their own expense. The decision of the Academy shall be based solely upon the evidence presented at the hearing and shall include a summary of the evidence and the reasons for the decision.

If, as a result of the hearing, the Academy agrees with the parent, it shall amend the information accordingly and so inform the parent in writing. If, as a result of the hearing, the Academy decides not to amend the records, it shall inform the parent of the right to place in the records of the child a statement commenting on the information or setting forth any reasons for disagreeing with the decision of the Academy. Any explanation placed in the records must be maintained by the Academy as part of the records as long as the records or contested portion is maintained by the Academy; and if the records or the contested portion is disclosed by the Academy to any party, the explanation must also be disclosed to the party.

## **POLICY #5114.1**

### **NORWICH FREE ACADEMY POSSESSION OF WEAPONS POLICY**

#### Possession of Weapons by Students

Any student in possession of a firearm as defined in 18 USC 921 or deadly weapon, dangerous instrument, or martial arts weapon as defined in section 53a-3 of the Connecticut General Statutes is subject to disciplinary consequences as well as criminal and civil liabilities per state statute. Students are prohibited from possessing firearms, deadly weapons, dangerous instruments or martial arts weapons for any reason, whether otherwise lawful or not, on the property of The Norwich Free Academy. Any such incident shall be immediately referred to law enforcement officials.

It is the policy of The Norwich Free Academy to expel a student for one (1) calendar year in compliance with Connecticut General Statutes section 10-233d if the Trustees, subcommittee of the Trustees, or an impartial hearing officer determines that a student, while on-campus or at a school-sponsored activity was in possession of a firearm as defined in 18 USC 921 or deadly weapon, dangerous instrument, or martial arts weapon as defined in section 53a-3 of the Connecticut General Statutes.

In addition to mandatory one year expulsions for possession of a firearm as defined in 18 USC 921 or deadly weapon, dangerous instrument, or martial arts weapon as defined in section 53a-3 of the Connecticut General Statutes, students may be subject to exclusion and discipline, up to and including suspension and a formal expulsion, for possession of instruments and objects while on-campus or at a school-sponsored activity which can be used to cause injury to others even if not legally defined as firearms, deadly weapons, dangerous instruments or martial arts weapons under state and/or federal law.

It is the policy of The Norwich Free Academy to expel a student for one (1) calendar year if the Trustees, subcommittee of the Trustees, or an impartial hearing officer determines that a student, while off-campus and at non-school related activities was in possession of a firearm in violation of Connecticut General Statutes Section 29-35 or used a firearm in the commission of a crime; or was in possession of and used a dangerous instrument or deadly weapon in the commission of a crime.

In addition to mandatory one year expulsions for serious off-campus misconduct, students may be subject to exclusion and discipline per Board policy for off-campus misconduct at non-school related activities involving the possession and/or use of dangerous instruments and objects which can be used to cause injury to others even if not legally defined as dangerous instruments under state and/or federal law.

#### Possession of Weapons by Non-Students

Any person while on the property of The Norwich Free Academy who is in possession of a weapon is subject to criminal and civil liabilities per state statute. The issuance of a permit to

carry a firearm does not authorize the possession of a firearm on school property; such otherwise lawful possession of a firearm is prohibited on school property. Any person in possession of a weapon on the property of The Norwich Free Academy shall be immediately referred to law enforcement officials. An exception to this policy applies to law enforcement officials in possession of a weapon while on the property of The Norwich Free Academy in compliance with respective law enforcement agency policy and all relevant statutes.

Legal Reference: Connecticut General Statutes P.A. 98-129  
Pilot: The Norwich Free Academy Student Handbook  
See Also: Policy 5114.3 Student Discipline For Behavior On-Campus And At  
School-Sponsored Activities  
Policy 5131.8 Student Discipline For Off-Campus Behavior  
Pilot: The Norwich Free Academy Student Handbook  
Policy adopted: December 8, 1992  
Policy revised: October 12, 1994  
February 2, 1999  
May 22, 2007

## **POLICY #5114.2**

### **NORWICH FREE ACADEMY THREATS OR THREATENING BEHAVIOR POLICY**

The Norwich Free Academy will not tolerate threats of any kind directed toward the administration, faculty, staff, Academy employees, students or third parties nor will the Academy tolerate threats against the destruction of school property which endangers the safety of the school community. The administration will impose discipline for any and all threats made by students toward such other persons or against the destruction of school property.

Threats and threatening behavior on or off campus is clearly in violation of Academy policy, endangers other persons or property, and/or may be seriously disruptive of the educational process. This includes, but is not limited to, verbal or written threats, possession of dangerous instruments or weapons, and exhibiting behaviors that provoke intimidation and threatening.

In the event that a student, in any way, threatens another individual or makes threats against the destruction of school property while on school grounds or at a school sponsored activity and, which endangers the safety of the school community, discipline, up to and including a recommendation for expulsion may be imposed.

In the event that a student, in any way, threatens another individual or makes threats against the destruction of school property while off campus and, which endangers the safety of the school community, discipline, up to and including a recommendation for expulsion may be imposed if the student's conduct is seriously disruptive of the educational process.

Upon receiving information that a student has threatened another individual or made a threat against school property which endangers the safety of the school community, the student will be required to meet with the Superintendent/Head of School or designee. After the meeting, the Superintendent/ Head of School or designee will determine what steps should be taken to address the issue. Steps may include, but are not be limited to: referring the student for counseling and/or; notification to the police and/or; suspension and/or; a recommendation for expulsion

In the event that the Superintendent/Head of School or designee believes that counseling is appropriate, the student will be required to present a report to the Superintendent/Head of School or designee from his/her counselor prior to returning to school. The report must address the student's threat and/or threatening behavior, whether or not the student poses a threat to other individuals, and whether or not the student is ready to return to school. If the report does not address these issues to the satisfaction of the Superintendent/Head of School or designee, additional disciplinary consequences, up to and including expulsion may be imposed.

See also: Policy 5114.3 Student Discipline For Behavior On-Campus  
and At School-Sponsored Activities  
Policy 5131.8 Student Discipline For Off-Campus Behavior

Supersedes/Amends Policy: none

Policy Adopted: February 2, 1999  
Policy Revised: June 19, 2007

## **POLICY #5114.3**

### **NORWICH FREE ACADEMY STUDENT DISCIPLINE FOR BEHAVIOR ON-CAMPUS AND AT SCHOOL-SPONSORED ACTIVITIES POLICY**

The Board of Trustees of The Norwich Free Academy affirms its commitment to the rights of each child to obtain an education in an atmosphere conducive to learning. Consistent with this right, there lies the responsibility on the part of each student to abide by the Board policies and school rules, which were established to ensure an orderly educational process. The Academy will publish and make available each year its discipline code in the form of a student handbook. It becomes the students' responsibility to familiarize themselves with these expectations.

#### Removal, Suspension, and Expulsion

Exclusion from school (removal, suspension, or expulsion) may be a necessary disciplinary action for students whose behavior is:

1. Violative of The Norwich Free Academy's publicized policies; OR
2. Seriously disruptive of the educational process; OR
3. Endangers persons or property.

The policy on exclusion shall apply to all activities on The Norwich Free Academy campus including, but not limited to, the co-curricular activities listed in the Pilot, The Norwich Free Academy Student Handbook.

The disciplinary code governing student behavior on the grounds of The Norwich Free Academy as defined in the Pilot, The Norwich Free Academy Student Handbook, also applies in its entirety to student conduct at school-sponsored activities, which occur off-campus, and off The Norwich Free Academy property. These school-sponsored activities, which occur away from The Norwich Free Academy, include but are not limited to athletic events, field trips, co-curricular events, and dances.

Students whose conduct off-campus at a school-sponsored activity endangers persons or property or is seriously disruptive of the educational process or is violative of a publicized policy of The Norwich Free Academy may be excluded from school privileges for disciplinary reasons including suspension and a formal expulsion.

#### **A. REMOVAL OF STUDENTS FROM CLASS**

The Board of Trustees authorizes teachers in its employ to remove a student from class, in compliance with section 10-233b of the Connecticut General Statutes, when such student deliberately causes a serious disruption of the educational process within the classroom provided:

1. No student shall be removed from class more than six (6) times in any school year, nor
2. More than twice in one week unless such student is referred to the building administrator and granted an informal hearing in accordance with section 10-233c of the Connecticut General Statutes, and
3. Whenever any teacher removes a student from the classroom, such teacher shall send him or her to a designated area and shall immediately inform the building administrator as to the name of the student against whom such disciplinary action was taken and the reason therefore.

Procedures will be developed in each building to monitor the number of infractions incurred requiring a student's removal from class.

## B. SUSPENSION OF STUDENTS

The Board of Trustees of The Norwich Free Academy authorizes the administration under its direction to suspend from school privileges, in compliance with section 10-233c of the Connecticut General Statutes, any student whose conduct endangers persons or property, or is seriously disruptive of the educational process, or violates publicized Board policy and/or school rules. The administration shall observe the following procedures in cases of suspension:

1. Unless an emergency exists, no student shall be suspended without an informal hearing by the administration, at which such pupil shall be informed of the reasons for the disciplinary action and given an opportunity to explain the situation. If an emergency exists, such hearing shall be held as soon after the suspension as possible.
2. By telephone, the administration shall make all possible attempts to immediately notify the parent or guardian of the student about the suspension and state the cause(s) leading to the suspension.
3. Independent of telephone contact with the parent or guardian, the administration shall forward a letter to such parent or guardian to the last address reported on school records within one (1) school day of the suspension action offering the parent or guardian an opportunity for a conference to discuss same, including:
  - a. the reason for the suspension,
  - b. the duration of the suspension and,
  - c. notification that the parent or guardian is responsible for student supervision during the period of suspension.
4. The administration shall, within twenty-four (24) hours, notify the Superintendent/Head of School or designee as to the name of the student against whom the disciplinary action was taken and the reason therefore.
5. Notice of the suspension shall be transmitted by administration to the Superintendent/Head of Schools of the sending town as soon as is reasonably possible.

6. In determining the length of a suspension period, the administration may receive and consider evidence of past disciplinary problems which have lead to removal from a classroom, suspension, or expulsion of such student.
7. Following a conference with administration, the student or his or her parent(s) or guardian(s) may request the Superintendent/Head of School or the designee to review the administration's disciplinary decision. The student shall remain on suspension pending such review.
8. Any student who is suspended shall be given an opportunity to complete any classwork including, but not limited to, examinations which such student missed during the period of suspension.
9. No student shall be suspended more than ten (10) times or a total of fifty (50) days, whichever results in fewer days of exclusion, unless such student is granted a formal hearing pursuant to Connecticut General Statutes sections 4-176e to 4-180a, inclusive, and section 4-181a and no suspension shall extend beyond the end of the school year during which such suspension was imposed. If an emergency exists, such hearing shall be held as soon after the suspension as possible.
10. Whenever a student is suspended, notice of the suspension and the conduct for which the student was suspended shall be included on the student's cumulative record as required in section 10-233c(e) of the Connecticut General Statutes. Such notice shall be expunged from the student's cumulative record if the student graduates from high school.

#### C. IN-SCHOOL SUSPENSION

The Board of Trustees of The Norwich Free Academy authorizes the administration under its direction to impose an in-school suspension, should the school operate such a program, on any student whose conduct endangers persons or property, or is seriously disruptive of the educational process, or is violative of a publicized Board policy and/or school rules provided:

1. No student shall be placed in in-school suspension without an informal hearing before the administrator at which the student shall be informed of the reasons for the disciplinary action and given an opportunity to explain the situation.
2. No student shall be placed in in-school suspension for more than five (5) consecutive school days and more than fifteen (15) times or a total of fifty (50) days in one school year, whichever results in fewer days of exclusion.
3. In-school suspensions shall not extend beyond the end of the school year in which such suspension was imposed.

#### D. AFTERSCHOOL DETENTION, COMMUNITY SERVICE, SATURDAY DETENTION AND SATURDAY SCHOOL

The Board of Trustees of The Norwich Free Academy authorizes the administration under its direction to impose alternatives to suspension at their discretion; after school detention, community service, Saturday detention and school; as long as these programs exist. Additionally, the Board of Trustees of The Norwich Free Academy authorizes teachers in its employ to assign detentions to students in their classrooms. The faculty and administration shall implement these alternatives as publicized in the Pilot, The Norwich Free Academy Student Handbook.

#### E. MANDATORY EXPULSION

It is the policy of The Norwich Free Academy to expel a student for one (1) calendar year in compliance with Connecticut General Statutes Section 10-233d if the Trustees, subcommittee of the Trustees, or an impartial hearing officer determines that a student, while on-campus or at a school-sponsored activity:

1. Was in possession of a firearm as defined in 18 USC 921 or deadly weapon, dangerous instrument, or martial arts weapon as defined in section 53a-3 of the Connecticut General Statutes;
2. Offered for sale OR distribution a controlled substance as defined in Connecticut General Statutes Section 21a-240(9), whose manufacture, distribution, sale, prescription, dispensing, transporting or possession with the intent to sell or dispense, or offering, or administering is subject to criminal penalties under Connecticut General Statutes Sections 21a-277 and 21a-278.

The Trustees, subcommittee of the Trustees, or an impartial hearing officer has the discretion to modify the term of a mandatory one-year expulsion on a case-by-case basis.

#### F. EXCLUSION AND DISCIPLINE

In addition to mandatory one-year expulsions for serious misconduct, students may be subject to exclusion and discipline, up to and including suspension and a formal expulsion, for other types of misconduct on-campus or at school-sponsored activities.

As examples, but without limitation, the following types of conduct, if engaged by Norwich Free Academy students' on-campus or at school-sponsored activities, are representative of conduct, which may be considered to violate a publicized policy of The Norwich Free Academy or be seriously disruptive of the educational process.

1. Threatening, hurting or injuring other persons;
2. Violent conduct, including but not limited to physical and/or sexual assault;
3. Stealing or damaging property;

4. Commission of a serious crime under applicable state and/or federal law;
5. Being in possession of or under the influence of alcoholic beverages in violation of applicable laws;
6. Being under the influence of marijuana or any other controlled substance as defined by applicable state statutes;
7. Being in possession of, under the influence of, or distributing a restricted substance as classified by state or federal law;
8. Being in possession of, under the influence of, or distributing a prescription drug in violation of Board policy and/or state or federal law;
9. Participation in unlawful “hate acts” under state or federal law, including, but not limited to, actions of racial or religious bigotry, intolerance or hatred;
10. Possession of instruments and objects that can be used to cause injury to others even if not legally defined as dangerous instruments under state and/or federal law;
11. Violation of publicized rules of student conduct as set forth in Board policy or the Pilot, The Norwich Free Academy Student Handbook.

Unless an emergency exists, no student shall be expelled without a formal hearing held pursuant to Connecticut General Statutes Sections 4-177 through 4-180, inclusive and Connecticut General Statutes Section 4-181a. Additionally, if a student is a minor, then notice of the formal hearing, as required by Connecticut General Statutes Sections 4-177 through 4-180, shall be given to the parents or guardians of the student. If an emergency exists, the hearing shall be held as soon after the expulsion as possible.

#### G. TRANSPORTATION

A student’s transportation services may be suspended or removed and the student may be subject to exclusion and discipline up to and including suspension and a formal expulsion if, while awaiting or receiving transportation to and from school, or to and from school-sponsored activities, a student’s conduct:

1. Endangers persons or property; OR
2. Is violative of the publicized rules of student conduct as set forth in Board policy or the Pilot, The Norwich Free Academy Student Handbook.

#### H. EARLY READMISSION FROM EXPULSION

An expelled student may apply for early readmission from an expulsion to the Academy. Such readmission shall be at the discretion of the Board of Trustees. However, the Board of Trustees may delegate authority for readmission to the Superintendent/Head of School.

Under such circumstances, readmission shall be at the discretion of the Superintendent/Head of School. The Board or the Superintendent/Head of School may condition readmission on specified criteria that will be determined on a case-by-case basis.

## I. ALTERNATIVE EDUCATIONAL OPPORTUNITIES

Students expelled from The Norwich Free Academy for misconduct may be offered an alternative educational opportunity by the public school district that is financially responsible for the individual student. The public school district, however, is not required to offer such an opportunity to students age sixteen (16) and older whose expulsion resulted from possession of a firearm, deadly weapon, martial arts weapon, or dangerous instrument on school property or at a school-sponsored activity OR from offering for sale or distribution on school property or at a school-sponsored activity a controlled substance OR if the student has been expelled on a previous occasion. Parents or guardians of such students are hereby so notified.

When changes are mandated by law, it is the intent of the policy to automatically conform to any changes as they become effective.

Legal Reference:	This policy complies with Connecticut General Statutes Sections 10-233a through 10-233f and all other applicable State and Federal laws and regulations.
	Pilot: The Norwich Free Academy Student Handbook
Policy adopted:	March 18, 1997
Policy revised:	March 17, 1998
	September 15, 1998
	November 27, 2001
	October 21, 2003
	May 22, 2007

**POLICY #5118.1**

**NORWICH FREE ACADEMY  
HOMELESS STUDENTS POLICY**

In accordance with federal law, it is the policy of the Norwich Free Academy to prohibit discrimination against, segregation of, or stigmatization of, homeless children and youth. Student enrollment procedures will be administered in collaboration with the Academy's sending towns and in accordance with federal and/or state law.

Adopted: May 18, 2010

**POLICY #5123**

**NORWICH FREE ACADEMY  
PROMOTION AND RETENTION OF STUDENTS POLICY**

The Board of Trustees has an established system of grading and reporting academic achievement to students and their parents and/or guardians. The Administration shall determine when promotion and graduation requirements are met. The promotion and retention of students shall be based on credits earned. The normal progression based on credits earned shall be as follows:

**Grade Minimum credits required**

10th grade (lower)	3.5 credits
11th grade (upper)	10 credits
12th grade (senior)	15.5 credits
Graduation	22 credits

Students will normally progress annually from grade to grade. Exceptions will be made, only, when in the judgment of guidance staff, such exceptions are in the best educational interest of the students involved. Exceptions can be made after prior notification and explanation to each student's parent/guardian, but the final decision will rest with the school authorities.

Legal Reference: Connecticut General Statutes  
10-22(b) Boards of Education prescribe rules  
See Also: The Norwich Free Academy Policy for Graduation Requirements  
Policy Adopted: May 11, 1994  
Policy Revised: May 15, 2001  
May 22, 2007  
April 22, 2008

**POLICY #5123.1**

**NORWICH FREE ACADEMY  
TUTORING AND CREDITS POLICY**

The Norwich Free Academy will be in compliance with Connecticut State Statute in regards to using private tutoring in order to earn credit toward graduation. The following restrictions will apply:

1. No more than two credits of tutoring may be earned and applied toward an NFA diploma.
2. No more than one credit of tutoring may be earned and applied toward an NFA diploma in any one subject area.

Students excluded from this policy are those on homebound or hospitalized instruction, home study, or separate arrangements as recommended by a Planning and Placement Team.

Legal Reference: Connecticut General Statute  
10-221 (b) Boards of education to prescribe rules  
Policy Adopted: June 14, 1995  
Policy Revised: April 22, 2008

**POLICY #5124**

**NORWICH FREE ACADEMY  
CLASS RANK POLICY**

The Board of Trustees authorizes that the methodology of determining student rank in class (i.e., decile versus numerical ranking) will be reviewed annually by the administration. The administration shall develop procedures to implement this policy, subject to the approval of the Superintendent/Head of School. Only those credits earned at or approved by The Norwich Free Academy shall factor into class rank.

The administration shall publish the provisions of this policy and procedure in the Catalogue of The Norwich Free Academy and/or the Pilot, The Norwich Free Academy Student Handbook.

Legal Reference: Connecticut General Statutes  
Policy Adopted: June 14, 1995  
Policy Revised: January 20, 2004  
May 22, 2007

## POLICY #5125

### NORWICH FREE ACADEMY RECORDS AND DIRECTORY INFORMATION CONFIDENTIALITY AND ACCESS TO EDUCATION RECORDS POLICY

#### I. POLICY

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

#### II. DEFINITIONS

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

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

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

**D. Directory Information** includes information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. It includes, but is not limited to, the parent's name, address and/or e-mail address, the student's name, address, telephone number, e-mail address, photographic, computer and/or video images, date and place of birth, major field(s) of study, grade level, enrollment status (full-time; part-time), participation in school-sponsored activities or athletics, weight and height (if the student is a member of an athletic team), dates of attendance, degrees, honors and awards received, and the most recent previous school(s) attended. Directory information does not include a student's social security number, student identification number or other unique personal identifier used by the student for purposes of accessing or communicating in electronic systems unless the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN or password.

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

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

**G. Education Records**

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

**2. Education records do not include:**

- a) private, personal, or working notes in the sole possession of the maker thereof, and which are not accessible or revealed to any other individual except a "substitute";
- b) records maintained by a law enforcement unit of the school district that were created by that unit for the purpose of law enforcement;
- c) employment records used only in relation to the student's employment by the school district that are 1) made and maintained in the normal course of business, 2) relate exclusively the student's capacity as an employee, and 3) are not made available for any other purpose;
- d) records on an eligible student (i.e. over 18 or attending a postsecondary educational institution) that are considered "treatment records" as they meet the following criteria: 1) the records are maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional capacity or assisting in a paraprofessional capacity, 2) the records are made in connection with the treatment of the student and 3) the records are disclosed only to individuals providing such treatment (treatment does not include remedial educational activities or activities that are part of the program or instruction of the school); however, the school district must, upon request, permit an eligible student to have a physician or other appropriate professional of the student's choice review his/her treatment records;
- e) records created or received by NFA after an individual is no longer a student in attendance and that are not directly related to the individual's attendance as a student; and
- f) grades on peer-graded papers before they are collected and recorded by a teacher.

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

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

**J. Parent** is defined as a parent or parents of a student, including a natural parent, a guardian, or surrogate parent, or an individual acting as a parent in the absence of a parent or guardian. The rights of a parent shall transfer to an eligible student; however, a parent of a student who claims that student as a dependent under Section 152 of the Internal Revenue Code of 1986 is entitled to access to the student's education records without the eligible student's consent.

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

**L. School Official** is a person employed by NFA as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Board of Trustees; a person or company with whom NFA has contracted to perform a special task (such as an attorney, auditor, consultant, therapist, or school resource officer); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. It also includes applicable school officials of the local education agency responsible for a student attending NFA ("the LEA").

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

### **III. ANNUAL NOTIFICATION OF RIGHTS / RELEASE OF DIRECTORY INFORMATION**

- A. On an annual basis, NFA will notify parents and/or eligible students currently in attendance of their rights regarding a student's education records. This notice will be published in all student handbooks and will be published in any other manner "reasonably likely" to inform such parents and eligible students of their rights. NFA will take steps to ensure that parents or eligible students whose primary or home language is not English or who are disabled will also be notified of their rights regarding a student's education records.
- B. On an annual basis, NFA will also notify parents and/or eligible students currently in attendance of any categories of information designated as **directory information**. This notice will provide such individuals with an opportunity to

object to such disclosure. An objection to the disclosure of directory information shall be good for only one school year.

- C. In the annual notification, NFA will also provide notice to parents and/or eligible students that NFA is legally obligated to provide military recruiters or institutions of higher education, upon request, with the names, addresses and telephone numbers of secondary school students, unless the secondary student or the parent of the student objects to such disclosure in writing. Such objection must be in writing and shall be effective for one school year.
- D. Nothing herein prevents or precludes the LEA from providing such notices as it may be required to provide regarding student records for those students for whom the LEA is responsible.

#### **IV. CONFIDENTIALITY OF EDUCATION RECORDS**

- A. All school officials are directed to maintain the confidentiality of personally identifiable information contained in a student's education records. Each person who has access to education records is responsible for ensuring personally identifiable information is protected from disclosure at collection, storage, disclosure, and destruction stages. Disclosure of information is permitted only in accordance with NFA policy and administrative regulations and in a manner consistent with state and federal law.
- B. Education records are not public records and any disclosure other than to persons authorized to receive the records without prior consent of a parent or an eligible student violates the law and NFA policy, except as provided in federal and state statutes.
- C. NFA shall use reasonable methods, including administrative policies and procedures, as well as physical and technological access controls, to ensure that school officials obtain access to only those education records in which they have a legitimate educational interest.
- D. NFA shall use reasonable methods to identify and authenticate the identity of parents, students, school officials and other parties to whom the district discloses personally identifiable information from education records.
- E. NFA shall require contractors and other outside agencies with access to education records to certify their compliance with the confidentiality requirements of this policy, as well as applicable state and federal law.

#### **V. ACCESS TO EDUCATION RECORDS**

- A. Parents and/or an eligible student have the right to inspect and review all education records of the student unless such rights have been waived under Section XI, below. Parents' rights of inspection and review are restricted to information dealing with their own child. In the case of an eligible student, the

right to inspect and review is restricted to information concerning the student. All requests for access to education records must be in writing.

- B. When submitting a written request to inspect or review education records, the request must identify the record or records being sought. The school district will notify the parent or eligible student of the date, time, and location where the records may be inspected and reviewed.
- C. The parents or eligible students may designate in writing a representative to inspect and review the records. Consent for disclosure of education records to a designated representative must be signed and dated by the parent or eligible student.
- D. A school professional shall be present at all such inspections and reviews and shall respond to reasonable requests for explanations and interpretations of the records.
- E. For the records of **regular education students**, NFA will make education records available for inspection and review by parents or eligible students within a reasonable period of time, but in any event, no more than forty-five (45) calendar days from the receipt of a written request.
- F. For **students requiring special education**, NFA will comply with a request to inspect and review a student's education records without unnecessary delay and before any meeting regarding an IEP (planning and placement team meeting) or any due process proceeding or resolution session held in accordance with the IDEA.
- G. Parents of students eligible to receive special education and related services (or the eligible student) have the right to receive **one free copy** of their child's (his/her) education records. The request for the free copy must be in writing and the Board shall comply with the written request within ten (10) school days of the request. Notwithstanding the fact that a test instrument or portion of a test instrument may meet the criteria of an "education record" under the Family Educational Rights and Privacy Act, 20 USC 1232g, any test instrument or portion of a test instrument for which the test manufacturer asserts a proprietary or copyright interest in the instrument shall not be copied. The parent or eligible student retains the right to review and inspect such information and the board of education shall respond to reasonable requests from the parent or eligible student for explanations and interpretations of the student's education record, which may include reviewing copyrighted testing instruments.
- H. Aside from a parent or eligible student, staff members, school employees and other school officials may access a student's educational records **only if** they have been determined by NFA to have a legitimate educational interest in accessing the information contained in such records. Disclosures to any other parties, may only be made in accordance with the exemptions and provisions set forth in Section VII, below.

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

J. **Non-Custodial Parents:**

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

K. **Copies of Education Records/Fees:**

- 1) NFA cannot charge a fee to search for or to retrieve the education records of a student. As noted above, if a student has been identified as requiring special education and related services, the parents' (or eligible student's) right to inspect and review the child's records shall include the right to receive **one free copy** of those records. The request for the free copy shall be made in writing. NFA shall comply with such request as stated above. A charge will be levied for additional copies; in no case will the charge exceed **\$.50** per page.
- 2) In addition to the provision above regarding special education students, if circumstances effectively prevent the parent or eligible student from exercising the right to inspect and review the student's education records, NFA shall:
  - a. provide the parent or eligible student with a copy of the records requested, or
  - b. make other arrangements for the parent or eligible student to inspect and review the requested records.
- 3) NFA reserves the right to charge for copies of a student's education records. Such charge will not exceed **\$.50** per page.

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

- A. NFA will appoint an individual to be responsible for the care and upkeep of all education records. Education records are kept by categories, each of which

encompasses a specific type of data collected during a student's educational career. These categories also determine how long the school district must maintain the records. NFA will provide to parents, on request, a list of the categories and locations of education records collected, maintained, or used by the school district.

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

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

The record (log) requirement does not apply to requests from, or disclosure to:

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

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

D. If NFA makes a release of education records without consent in **a health and safety emergency**, NFA must record:

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

## **VII. THE RELEASE OF RECORDS OR PERSONALLY IDENTIFIABLE INFORMATION**

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

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

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

1. The disclosure is to other school officials within NFA or of the student's LEA, including teachers, who have been determined by NFA and/or by the LEA to have legitimate educational interests in the education records.

2. The disclosure is to a contractor, consultant, volunteer, or other party to whom an agency or institution has outsourced institutional services or functions, provided that the outside party (a) performs an institutional service or function for which NFA would otherwise use employees, (b) is under the direct control of NFA with respect to the use and maintenance of education records, and is subject to the requirements of FERPA with respect to the use and re-disclosure of personally identifiable information from education records.

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

4. The disclosure is to authorized representatives of the Comptroller General of the United States; the Attorney General of the United States; the Secretary of Education; or State and local educational authorities, under the following conditions: the school shall provide such authorized representatives access to student or other records that may be necessary in

connection with the audit, evaluation, or enforcement of state and federally supported education programs, but shall not permit such representatives to collect personally identifiable information unless specifically authorized to do so by state and federal law or if the parent or eligible student has given written consent for the disclosure.

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

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

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

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

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

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

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

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

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

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

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

#### **D. Directory Information**

1. NFA will notify parents (of students currently enrolled in NFA) or eligible students (currently enrolled in NFA) annually of any categories of information designated as directory information. This notice will provide such individuals with an opportunity to object to such disclosure. An objection to the disclosure of directory information shall be good for only one school year.
2. School districts are legally obligated to provide military recruiters or institutions of higher education, upon request, with the names, addresses and telephone numbers of secondary school students, unless the secondary student or the parent of the student objects to such disclosure in writing. Such objection must be in writing and shall be effective for one school year and may apply to both military and non-military recruiters, or to just one or the other.
3. In all other circumstances, information designated as directory information will not be released when requested by a third party unless the release of such information is determined by the administration to be in the educational

interest of NFA and is consistent with NFA's obligations under both state and federal law.

4. NFA may disclose directory information about students after they are no longer in enrollment in the school district. Notwithstanding the foregoing, NFA will continue to honor any valid objection to the disclosure of directory information made while a student was in attendance unless the student rescinds the objection.
5. An objection to the disclosure of directory information shall not prevent NFA from disclosing or requiring a student to disclose the student's name, identified or institutional email address in a class in which the student is enrolled.
6. NFA will not use the student's social security number or other non-directory information alone or combined with other elements to identify or help identify the student or the student's records.

#### **E. De-identified Records and Information**

1. NFA may release education records or information from education records without the consent of a parent or eligible student after the removal of all personally identifiable information, provided that NFA has made a reasonable determination that a student's identity is not personally identifiable, whether through single or multiple releases, taking into account other reasonably available information.
2. NFA may release de-identified education records including student level data from education records for the purpose of education research by attaching a code to each record that may allow the recipient to match information received from the same source, provided that:
  - a) NFA does not disclose any information about how it generates and assigns a record code, or that would allow a recipient of the information to identify a student based on the record code;
  - b) the record code is used for no purpose other than identifying a de-identified record for the purposes of education research and cannot be used to ascertain personally identifiable information about a student; and
  - c) the record code is not based on a student's social security number or other personal information.

#### **E. Disciplinary Records:**

Nothing in this policy shall prevent NFA from:

1. Including in the education records of a student appropriate information concerning disciplinary action taken against the student for conduct that posed a significant risk to the

safety or well-being of that student, other students, or other members of the school community.

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

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

#### **H. Records of the Department of Children and Families (“DCF”)**

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

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

### **VIII. REDISCLOSURE OF EDUCATION RECORDS**

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

1. the party to whom the information is disclosed will not subsequently redisclose the information to any other party without the proper consent of the parent or eligible student, and
2. the officers, employees, and agents of a party that receives such information may only use the information for the purposes for which disclosure was made.

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

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

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

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

4. The information is considered directory information.

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

## **IX. AMENDMENT OF EDUCATION RECORDS**

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

1. Request in writing that NFA amend the records;

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

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

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

## **X. HEARING RIGHTS AND PROCEDURES**

### **A. Rights**

1. Upon written request of a parent or eligible student to the Head of School, an opportunity for a hearing shall be provided to challenge the content of a student's education

records on the grounds that the information contained in the education records is inaccurate, misleading, or otherwise in violation of the privacy rights of the student.

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

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

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

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

## **B. Procedures**

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

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

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

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

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

## **XI. WAIVER OF RIGHTS**

A. A student who is an applicant for admission to an institution of post-secondary education or is in attendance at an institution of post-secondary education, may waive his or her right to inspect and review confidential letters and confidential statements of recommendations with the following limitations:

1. The student is notified, upon request, of the names of all individuals providing the letters or statements.
  2. The letters or statements are used only for the purpose for which they were originally intended.
  3. The waiver is not required by the agency as a condition of admission to or receipt of any other service or benefit from the agency.
  4. The waiver is in writing and executed by the student, regardless of age, rather than by the parent.
- B. A waiver may be revoked with respect to any actions occurring after the revocation.
- C. Revocation of a waiver must be in writing.

## **XII. SPECIAL CONFIDENTIALITY PROCEDURES FOR HIV-RELATED INFORMATION**

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

1. Confidential HIV-Related Information

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

2. Health Care Provider

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

3. Protected Individual

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

4. Release of confidential HIV-related information

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

5. School Medical Personnel

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

B. Confidentiality of HIV-related Information

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

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

C. Accessibility of Confidential HIV-related Information

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

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

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

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

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

- e. a medical examiner to assist in determining cause of death; or
- f. any person allowed access to such information by a court order.

D. Procedures

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

E. Disclosures Pursuant to a Release

1. Any disclosure pursuant to a release shall be accompanied by a notice in writing stating, "This information has been disclosed to you from records whose confidentiality is protected by state law. State law prohibits you from making any further disclosure of it without the specific written consent of the person to whom it pertains, or as otherwise

permitted by said law. A general authorization for the release of medical or other information is NOT sufficient for this purpose."

2. Oral disclosures must be accompanied or followed by the above notice within ten (10) days.
3. Except for disclosures made to a federal, state or local health officer when such disclosure is mandated or authorized by federal or state law, a notation of all disclosures shall be placed in the medical record or with any HIV-related test result of a protected individual, who shall be informed of such disclosures on request.

### **XIII. CHILD ABUSE REPORTING**

Nothing in this policy shall limit a mandated reporter's responsibility to report suspected child abuse or neglect under NFA's Suspected Abuse & Neglect of Students Policy #5141.4

### **XIV. RIGHT TO FILE A COMPLAINT**

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

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

#### Legal References:

##### State Law:

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

Office of the Public Records Administrator, Retention Schedule M8-Education Records,  
Revised 2/2005, available at <http://www.cslib.org/retschedules.htm>

##### Federal Law:

Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. §§ 1232g et seq.  
USA Patriot Act of 2001, Pub. L. 107-56  
No Child Left Behind Act of 2001, Pub. L. No. 107-110  
34 CFR 99.1 - 99.67 (as amended)  
34 CFR 300.560-300.576

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

**NEW Regulation 5125**

**REGULATIONS REGARDING CLASSIFICATION OF EDUCATION RECORDS**

NFA will appoint a Custodian of Records who will ensure that student education records are kept as follows:

**A. CATEGORY “A” RECORDS:**

1. Category A includes official administrative records that constitute the minimum personal data necessary for the operation of the educational system.
2. Category A records shall be maintained for at least fifty (50) years after the student leaves the school district or graduates.
3. Notice of a student’s suspension or expulsion shall be expunged from the student’s cumulative education record if the student graduates from high school, except for notice of an expulsion based upon possession of a firearm or deadly weapon.
4. \*In cases where a student is suspended or expelled for the first time, and the Administration or the Board, respectively, has shortened or waived the period of suspension or expulsion in accordance with the Board’s disciplinary policy relating to first time offenses, the Administration or the Board, respectively, may choose to expunge such notice of suspension or expulsion from the student’s cumulative record at the time the student completes the specified program and any other conditions imposed by the Administration/Board, rather than upon graduation. Should the notice be expunged in accordance with this provision, a record of the fact that the student had been suspended or expelled shall be maintained apart from the student’s cumulative record, for the limited purpose of determining whether any subsequent offenses by the student would constitute the student’s first suspension or expulsion.
5. Category A records shall include, at a minimum, the following:

<u>RECORD</u>	<u>LOCATION</u>
a. Basic biographical information	Cumulative/Health File
b. Academic achievement (grades/transcripts)	Cumulative File

c. Date of high school graduation or equivalent	Cumulative File
d. Records of immunizations	Cumulative/Health/Pupil Personnel File
e. Attendance records (days absent/present/tardy)	Cumulative File
f. *Notice of Expulsion for Firearm or Deadly Weapon (C.G.S. 10-233c(e) , 10-233d(f) )	Cumulative File

**B. CATEGORY “B” RECORDS**

1. This includes verified information for the formulation of education programs for all students, but not absolutely necessary over an indefinite period of time.
2. Data in Category B must be accurate, clearly understood, and verified before becoming part of any continuing record. There should be no anonymous entries in a student's education record.
3. Category B records must be maintained for at least six (6) years after the student leaves the school district or graduates from high school.
4. Notice of a student’s suspension or expulsion shall be expunged from the student’s cumulative education record if the student graduates from high school, except for notice of an expulsion based upon possession of a firearm or deadly weapon.
5. \*In cases where a student is suspended or expelled for the first time, and the Administration or the Board, respectively, has shortened or waived the period of suspension or expulsion in accordance with the Board’s disciplinary policy relating to first time offenses, the Administration or the Board, respectively, may choose to expunge such notice of suspension or expulsion from the student’s cumulative record at the time the student completes the specified program and any other conditions imposed by the Administration/Board, rather than upon graduation. Should the notice be expunged in accordance with this provision, a record of the fact that the student had been suspended or expelled shall be maintained apart from the student’s cumulative record, for the limited purpose of determining whether any subsequent offenses by the student would constitute the student’s first suspension or expulsion.
6. Records containing information pertaining to child abuse/neglect referrals or reports; or containing confidential HIV-related information should be kept separate from the student’s cumulative folder, in confidential files.
7. Confidential HIV-related information contained in the confidential file should only be disclosed pursuant to district policy.

8. Information contained in documents related to any Department of Children and Families (“DCF”) child abuse and/or neglect investigation, or any such investigation conducted by local law enforcement officials, shall be kept confidential. Such records shall only be disclosed in accordance with the Board’s policy regarding Confidentiality and Access to Education Records.
9. Category B records shall include the following (if applicable):

<u>RECORD</u>	<u>LOCATION</u>
a. Child-Study Team Records / Student Assistance Team Records	Cumulative/Pupil Personnel File
b. Standardized group test scores (CAPT, CMT etc.)	Cumulative/Pupil Personnel File
c. Diagnostic reading/math test results (not special education)	Cumulative File
d. Educational and/or vocational interest	Cumulative File
e. Speech/language and hearing evaluations (not special education)	Cumulative/Health File
f. Comprehensive health records	Cumulative/Health/Pupil Personnel File
g. Correspondence relating to the student	Cumulative/Health/Pupil Personnel File
h. Suspensions/expulsions	Cumulative File*
i. Parent/eligible student’s signed release forms	Cumulative/Health/Pupil Personnel File
j. Truancy Records (including record of parent conferences and referrals )	Cumulative File
k. Child Abuse/Neglect Forms	CONFIDENTIAL FILE
l. Reports Containing Confidential HIV-Related Information	CONFIDENTIAL FILE
m. Awards	Cumulative File

n. Diagnostic test results (non special education)	Cumulative File/Pupil Personnel
o. Extracurricular Activities	Cumulative File
p. Letters of Recommendation	Cumulative File
q. Parent's/Eligible Student's signed release forms (permitting disclosure of records)	Cumulative File/Health/Pupil Personnel File
r. Diploma (if not picked up by student)	Cumulative File
s. Accident Reports	Cumulative File
t. Basic school entrance health histories	Cumulative/Health File
u. Cumulative Health Record (CHR-1, original or copy)	Health File (*copy remains with district/original follows student)
v. Individualized Health Care Plans / Emergency Care Plans	Cumulative/Health/Pupil Personnel File
w. Health Assessment Records (HAR-3)	Health File
x. Incident Reports	Cumulative File
y. Medication administration records(*6 yrs OR until superseded by yearly summary on CHR-1)	Health File
z. Parent authorization for medications/treatments	Health File
aa. Physician's orders for medications treatments	Health File
bb. Referral forms for services based on results of mandated screenings	Health/Pupil Personnel File
cc. Sports histories and physical-examination reports	Health File
dd. Nursing Records (Health assessment data; Nursing process notes; 3 <sup>rd</sup> party health records)	Health File

**C. CATEGORY “C” RECORDS – SPECIAL EDUCATION**

1. Category C includes verified information necessary for the formulation of prescriptive educational plans designed to meet the unique needs of selected students.
2. Category C information should be kept separate from the student's cumulative folder, in the Pupil Personnel File.
3. Category C records must be maintained for at least six (6) years after the student leaves the school district or graduates from high school.
4. Prior to the destruction of Category C information, notification to parents and/or eligible students via media will be made and opportunity provided to copy said records.

Category C shall include (where applicable):

<u>RECORD</u>	<u>LOCATIONS</u>
a. PPT referral forms	Pupil Personnel File
b. School counselor case records	Cumulative/ Pupil Personnel File
c. School psychologists case records	Cumulative/Pupil Personnel File
d. School social-work case records	Cumulative/Pupil Personnel File
e. School speech/language pathology case records	Cumulative/Pupil Personnel File
f. Section 504 Records	Cumulative/Pupil Personnel File
g. Special Education assessment/evaluation reports	Pupil Personnel File
h. Due process records (including complaints, mediations, and hearings)	Pupil Personnel File
i. Individual Transition Plan	Pupil Personnel File
j. Individualized Education Program (“IEP”) Records	Pupil Personnel File
k. Planning and Placement Team (“PPT”) records (including notices, meetings, consent forms)	Pupil Personnel File

1. Individualized Family Service Plans (“IFSPs”)

Pupil Personnel File
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#### D. CATEGORY “D” RECORDS

1. Category D records must be maintained for minimum retention period specified below.

Category “D” shall include (if applicable):

<u>RECORD</u>	<u>MINIMUM RETENTION REQUIRED</u>	<u>LOCATION</u>
a. Sports Contract/Student Contract (including signature sheet for student handbook)	End of school year in which signed	Cumulative File
b. Permission slips / waivers	3 years	Cumulative File
c. Free/reduced meal application and documentation	3 years	Cumulative File
d. Annual Notification to Parents (Student behavior and Discipline, Bus Conduct, Electronic Communications Systems, and the National School Lunch Program)	1 year	Cumulative File
e. Adult education Registration Records	3 years or until audited, whichever comes first	Cumulative File
f. After school program registration records	1 year	Cumulative File
g. Pesticide application notification registration form	5 years	Cumulative File
h. School registration records including residency documentation	3 years or until audited, whichever comes later	Cumulative File
i. Student portfolio work (student produced work for grading assessment)	End of year in which student received grade	May be Maintained by Individual Teachers
j. Tardy slips from parents/guardians	End of school year	Cumulative File
k. Physician’s Standing orders	Permanent; revise as required. Keep old copy separately.	Health File
l. Student’s emergency information	Until superseded or	Cumulative/Health File

card	student leaves school district	
m. Test Protocols	Discretion of district	Cumulative/Pupil Personnel File
n. Log of access to education records	Maintained for same retention period as required for the record	Cumulative/Health/Pupil Personnel

#### E. DURATION OF EDUCATION RECORDS

1. Records shall be destroyed in accordance with district policy and the Records Retention Schedule of the Public Records Administrator.
2. Records may be maintained for longer periods of time whenever valid cause for the retention of records is shown to the custodian of records.
3. Notwithstanding the applicable retention schedule, the school district shall not destroy any education record if a parent or eligible student has an outstanding request to inspect and review the education record.

#### F. RESPONSIBILITY FOR MAINTENANCE OF EDUCATION RECORDS

1. The **Registrar** is the Custodian of Records.
2. In addition, the following personnel are designated as the guardians:
  - a. Categories A, B & D: **Registrar**
  - b. Category C: **Director of Student Services**
  - c. With respect to confidential HIV-related information, if the is a recipient of an HIV-related disclosure, the **Medical Center Supervisor** shall be the guardian of records. If not, whoever was the recipient of the HIV-related disclosure shall be the guardian of the records. With respect to child abuse and neglect investigation material, the **Head of School** shall be the guardian of the records.
3. The chief custodian of records will annually list for public inspection the names and positions of the custodians of records.
4. The custodian of records shall supply parents, on request, a list of the types and locations of education records collected, maintained, or used within NFA.
5. The custodian of records is responsible for ensuring compliance with the confidentiality and access provisions of this policy and these administrative regulations.

## Appendix A

The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g, *et seq.*, affords parents and eligible students (*i.e.*, students over 18, emancipated minors, and those attending post-secondary educational institutions) certain rights with respect to the student's education records. They are:

(1) The right to inspect and review the student's education records within forty-five (45) calendar days of the day NFA receives a request for access.

Parents or eligible students should submit to the **House Principal [or designee]** a written request that identifies the record(s) they wish to inspect. The **House Principal [or designee]** will make arrangements for access and notify the parents or eligible student of the time and place where the records may be inspected.

(2) The right to request the amendment of the student's education records that the parents or eligible student believe are inaccurate or misleading, or otherwise violate the student's privacy rights.

Parents or eligible students who wish to ask NFA to amend a record should write the **House Principal [or designee]**, clearly identify the part of the record the parents or eligible student want changed, and specify why it should be changed.

If NFA decides not to amend the record as requested by the parents or eligible student, the District will notify the parents or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parents or eligible student when notified of the right to a hearing.

(3) The right to privacy of personally identifiable information in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception that permits disclosure without consent is disclosure to a school official with legitimate interests. A school official is a person employed by NFA as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); or a person serving on the Board of Trustees; or a person or company with whom NFA has outsourced services or functions it would otherwise use its own employees to perform (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee; or one of NFA's sending districts' officials; or a parent, student, or other volunteer assisting another school official in performing his or her tasks; A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, NFA discloses a student's education record without consent to officials of another school, including other public schools, charter schools, and post-

secondary institutions, in which the student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer.

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

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

Unless notified in writing by a parent or eligible student to the contrary within two weeks of the date of this notice, NFA will be permitted to disclose "Directory Information" concerning a student, without the consent of a parent or eligible student. Directory Information includes information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. It includes, but is not limited to, the parent's name, address and/or e-mail address, the student's name, address, telephone number, e-mail address, photographic, computer and/or video images, date and place of birth, major field(s) of study, grade level, enrollment status (full-time; part-time), participation in school-sponsored activities or athletics, weight and height (if the student is a member of an athletic team), dates of attendance, degrees, honors and awards received, and the most recent previous school(s) attended. Directory information does not include a student's social security number, student identification number or other unique personal identifier used by the student for purposes of accessing or communicating in electronic systems unless the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN or password.

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

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

The written objection to the disclosure of directory information shall be good for only one school year. NFA is legally obligated to provide military recruiters and institutions of higher learning, upon request, with the names, addresses and telephone numbers of secondary school students, unless the secondary student or the parent of the student objects to such disclosure in writing. Such objection shall be in writing and shall be effective for one school year. In all other circumstances, information designated as directory information will not be released when requested by a third party unless the release of such information is determined by the administration to be in the educational interest of the school district and is consistent with the district's obligations under both state and federal law.

Legal References: Connecticut General Statutes  
1-19(b)(11) Access to public records. Exempt records  
7-109 Destruction of documents  
10-15b Access of parent or guardian to student's records  
10-94i Rights and liabilities of surrogate parents  
10-154a Professional communication between teacher or nurse and student  
10-209 Records not to be public  
10-221b Boards of education to establish written uniform policy re treatment of recruiters  
46b-56(e) Access to records of minors  
Federal Family Educational Rights and Privacy Act of 1974  
(section 438 of the General Education Act, as amended, added by section 513 of P.L. 93-568, codified at 20 U.S.C.1232g.)  
Regulations of the U. S. Department of Health, Education and Welfare, published in 45 C.F.R.99 (June 17, 1976)  
Connecticut Public Records Administration  
Schedule V - Disposition of Education Records  
(Revised 1983)  
Adopted: December 14, 1994  
Revised: April 22, 2008; September 15, 2015

## **POLICY #5131.6**

### **NORWICH FREE ACADEMY SUBSTANCE ABUSE POLICY**

#### STUDENTS - DRUGS, TOBACCO, ALCOHOL

##### Statement of Philosophy:

Through the use of a comprehensive curriculum, classroom activities, community support and resources, a strong and consistent administrative and faculty effort, and rehabilitative and disciplinary procedures, the administration and staff of The Norwich Free Academy, in cooperation with the students' parents/guardians, will work to educate, prevent, and intervene in the abuse of all drug, alcohol, and mood altering substances by the entire student population in accordance with state law.

As an extension of this policy, the rules, regulations, and guidelines shall be used by all school district personnel when responding to drug, mood altering substance, and alcohol related situations.

##### Drugs and Alcohol:

The Board of Trustees prohibits student's possession, use, and/or distribution of any drug, alcohol, drug paraphernalia, tobacco product or a student being under the influence of any drug or alcohol on or off school grounds. This prohibition includes any activities sponsored by a school on or off school premises. Any student found to be violating this student conduct policy will be dealt with in accordance with the regulations set by the school system in the student code of conduct. The consequences of such violations may ultimately result in the expulsion from school and/or criminal prosecution.

Recognizing the potential of each student and that drug and alcohol abuse and dependency can seriously impair a student's ability to learn, it is the policy of the schools to take positive actions to prevent drug and alcohol abuse. These actions may include education, school intervention, parental involvement, medical/assessment, referral, and police referral in the handling of incidents in the schools involving the possession, sale, and/or use of behavior-affecting substances. These substances shall include but not be limited to marijuana, tobacco, LSD, inhalants (which have behavior affecting ingredients), alcohol, and barbiturates and other controlled substances.

School properties may be inspected by school authorities in the interest of maintenance, health and safety. Inspections for the location of drugs, narcotics, liquor, weapons, poisons and missing properties are matters relating to health and safety and may be regarded as reasonable purposes for inspection by school personnel.

Disciplinary procedures will be administered with the best interests of the student, school population and community in mind. Personal privacy rights of students shall be protected as provided by law.

Tobacco:

Smoking is prohibited by law in the school building while classes are in session or student activities are occurring and on school buses. As of September 1, 1991, NFA will be a "smoke free" campus, smoking or the possession of any tobacco product at any time is prohibited.

Prescription medications are to be construed as exceptions to this policy when used by the individual for whom they are prescribed in the manner and amount prescribed. Prescriptions are generally to be kept and administered through the school medical facility.

Legal Reference:	Connecticut General Statutes 19a-342 Smoking prohibited in certain places 21a-242 Schedules of controlled substances 10-221(d) Board of Trustees to prescribe rules 53-198 Smoking on motor buses, railroad cars and school buses
Policy Adopted:	December 10, 1991
Policy Revised:	May 22, 2007

## **POLICY #5131.8**

### **NORWICH FREE ACADEMY STUDENT DISCIPLINE FOR OFF-CAMPUS BEHAVIOR POLICY**

Norwich Free Academy believes that the maintenance of a safe and orderly campus is essential to promote and maximize teaching and learning in the school environment.

Certain conduct of students may be the subject of discipline by Norwich Free Academy even if it occurs off-campus and at non-school related activities. The most serious instances of such conduct off-campus requires an expulsion. It is therefore the policy of Norwich Free Academy to expel a student for one (1) calendar year if the Trustees, subcommittee of the Trustees, or an impartial hearing officer determines that a student, while off-campus and at non-school related activities:

1. was in possession of a firearm as defined in 18 U.S.C. 921 in violation of Connecticut General Statutes Section 29-35 or used a firearm in the commission of a crime under Chapter 952 of the Connecticut General Statutes; OR
2. was in possession of AND used a dangerous instrument, martial arts weapon or deadly weapon in the commission of a crime under Chapter 952 of the Connecticut General Statutes; OR
3. offered for sale OR distribution a controlled substance as defined in Connecticut General Statutes Section 21a-240(9) whose manufacture, distribution, sale, prescription, dispensing, transporting or possession with the intent to sell or dispense, or offering, or administering is subject to criminal penalties under Connecticut General Statutes Sections 21a-277 and 21a-278.

The Trustees, subcommittee of the Trustees, or an impartial hearing officer has the discretion to modify the term of a mandatory one-year expulsion on a case-by-case basis.

In addition to mandatory one year expulsions for serious off-campus misconduct, students may be subject to exclusion and discipline, up to and including suspension and/or a formal expulsion hearing, for other types of off-campus misconduct at non-school related activities if the behavior is:

1. violative of Norwich Free Academy's publicized policies; AND
2. seriously disruptive of the educational process.

In making a determination as to whether conduct is seriously disruptive of the educational process, the administration may consider, but such consideration shall not be limited to:

1. whether the incident occurred within close proximity of a school;
2. whether other students from the school were involved or whether there was any gang involvement;
3. whether the conduct involved violence or the threats of violence or the unlawful use of a weapon, as defined in Connecticut General Statutes section 29-38, and whether any injuries occurred and;
4. whether the conduct involved the use of alcohol and/or controlled substances.

It is the policy of Norwich Free Academy that any off-campus misconduct which endangers persons or property may constitute the basis for a finding that said conduct is seriously disruptive of the educational process at Norwich Free Academy and violative of this written policy if there is any nexus between the off-campus misconduct and the delivery of educational services to other Norwich Free Academy students.

As examples, but without limitation, the following types of conduct, if engaged by Norwich Free Academy students off-campus and at non-school related activities, are representative of conduct which may be considered to violate a publicized policy of Norwich Free Academy and be seriously disruptive of the educational process:

1. Possession or use of any illegal drug or controlled substance, intent to sell or distribute notwithstanding;
2. Threatening, hurting or injuring other persons;
3. Violent conduct, including but not limited to physical and/or sexual assault;
4. Stealing or damaging property;
5. Commission of a crime under applicable state and/or federal law;
6. Being in possession of or under the influence of alcoholic beverages in violation of applicable laws;
7. Participation in unlawful "hate acts" under state or federal law, including actions of racial or religious bigotry, intolerance or hatred;
8. Unlawful possession of a firearm, dangerous instrument, martial arts weapon or deadly weapon under applicable state and/or federal law;
9. Possession of instruments and objects which can be used to cause injury to others even if not legally defined as dangerous instruments under state and/or federal law;
10. Violating any other publicized policy of Norwich Free Academy concerning student conduct, including those listed in the Pilot, Norwich Free Academy Student Handbook.

Unless an emergency exists, no student shall be expelled without a formal hearing held pursuant to Connecticut General Statutes Section 10-233d and Sections 4-177 through 4-180, inclusive and Connecticut General Statutes Section 4-181a. Additionally, if a student is a minor, then notice of the formal hearing, as required by Connecticut General Statutes Sections 4-177 through 4-180, shall be given to the parents or guardians of the student. If an emergency exists, the hearing shall be held as soon after the expulsion as possible.

#### Early Readmission From Expulsion

An expelled student may apply for early readmission from an expulsion to the Academy. Such readmission shall be at the discretion of the Board of Trustees. However, the Board of Trustees may delegate authority for readmission decisions to the Superintendent/Head of School. Under such circumstances, readmission shall be at the discretion of the Superintendent/Head of School. The Board or the Superintendent/Head of School may condition readmission on specified criteria that will be determined on a case-by-case basis.

#### Alternative Educational Opportunities

Students expelled from Norwich Free Academy for misconduct may be offered an alternative educational opportunity by the public school district that is financially responsible for the individual student. The public school district, however, is not required to offer such an opportunity to students age sixteen (16) and older whose expulsion resulted from

possession of a firearm, deadly weapon, martial arts weapon, or dangerous instrument on school property or at a school-sponsored activity OR from offering for sale or distribution on school property or at a school-sponsored activity a controlled substance OR if the student has been expelled on a previous occasion. Parents or guardians of such students are hereby so notified.

Legal Reference: Connecticut General Statutes Sections 10-233a through 10-233f and all other applicable State and Federal laws and regulations.  
Connecticut General Statutes Sections 4-177 through 4-180, inclusive and Connecticut General Statutes Section 4-181a

Policy adopted: March 18, 1997  
Policy Revised: March 17, 1998  
September 15, 1998  
May 22, 2007  
August 27, 2014

## **POLICY #5131.9**

### **NORWICH FREE ACADEMY HAZING POLICY**

The purpose of this policy is to maintain a safe learning environment for students and staff that is free from hazing. Hazing activities of any type are inconsistent with the mission of The Norwich Free Academy and are prohibited.

Hazing is defined as an activity which endangers the mental or physical health of a student for the purposes of initiation or admission into or affiliation with any organization, group, or for any other purpose. The term hazing includes, but is not limited to:

- Any type of physical contact such as whipping, beating, striking, branding, electronic shocking, or placing a harmful substance on or in the body.
- Any type of physical activity such as sleep deprivation, exposure to weather, confinement, calisthenics, or other activity that subjects the student to a risk of harm or that adversely affects the mental or physical health or safety of the student.
- Any activity involving the consumption of any alcoholic beverage, drug, tobacco product, or any other food, liquid, or substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
- Any activity that intimidates or threatens the student with ostracism, that subjects the student to stress, embarrassment, shame, or humiliation that adversely affects the mental health or dignity of the student or discourages the student from remaining in school.
- Any activity that causes or requires the student to perform a task that involves violation of local, state or federal law or violation of school policy or violation of any part of the Pilot, The Norwich Free Academy Student Handbook.

No student, volunteer, or employee of The Norwich Free Academy shall plan, direct, encourage, aid, permit, condone, tolerate, or engage in hazing. Apparent permission or consent by a person being hazed does not negate or otherwise lessen the prohibitions contained in this policy. Any hazing activity upon which the initiation or admission into or affiliation with any organization, group, or for any other purpose, directly or indirectly, shall be presumed to be a forced activity, even if the student willingly participates in such activity. No curricular activity, extra-curricular activity, athletic team, student organization or any other person(s) associated with any organization sanctioned by The Norwich Free Academy shall plan, direct, encourage, aid, permit, condone, tolerate, or engage in hazing.

The Norwich Free Academy will act to investigate all complaints of hazing and will discipline or otherwise take the appropriate action against any student or employee of the school who is found to have violated this policy. The Board of Trustees encourages victims or witnesses of hazing to report such claims promptly to Campus Safety, The Shattuck House Principal, or the Director of Student Services. Complaints should be in written form and shall be investigated promptly and corrective action taken when allegations are verified. The Board of Trustees shall annually distribute this policy to staff and students.

Any employee of The Norwich Free Academy who engages in an act that violates this policy or law, directly or indirectly, shall be subject to discipline, up to and including termination. Volunteers shall be subject to removal. Referrals may also be made to appropriate law enforcement authorities.

Hazing activities are seriously disruptive of the educational process in that they involve students and violence and threats of violence. This policy applies to behavior that occurs on or off school property and during and/or after school hours. Students involved in hazing activities may be subject to exclusion and discipline, up to and including suspension and a formal expulsion. Referrals may also be made to appropriate law enforcement authorities.

The Norwich Free Academy will discipline or otherwise take the appropriate action against any student or school employee who retaliates against any person who makes a good faith report of alleged hazing or against any person who testifies, assists, or participates in an investigation, proceeding, or hearing related to such hazing. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

Policy Adopted: January 16, 2001  
Policy Revised: April 22, 2008

## **POLICY #5131.911**

### **NORWICH FREE ACADEMY BULLYING POLICY**

Norwich Free Academy (“NFA”) promotes a secure and productive campus environment conducive to teaching and learning that is free from threat, harassment, and any type of bullying behavior, including cyberbullying. Therefore, Norwich Free Academy prohibits the bullying of a student by another student or students.

Norwich Free Academy prohibits bullying (a) on school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by Norwich Free Academy, or through the use of an electronic device or an electronic mobile device owned, leased or used by Norwich Free Academy, and (b) outside of the school setting if such bullying (i) creates a hostile environment at school for the target, or (ii) infringes on the rights of the target at school, or (iii) substantially disrupts the education process or orderly operation of a school.

#### DEFINITIONS

“Bullying” means the repeated use by one or more students of a written, oral or electronic communication, such as cyberbullying, or a physical act or gesture by one or more students repeatedly directed at or referring to another student attending school in the same school district that:

- A. Causes physical or emotional harm to such student or damage to such student’s property,
- B. places such student in reasonable fear of harm to himself or herself, or of damage to his or her property,
- C. creates a hostile environment at school for such student,
- D. infringes on the rights of such student at school, or
- E. substantially disrupts the education process or the orderly operation of a school.

“Bullying” shall include, but not be limited to, a written, oral or electronic communication or physical act or gesture based on any actual or perceived differentiating characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression, socioeconomic status, academic status, physical appearance, or mental, physical, developmental or sensory disability, or by association with an individual or group who has or is perceived to have one or more of such characteristics.

“Cyberbullying” means any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any electronic communications.

“Teen dating violence” means any act of physical, emotional or sexual abuse, including stalking, harassing and threatening, that occurs between two students who are currently in or who have recently been in a dating relationship.

“Mobile electronic device” means any hand-held or other portable electronic equipment capable of providing data communication between two or more individuals, including, but not limited to, a text messaging device, a paging device, a personal digital assistant, a laptop computer, equipment that is capable of playing a video game or a digital video disk, or equipment on which digital images are taken or transmitted.

“Electronic communication” means any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo-electronic or photo-optical system.

“Hostile environment” means a situation in which bullying among students is sufficiently severe or pervasive to alter the conditions of the school climate.

“Outside of the school setting” means at a location, activity or program that is not school related, or through the use of an electronic device or a mobile electronic device that is not owned, leased or used by a local or regional board of education.

“School employee” means (A) a teacher, substitute teacher, school administrator, school superintendent, guidance counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by a local or regional board of education or working in a public elementary, middle or high school; or (B) 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 a public elementary, middle or high school, pursuant to a contract with the local or regional board of education.

“School climate” means the quality and character of school life with a particular focus on the quality of the relationships within the school community between and among students and adults.

## REPORTING AND RESPONDING TO BULLYING

Norwich Free Academy expects prompt and reasonable investigation and response to alleged acts of bullying. Reports of alleged acts of bullying will be addressed and responded to according to this policy and in accordance with Norwich Free Academy’s Safe School Climate Plan.

Discrimination and retaliation are prohibited against an individual who reports or assists in the investigation of an act of bullying.

Immunity will be granted against damage claims in accordance with state law to NFA and school employees acting within the scope of their duties, students, parents, and others who, in good faith, report, investigate, or respond to bullying or teen dating violence in accordance with this policy and with Norwich Free Academy’s Safe School Climate Plan. This immunity does not extend to gross, wanton, reckless, or willful misconduct.

## SAFE SCHOOL CLIMATE PLAN

Norwich Free Academy (“NFA”) has adopted Policy 5131.911 which prohibits bullying of a student by another student or students. This document is Norwich Free Academy’s Safe School Climate Plan, and should be read in conjunction with Norwich Free Academy’s Bullying Policy. The Safe School Climate Plan describes the measures that NFA will take to prevent bullying and teen dating violence in its schools. The Plan includes the procedures to report, investigate, document, and maintain records of bullying investigations, as well as interventions for both targets and perpetrators of bullying behavior.

### **I. Definitions**

This Plan adopts the definitions stated in Policy 5131.911.

### **II. Personnel**

In general, it is the responsibility of all school employees who witness acts of bullying or receive reports of bullying to report the behavior both orally and in writing as described in this Plan. In addition, specific personnel have further responsibilities regarding prevention, investigation, and response to bullying, as described herein.

The “Safe School Climate Coordinator” is appointed by the Head of School each year from among existing Norwich Free Academy staff, and is responsible for:

- implementing Norwich Free Academy’s safe school climate plan;
- collaborating with the Safe School Climate Specialists, NFA, and the Head of School to prevent, identify, and respond to bullying in Norwich Free Academy;
- providing data and information, in collaboration with the Head of School, to the Department of Education regarding bullying; and
- meeting with the Safe School Climate Specialists at least twice during the school year to discuss issues relating to bullying in Norwich Free Academy and to make recommendations concerning amendments to Norwich Free Academy’s Safe School Climate Plan.

A “Safe School Climate Specialist” is the Head of School or the Head of School’s designee, who shall:

- investigate or supervise the investigation of reported acts of bullying in the school in accordance with this Plan;
- collect and maintain records of reports and investigations of bullying in the school; and
- act as the primary school official responsible for preventing, identifying, and responding to reports of bullying in the school.

A “Safe School Climate Committee” is established by the Head of School either by establishing a committee or designating at least one existing committee in the school to be responsible for developing and fostering a safe school climate and addressing issues relating to bullying in the school. Such committee shall include at least one parent or guardian of a student enrolled in the school appointed by the Head of School. The committee shall:

- receive copies of completed reports following investigations of bullying;
- identify and address patterns of bullying among students in the school;

- implement the provisions of the school security and safety plan, developed pursuant to section 10-222m, regarding the collection, evaluation and reporting of information relating to instances of disturbing or threatening behavior that may not meet the definition of bullying;
- review and amend school policies relating to bullying;
- review and make recommendations to Norwich Free Academy's Safe School Climate Coordinator regarding Norwich Free Academy's Safe School Climate Plan based on issues and experiences specific to the school;
- educate students, school employees and parents and guardians of students on issues relating to bullying;
- collaborate with Norwich Free Academy's Safe School Climate Coordinator in the collection of data regarding bullying, in accordance with the provisions of subsection (b) of section 10-222d and subsection (a) of section 10-222h; and
- perform any other duties as determined by the Head of School that are related to the prevention, identification and response to school bullying for the school.

Any parent or guardian serving as a member of any such committee shall not participate in the activities of receiving copies of completed bullying investigation reports, identifying and addressing patterns of bullying among students in the school, implementing the provisions of the school security and safety plan regarding the collection, evaluation and reporting of information relating to instances of disturbing or threatening behavior that may not meet the definition of bullying, or any other activity that may compromise the confidentiality of a student.

### **III. Prevention**

As stated in Policy 5131.911, bullying is prohibited on school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by Norwich Free Academy, or through the use of an electronic device or an electronic mobile device owned, leased or used by Norwich Free Academy, and outside of the school setting if such bullying creates a hostile environment at school for the student against whom such bullying was directed, or infringes on the rights of the student against whom such bullying was directed at school, or substantially disrupts the education process or the orderly operation of a school.

The Student Code of Conduct includes language regarding the prohibition of bullying.

A prevention and intervention strategy will be developed for school employees to deal with bullying and teen dating violence. "Prevention and intervention strategies" may include, but are not limited to:

- (1) implementation of a positive behavioral interventions and supports process or another evidence-based model approach for safe school climate or for the prevention of bullying and teen dating violence identified by the Department of Education;
- (2) school rules prohibiting bullying, teen dating violence, harassment and intimidation and establishing appropriate consequences for those who engage in such acts;
- (3) adequate adult supervision of outdoor areas, hallways, the lunchroom and other specific areas where bullying or teen dating violence is likely to occur;
- (4) inclusion of grade-appropriate bullying and teen dating violence education and prevention curricula in kindergarten through high school;

- (5) individual interventions with the bully, parents and school employees, and interventions with the bullied child, parents and school employees;
- (6) school-wide training related to safe school climate;
- (7) student peer training, education and support;
- (8) promotion of parent involvement in bullying prevention through individual or team participation in meetings, trainings and individual interventions; and
- (9) culturally competent school-based curriculum focusing on social-emotional learning, self-awareness and self-regulation. Funding for the school-based bullying intervention and school climate improvement strategy may originate from public, private, federal or philanthropic sources. For purposes of this section, “interventions with the bullied child” includes referrals to a school counselor, psychologist or other appropriate social or mental health service, and periodic follow-up by the safe school climate specialist with the bullied child.

Norwich Free Academy shall adopt the state-wide sexual abuse and assault awareness and prevention program identified or developed by the State Department of Children and Families in collaboration with other entities, in accordance with the General Statutes at Section 17a-101q.

#### **IV. Reporting and Responding to Bullying**

Norwich Free Academy expects prompt and reasonable investigation and response to alleged acts of bullying. Reports of alleged acts of bullying will be addressed and responded to according to Policy 5131.911 and in accordance with this Safe School Climate Plan and Bullying Prevention and Intervention Program.

##### *A. Reporting*

Students may anonymously report alleged acts of bullying to a Safe School Climate Specialist or any school employees orally or in writing. Students and the parents or guardians of students will be notified of the process by which students may make reports of alleged acts of bullying. Such notification is to be included in Student Handbooks and on Norwich Free Academy’s website. In addition, parents or guardians of students shall be notified annually of such process by mail.

Parents or guardians of students may file written reports of suspected bullying. No anonymous parent reports will be accepted.

School employees who witness acts of bullying or receive reports of bullying must orally notify the Safe School Climate Specialist, or another school administrator if the Safe School Climate Specialist is unavailable, not later than one school day after such school employee witnesses or receives a report of bullying. In addition, school employees who witness acts of bullying or receive reports of bullying must file a written report not later than two school days after making an oral report to the Safe School Climate Specialist or other school administrator.

School administrators receiving such oral or written reports are to share that information with the Safe School Climate Specialist as soon as possible without undue delay. In the event of an extended absence of the Safe School Climate Specialist from school for a period longer than one school week, the school administrator receiving the report should assume full responsibility for the investigation of the complaint, and for the school’s response following all established guidelines and procedures for the investigation of bullying reports, being

careful to keep a written record of the investigation, witness statements, copies of any parent invitations for a meeting, parent notifications, or any student safety plans generated. This documentation should be provided to the Safe School Climate Specialist upon his/her return to school. In the event of an emergency situation, the receiving school administrator assumes full responsibility immediately in the absence of the Safe School Climate Coordinator.

Discrimination and retaliation against an individual who reports or assists in the investigation of an act of bullying is prohibited.

### *B. Investigation*

After receipt of any written reports made under this Plan, the Safe School Climate Specialist will investigate or supervise the investigation of all reports of bullying and ensure that such investigation is completed promptly. The parents or guardians of the student alleged to have committed an act or acts of bullying and the parents or guardians of the student against whom such alleged act or acts were directed will receive prompt notice that such investigation has commenced.

The Safe School Climate Specialist will review any anonymous reports, except that no disciplinary action shall be taken solely on the basis of an anonymous report.

Norwich Free Academy will establish a procedure for each school to document and maintain records relating to reports and investigations of bullying in such school and to maintain a list of the number of verified acts of bullying in such school and make such list available for public inspection, and annually report such number to the Department of Education, and in such manner as prescribed by the Commissioner of Education.

### *C. Notification*

When it is determined that a student has committed a verified act of bullying, the student's school will notify the parents or guardians of the student who committed the verified act of bullying not later than forty-eight hours after the completion of the investigation described in this Plan. The school will also contact the parents or guardians of students against whom such acts were directed not later than forty-eight hours after the completion of the investigation described in this Plan. The notifications shall include a description of the response of school employees to such acts and any consequences that may result from the commission of further acts of bullying.

When it is determined that a verified act of bullying has occurred, each school will invite the parents or guardians of a student against whom such act was directed to a meeting to communicate to such parents or guardians the measures being taken by the school to ensure the safety of the student against whom such act was directed and policies and procedures in place to prevent further acts of bullying. The invitation shall include a description of the response of school employees to such acts and any consequences that may result from the commission of further acts of bullying.

When it is determined that a verified act of bullying has occurred, each school will invite the parents or guardians of a student who commits any verified act of bullying to a meeting to discuss specific interventions undertaken by the school to prevent further acts of bullying. This meeting is separate and distinct from the meeting with the parents or guardians of a student against whom a verified act of bullying was committed.

#### *D. Intervention*

Interventions to address repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual will be addressed on a case-by-case basis and may include both counseling and discipline. In all instances, any responsive disciplinary action is to be taken in accordance with Norwich Free Academy's policies including the Student Code of Conduct.

Student safety support plans will be developed for students against whom an act of bullying was directed that address safety measures the school will take to protect such students against further acts of bullying.

The Head of School, or the Head of School's designee, will notify the appropriate local law enforcement agency when such Head of School, or the Head of School's designee, believes that any acts of bullying constitute criminal conduct.

#### **V. Training**

At the beginning of each school year, Norwich Free Academy will provide all school employees with a written or electronic copy of Norwich Free Academy's Safe School Climate Plan.

Certified school employees will annually complete the training described in the General Statutes at Section 10-220a, which includes training on the identification of, prevention of, and response to bullying; the prevention of and response to youth suicide; and the prevention of risk-taking behavior by children and the relationship of such behavior to teen dating violence.

Non-certified school employees will participate in annual training as described in the General Statutes at Section 10-222j to be provided by the State Department of Education, within available appropriations, which includes training on the prevention, identification, and response to school bullying and teen dating violence and the prevention of and response to youth suicide.

#### **VI. School Climate Assessments**

On and after July 1, 2012, and biennially thereafter, Norwich Free Academy will complete an assessment using the school climate assessment instruments, including surveys, approved and disseminated by the Department of Education. Norwich Free Academy shall submit such school climate assessments to the Department.

#### **VII. Approval of the Safe School Climate Plan**

NFA will submit Norwich Free Academy's Safe School Climate Plan to the State Department of Education for review and approval as required by statute or otherwise by the Department.

#### **VIII. Access to the Safe School Climate Plan**

No later than thirty (30) days after the approval of Norwich Free Academy's Safe School Climate Plan by the State Department of Education, the Safe School Climate Plan will be made available on Norwich Free Academy's website. The Plan will be included in Norwich

Free Academy's publications of the rules, procedures, and standards of conduct for schools and in all Student Handbooks.

Individuals with questions or concerns regarding Norwich Free Academy's Safe School Climate Plan should contact the Safe School Climate Specialist or the Safe School Climate Coordinator. Contact information for these individuals is provided in each Student Handbook and on Norwich Free Academy's website.

Legal Reference: Connecticut General Statutes PA 02-119, An Act Concerning  
Bullying Behavior in Schools  
See Also: Pilot, Norwich Free Academy Student Handbook  
Policy Adopted: September 17, 2002  
Policy Revised: May 22, 2007  
May 17, 2011  
January 17, 2012  
September 15, 2015

## **POLICY #5138**

### **NORWICH FREE ACADEMY INTERSCHOLASTIC SPORT VS. CLUB DETERMINATION POLICY**

The Norwich Free Academy believes a comprehensive athletic program is an essential complement to the basic program of instruction. The purpose of an athletic program is to encourage the acceptance of responsibility to self, to team, and to school and to encourage good physical health, good personal habits, and good sportsmanship leading to the balanced growth of the individual. The Norwich Free Academy's athletic program shall be operated to meet the evolving athletic needs and interests of high school students and provide a safe, competitive, and appropriate level of student participation. Participation in cocurricular programs is a privilege, not a right.

The purpose of this policy is to provide a formal means by which students, parents, faculty, and administration may:

- a. request the formation of an athletic club or;
  - b. request that an athletic club become an interscholastic sport or;
  - c. request that an interscholastic sport be changed to club status or be eliminated.
1. The administration shall consider, but not be limited to, the following criteria in the formation of an athletic club:
    - a. The formation of the club responds to the athletic interests of the students.
    - b. The proponents demonstrate an ability to substantially fund its operating expenses including the salary of coaches, officials, transportation costs, and any other expenses.
    - c. A plan has been developed for the use of practice facilities.
    - d. A plan has been developed to provide a level of competition that is safe and equitable for the student participants.
  2. If a new sports program is approved as an athletic club:
    - a. The proponents of the club accept responsibility to substantially fund its operating expenses including the salary of coaches, officials, transportation costs, and any other expenses.
    - b. The administration will be responsible for selecting and evaluating the coach/advisor.
    - c. The coach/advisor must be approved in advance by the school in accordance with state statutes, established school policies and practices, and hold all relevant certifications.
    - d. Transportation to school-sponsored club activities must be executed in a safe manner in accordance with established school policies and practices.
    - e. The school will be responsible for collecting and depositing and otherwise managing the club revenues and approving any expenditures.
    - f. The club will cease operation if it does not have sufficient funds to cover its expenses or there are not enough participants to provide fair and safe competition.

3. In order to change an athletic club to an interscholastic sport, it shall be demonstrated to the administration that:
  - a. The club has and will continue to have an adequate place to practice and teams against which it could fairly and safely compete.
  - b. The proponents have demonstrated an ability to substantially fund the operating expenses of the club.
  - c. In the judgment of the athletic department and administration, the club has maintained a level of participation and has acquired the skill level necessary for fair and safe interscholastic competition.
  - d. The Norwich Free Academy is prepared to fund the interscholastic sport.
  
4. An existing interscholastic sport may be changed to club status or eliminated under any of the following conditions:
  - a. The sport was not able to maintain a level of student participation that allowed for fair and safe competition.
  - b. The sport does not have facilities in which to practice and/or teams against which it can safely compete.
  - c. The Norwich Free Academy is not prepared to fund the interscholastic sport.
  - d. Other due and sufficient cause as determined by The Norwich Free Academy.

In all deliberations appropriate consideration shall be given to gender equity issues in high school sports and Title IX guidelines.

The recommendation for the formation of athletic clubs or interscholastic sports shall be made to the Board of Trustees by the Superintendent/Head of School or designee. The Superintendent/ Head of School may recommend the elimination of any interscholastic sport or athletic club to the Board of Trustees for budgetary, safety, or any other reason. The Board of Trustees reserves the right to accept, reject, or eliminate an activity as a club or interscholastic sport.

Policy Adopted: June 6, 2001  
Policy Revised: April 22, 2008

## **POLICY #5141**

### **NORWICH FREE ACADEMY SCHOOL HEALTH POLICY**

#### **I. Immunizations**

Before being permitted to enroll in the Norwich Free Academy, students will be immunized according to the requirements set forth in the Connecticut General Statutes at Sections 10-204a and 19a-7f, and Department of Public Health Regulations at Sections 10-204a-1 through 10-204a-4, as amended from time to time. Proof of immunization shall be required prior to school entry.

A child may be exempt from the required immunizations if one of the following conditions is met:

1. The child presents a certificate from a physician, physician assistant, advanced practice registered nurse, or local health agency stating that initial immunizations have been given to such child and additional immunizations are in process under guidelines and schedules specified by the Commissioner of Public Health.
2. The child presents a certificate from a physician, physician assistant or advanced practice registered nurse stating that in the option of such physician, physician assistant, or advanced practice registered nurse such immunization is medically contraindicated because of the physical condition of the child.
3. The child presents a statement from the parents or guardian of such child that immunization would be contrary to the religious beliefs of such child or the parents or guardian of such child, which statement shall be acknowledged, in accordance with the provisions of 1-32, 1-34, and 1-35 of the general statutes by (A) a judge of a court of record or a family support magistrate, (B) a clerk or deputy clerk of a court having a seal, (C) a town clerk, (D) a notary public, (E) a justice of the peace, or (F) an attorney admitted to the bar of this state.
4. In the case of measles, mumps, rubella or chickenpox , the child presents a certificate from a physician, physician assistant, or advanced practice registered nurse or from the director of health in such child's present or previous town of residence, stating that the child has had a confirmed case of such disease.

#### **II. Physical Assessments/Screenings**

Physical assessments as mandated by Connecticut General Statutes Section 10-206 will be performed in the tenth grade. Students who have had a complete physical assessment during the ninth grade year need not undergo another physical assessment in the tenth grade. Students transferring to Norwich Free Academy from out-of-state must present proof of a complete physical assessment performed within the past year signed by a physician, physician's assistant, or advanced practice registered nurse prior to school entry. Students transferring to Norwich Free Academy from within the state and enrolling in the eleventh or twelfth grades must present proof of a complete tenth grade physical.

Parents/guardians will be notified in writing during the summer prior to their child entering grade ten of the state requirement for physical assessment. In May of students' tenth grade year, the parents/guardians of students that have failed to

provide evidence of a tenth grade physical assessment will be notified in writing by the Head of School that the schedule for eleventh grade classes will be withheld until this requirement is fulfilled.

Postural screening will be provided to ninth grade males who did not receive testing in grade 8.

### **III. Sports/Activities Physicals**

Students participating in interscholastic sports, intramural sports, crew club, outdoors club, ski club, equestrian club, dance team, marching band or any club requiring physical activity will be required to have an updated physical assessment on file in the Medical Center. These physicals will be required yearly (based on a 13-month period). It will be the responsibility of the coaches/advisors to notify students when physical exams are due and not allow these students to participate in the activity after a physical assessment expires or an updated physical assessment is otherwise required. After obtaining a physical examination, students are expected to supply the Medical Center with the appropriate paperwork from their licensed care providers. The Medical Center personnel will then provide the students with clearance passes to give to their coaches/advisors.

### **IV. Tuberculosis Control Screening**

Prior to admittance to The Norwich Free Academy, each student shall receive an assessment to determine the risk of exposure to tuberculosis and provide written assessment results to The Norwich Free Academy.

Students not already known to have a positive test should be tested if they have any of the following risk factors for tuberculosis infection: a) birth in a high risk country of the world and do not have a record of a tuberculin skin test or interferon-gamma release assay performed in the United States; b) travel to a high risk country, staying at least a week with substantial contact with indigenous population since the previously required examination; c) extensive contact with persons who have recently come to the United States since the previously required examination; d) contact with person(s) suspected to have tuberculosis; or been in contact with anyone who has been in a homeless shelter, jail or prison, uses illegal drugs or has HIV infection. If any of the following risk factors are present, a test must be performed within six months prior to school entrance.

All enrolled students who have been newly exposed to any of the above-mentioned environments shall receive tuberculin skin testing eight weeks post exposure. If an enrolled student has a history of a positive tuberculin skin test result, the skin test will not be required. An interferon-gamma release assay test should be performed instead. A chest x-ray will be performed only if the student is symptomatic.

All students originally from high-risk countries that are entering school in Connecticut for the first time shall receive a tuberculin skin test or interferon-gamma release assay test prior to enrollment. If a student fitting this criterion has a history of a positive tuberculin skin test, an interferon-gamma release assay test should be performed. If the interferon-gamma release assay test is positive or if the student is

symptomatic, a chest x-ray will be performed. A history of BCG vaccination is not a contraindication to testing. An interferon-gamma release assay test should be performed instead of a tuberculin skin test.

Interpretation and management of tuberculin skin test results shall occur as per the Tuberculosis Control Screen Guidelines for Connecticut Schools. Should a student exhibit a positive tuberculin skin test, he/she may attend school if the active disease is ruled out or the student is deemed no longer infectious per the health care provider.

## **V. Health Records**

A cumulative health record will be maintained for every student. This record shall contain the results of assessments and screenings done pursuant to Sections 10-204a, 10-206 and 10-214 of the Connecticut General Statutes. For the purposes of confidentiality, records will be treated in the same manner as the student's cumulative academic record. Student health records are covered by the Family Educational Rights and Privacy Act (FERPA).

Appropriate school health personnel shall review the results of each assessment and screening as recorded. When in the judgment of such health personnel, a pupil is in need of further testing or treatment, the school nurse shall notify the parent or guardian of such pupil and shall make reasonable efforts to assure that such further testing or treatment is provided.

Such reasonable efforts shall include a determination of whether or not the parent or guardian has obtained the necessary testing or treatment for the pupil, and if not, advising the parent or guardian on how such testing or treatment shall be obtained. The results of such further testing or treatment shall be recorded pursuant to Section 10-206(d) and shall be reviewed by school health personnel.

Authorized faculty shall sign the access to records form in the student's file before receiving any information. The name, date and reason for review should be completed on the access form at this time.

If a student transfers to another school district in Connecticut, the student's original cumulative health record shall be sent to the school district to which such student moves. The Norwich Free Academy shall retain a copy. Should a student permanently leave the state of Connecticut, a copy of the latest physical exam and immunization will be sent, upon request, and the original cumulative health record shall be maintained at the Norwich Free Academy.

Legal Reference: Conn. Gen. Stat. §10-204a: Required Immunizations. Temporary Waiver.  
Conn. Gen. Stat. §10-206: Health Assessments  
Conn. Gen. Stat. §10-208: Exemption from examination or treatment  
Conn. Gen. Stat. §10-214: Vision, audiometric and postural screenings: When required; notification of parents re defects; record of results.

Conn. Gen. Stat. §19a-7f: Child immunization standard of care and programs. Provision of vaccines by department. Vaccine policy and reporting.

R.C.S.A. §§10-204a-1 – 10-204a-4: School Immunizations Requirements

Policy Adopted:	3/15/05
Policy Revised:	6/19/07, 2/1/10, 1/11, 5/14, 11/15, 4/16, 6/16, 4/18, 9/18/18
Policy Approved by Board:	6/19/07, 2/1/10, 1/11, 7/14, 8/16

## **POLICY #5141.2**

### **NORWICH FREE ACADEMY ADMINISTERING OF MEDICATION**

The purpose of this policy is for the Norwich Free Academy (NFA) to determine whom and under what circumstances medication may be administered to students in school including the circumstances under which self-administration of medication by students shall be permitted.

NFA allows students to self-administer medication and NFA personnel to administer medication to students in accordance with the established procedures, and applicable state regulations, sections 10-212a-1 through 10-212a-10 inclusive. In order to provide immunity afforded to school personnel who administer medication, NFA, with the advice and approval of its school medical advisor and the school nurse supervisor, shall review and/or revise this policy and regulation biennially concerning the administration of medications to NFA students by a nurse, or in the absence of a nurse, by qualified personnel for schools. NFA's school medical advisor shall approve this policy, its regulations and any changes prior to adoption.

#### **Definitions**

**Administration of medication** means any one of the following activities: handling, storing, preparing or pouring of medication; conveying it to the student according to the medication order; observing the student inhale, apply, swallow, or self-inject the medication, when applicable; documenting that the medication was administered; and counting remaining doses to verify proper administration and use of the medication.

**Authorized prescriber** means a physician, dentist, optometrist, advanced practice registered nurse or physician assistant and, for interscholastic and intramural athletic events only, a podiatrist.

**Board of Education** means a local or regional board of education, a regional educational service center, a unified school district, the regional vocational-technical school system, an approved private special education facility, the Gilbert School, the Norwich Free Academy, Woodstock Academy or a non-public school whose students receive services pursuant to Section 10-217a of the Connecticut General Statutes.

**Carrier** means any school district, educational institution, or person, firm or corporation under contract to such district or institution engaged in the business of transporting students. (C.G.S. 14-212 (2)).

**Cartridge injector** means an automatic prefilled cartridge injector or similar automatic injectable equipment used to deliver epinephrine in a standard dose for emergency first aid response to allergic reaction.

**Coach** means an athletic coach as defined in Connecticut General Statutes Section 10-222e as any person holding a coaching permit issued by the State Board of Education who is hired by a NFA to coach a sport for a sport season as part of intramural or interscholastic athletics.

**Controlled drugs** means those drugs as defined in Connecticut General Statutes Section 21a-240.

**Cumulative health record** means the cumulative health record of a student mandated by Connecticut General Statutes Section 10-206.

**Error** means:

- (1) the failure to do any of the following as ordered:
  - (a) administer a medication to a student;
  - (b) administer medication within the time designated by the prescriber;
  - (c) administer the specific medication prescribed for a student;
  - (d) administer the correct dosage of medication;
  - (e) administer medication by the proper route; and/or
  - (f) administer the medication according to generally accepted standards of practice; or
- (2) the administration of medication to a student which is not ordered by an authorized prescriber, or which is not authorized in writing by the parent or guardian of such student, except for the administration of epinephrine for the purpose of emergency first aid pursuant to Section 10-212a-2 of the Connecticut General Statutes and subsection € of Section 10-212a-2 of the Regulations of Connecticut State Agencies.

**Extracurricular activities** means activities sponsored by NFA that occur outside of the school day, are not part of the educational program, and do not meet the definition of before-and after-school programs and school readiness programs.

**Guardian** means one who has the authority and obligations of guardianship of the person of a minor, and includes: (1) the obligation of care and control; and (2) the authority to make major decisions affecting the minor's welfare, including, but not limited to, consent determinations regarding marriage, enlistment in the armed forces and major medical, psychiatric or surgical treatment.

**Intramural athletic events** means tryouts, competition, practice, drills, and transportation to and from events that are within the bounds of a school district for the purpose of providing an opportunity for students to participate in physical activities and athletic contests that extend beyond the scope of the physical education program.

**Interscholastic athletic events** means events between or among schools for the purpose of providing an opportunity for students to participate in competitive contests which are highly organized and extend beyond the scope of intramural programs and includes tryouts, competition, practice, drills, and transportation to and from such events.

**Investigational drug** means any medication with an approved investigational new drug (IND) application on file with the Food and Drug Administration (FDA), which is being scientifically tested and clinically evaluated to determine its efficacy, safety and side effects and which has not yet received FDA approval.

**Licensed athletic trainer** means a licensed athletic trainer employed by or contracting with the Board of Trustees pursuant to Chapter 375a of the Connecticut General Statutes.

**Medication** means any medicinal preparation including over-the-counter, prescription and

controlled drugs, as defined in Connecticut General Statutes Section 21a-240. This definition includes Aspirin, Ibuprofen or Aspirin substitutes containing Acetaminophen.

**Medication plan** means a documented plan established by the school nurse in conjunction with the parent and student regarding the administration of medication in school. Such plan may be a stand-alone plan, part of an individualized health care plan, an emergency care plan or a medication administration form.

**Medication order** means the written direction by an authorized prescriber for the administration of medication to a student which shall include the name of the student, the name and generic name of the medication, the dosage of the medication, the route of administration, the time of administration, the frequency of administration, the indications for medication, any potential side effects including overdose or missed dose of the medication, the start and termination dates not to exceed a 12-month period, and the written signature of the prescriber.

**Nurse** means an advanced practice registered nurse, a registered nurse or a practical nurse licensed in Connecticut in accordance with Chapter 378 of the Connecticut General Statutes.

**Optometrist** means an optometrist licensed to provide optometry pursuant to Chapter 380 of the Connecticut General Statutes.

**Physician** means a doctor of medicine or osteopathy licensed to practice medicine in Connecticut pursuant to Chapters 370 and 371 of the Connecticut General Statutes, or licensed to practice medicine in another state.

**Physician assistant** means an individual licensed to prescribe medications pursuant to Section 20-12d of the Connecticut General Statutes.

**Podiatrist** means an individual licensed to practice podiatry in Connecticut pursuant to Chapter 375 of the Connecticut General Statutes.

**House principal** means the administrator for each house at NFA.

**Qualified medical professional**, as defined in C.G.S. 10-212, means a physician licensed under Chapter 370, an optometrist licensed to practice optometry under Chapter 380, an advanced practice registered nurse licensed to prescribe in accordance with Section 20-94a or a physician assistant licensed to prescribe in accordance with Section 20-12d.

**Qualified school employee**, as defined in C.G.S. 10-212, means a house principal, teacher, licensed athletic trainer, coach, intervention specialist, job coach or campus safety officer.

**Qualified personnel for schools** means a qualified school employee who is (A) (i) a full time employee, or (ii) a coach, athletic trainer, intervention specialist, job coach or campus safety officer.

**Qualified school employee**, as defined in C.G.S. 10-212, means a house principal, teacher, licensed athletic trainer, coach, intervention specialist, job coach or campus safety officer.

**Research or study medications** means FDA-approved medications being administered according to an approved study protocol. A copy of the study protocol shall be provided to the school nurse along with the name of the medication to be administered and the acceptable range of dose of such

medication to be administered.

**School** means any educational facility or program which is under the jurisdiction of the board excluding extracurricular activities.

**School bus driver** means any person who holds a commercial driver's license with a public passenger endorsement to operate a school bus pursuant to subsection (a) of C.G.S. 14-44.

**School medical advisor** means a physician appointed pursuant to C.G.S. 10-205.

**School nurse** means a nurse appointed in accordance with Connecticut General Statutes Section 10-212.

**School nurse supervisor** means the nurse designated by the Board of Trustees as the supervisor or, if no designation has been made by the Board of Trustees, the lead or coordinating nurse assigned by the Boards of Trustees.

**Self-administration of medication** means the control of the medication by the student at all times and is self-managed by the student according to the individual medication plan.

**Teacher** means a person employed full time by a Board of Trustees who has met the minimum standards as established by that Board for performance as a teacher and has been approved by the School Medical Advisor and school nurse to be designated to administer medications pursuant to the Regulations of Connecticut State Agencies Sections 10-212a-1 through 10-212a-7.

### **General Policies on Administration of Medication**

Except for the administration of epinephrine as emergency first aid to students who do not have a prior written parent authorization or written medical order as provided in this policy, and for the self-application of an over-the-counter sunscreen product by students six years of age and older with prior written parent authorization, no medication may be administered to any student without (1) the written order of an authorized prescriber, and (2) the written authorization of the student's parent or guardian or eligible student, and (3) the written permission of the parent for the exchange of information between the prescriber and the school nurse necessary to ensure the safe administration of such medication.

A school nurse, or in the absence of a school nurse, any other nurse licensed pursuant to the provisions of Chapter 378 of the Connecticut General Statutes, including a nurse employed by, or providing services under the direction of NFA at a school based clinic, may administer medication to students in accordance with all state laws and regulations and this policy and its regulations including those specifying required training and criminal background checks.

Absent the availability of a school nurse or other licensed nurse, certain qualified employees including intervention specialists, coaches and licensed athletic trainers, and others as specified in this policy and its regulations who have been properly trained may administer medication to students. Administration shall be in accordance with this policy, its regulations, state and federal law and state regulations for the administration of medication.

Prescribed medication shall be administered to and taken by only the student for whom the prescription has been written.

In compliance with all applicable state statutes and regulations, parents or guardians may administer medications to their own children on school grounds.

Students may be permitted to self-administer medication only in accordance with this policy, its regulations, state law and state regulations governing the administration of medication.

Any student who is six years of age or older may possess and self-apply an over-the-counter sunscreen product while in school prior to engaging in any outdoor activity, provided prior written authorization signed by the student's parent or guardian is submitted to the school nurse. Authorization shall be renewed each school year. A form will be made available to this purpose.

For any FDA-approved medications being administered according to an approved study protocol, a copy of the study protocol shall be provided to the school nurse along with the name of the medication to be administered and the acceptable range of dose of such medication to be administered.

Investigational drugs or research or study medications may not be administered by qualified personnel for schools.

### **Self-testing of blood glucose level by a child with diabetes**

A child with diabetes may test his/her own blood glucose level per the written order of a physician stating the need and the capacity of such child to conduct self-testing along with written authorization of the parent/guardian. Such self-testing shall be pursuant to guidelines promulgated by the Commissioner of Education. The time or place where a student with diabetes may test his/her blood-glucose level on school grounds shall not be restricted provided the student has written parental/guardian permission and a written order from a physician licensed in Connecticut.

### **Self-administration by a child diagnosed with asthma or diagnosed with a life threatening allergic condition**

A child diagnosed with asthma or a diagnosed life-threatening allergic condition, pursuant to State Board of Education regulations, may possess, self-administer or possess and self-administer medicine administered through the use of an asthmatic inhaler or an EpiPen or similar device in the school at all times or while receiving school transportation services if he/she is under the care of a physician, physician assistant, or advanced practice registered nurse (APRN) and such practitioner certifies in writing to NFA that the child needs to keep an asthmatic inhaler or EpiPen at all times to ensure prompt treatment of the child's asthma or allergic condition and protect the child against serious harm or death. A written authorization of the parent/guardian is also required.

### **Administration of Naloxone (Narcan)**

Opioid overdoses have become epidemic. NFA's medical advisor has prescribed standing orders for a suspected overdose as per the Naloxone (Narcan) Policy #5141.21. The order permits the NFA school nurses to administer Naloxone (Narcan) to students believed or suspected to be experiencing an opioid overdose on school ground during school hours.

### **School Bus Drivers Training**

To the extent that NFA provides school transportation services to students, NFA must provide training to all designated NFA employees, including instruction on (1) identifying the signs and symptoms of anaphylaxis, (2) administering epinephrine by a cartridge injector ("EpiPen"), (3)

notifying emergency personnel, and (4) reporting an incident involving a student's life-threatening allergic reaction (“cartridge injector training”). Such training can be completed online, provided the online module fulfills legislative requirements. Training must be completed upon hire or upon contracting with a new driver, except that a driver who received the training after the most recent issuance or renewal of his or her school bus operator endorsement is not required to repeat it.

In accordance with state law, bus drivers are granted immunity from civil liability that may arise from the emergency administration of a cartridge injector (Epipen) to a student who experiences a life-threatening allergic reaction on or in the vicinity of a school bus while accessing school transportation services.

The transmission of life-threatening allergy information for each NFA student who may require the use of a cartridge injector while on school transportation shall be shared with transportation carriers in the manner set forth in the regulations accompanying this policy and in accordance with state and federal law.

### **Administration of Medication by a School Nurse**

A school nurse may administer medication to any student pursuant to the written order of an authorized prescriber (physician, dentist, optometrist, an advanced practice registered nurse, or a physician assistant and for interscholastic and intramural athletic events only, a podiatrist) and the written authorization of a parent or guardian of such child or eligible student and the written permission of the parent/guardian for the exchange of information between the prescriber and the school nurse necessary to ensure the safe administration of such medication.

### **Administration of Medication in the Absence of a School Nurse**

In the absence of a school nurse, any other nurse licensed pursuant to the provisions of Chapter 378, including a nurse employed by, or providing services under the direction of NFA at a school-based clinic may administer medication to any student. Qualified school personnel who have received the requisite training in the administration of medication in accordance with state law, received approval of the School Medical Advisor and the school nurse and who have satisfactorily completed a required criminal background check may administer medication to any student in accordance with state law and regulations and this Policy and its regulations. Medications with a cartridge injector may be administered by qualified personnel for schools only to a student with a medically diagnosed allergic condition which may require prompt treatment to protect the student against serious harm or death. Qualified personnel for schools, as defined, may administer oral, topical, intranasal, or inhalant medication in the absence of a licensed nurse. Investigational drugs or research or study medications may not be administered by qualified personnel for schools.

Coaches and licensed athletic trainers during intramural and interscholastic events may administer medications pursuant to Section 10-212a-9 of the Regulations of Connecticut State Agencies and as described in this policy and in the administrative regulations to this policy.

### **Administration of Medication by Intervention Specialists**

A specific intervention specialist, through a plan approved by a school nurse supervisor and

School Medical Advisor, may administer medications including medications administered with a cartridge injector, to a specific student with a medically diagnosed allergic condition that may require prompt treatment in order to protect the student against serious harm or death pursuant to Section 10-212a-9 of the Regulations of Connecticut State Agencies and as described in the administrative regulations. The approved plan also requires the written authorization of the student's parent/guardian and pursuant to the written order from the student's authorized prescriber licensed to prescribe medication.

### **Administration of Medication by Coaches and Licensed Athletic Trainers during Intramural and Interscholastic Events**

During intramural and interscholastic athletic events, a coach or licensed athletic trainer who has been trained in the general principles of medication administration applicable to receiving, storing, and assisting with inhalant medications or cartridge injector medications and documentation, may administer medication for select students for whom self-administration plans are not viable options as determined by the school nurse.

The medication which may be administered is limited to: (1) inhalant medications prescribed to treat respiratory conditions and (2) medication administered with a cartridge injector for students with a medically diagnosed allergic condition which may require prompt treatment to protect the student against serious harm or death.

The school nurse is responsible for the student's individualized medication plan and shall provide the coach with a copy of the authorized prescriber's order and the parental/guardian permission form. Parents are responsible for providing the medication, such as the inhaler or cartridge injector, to the coach or licensed athletic trainer, which shall be kept separate from the medication stored in the school health office during the school day.

Medications to be used in athletic events shall be stored in containers for the exclusive use of holding medications; in locations that preserve the integrity of the medication; under the general supervision of the coach or licensed athletic trainer trained in the administration of medication; and in a locked secure cabinet when not in use at athletic events.

The agreement of the coach or licensed athletic trainer is necessary for the administration of emergency medication and the implementation of the emergency care plan.

Coaches and athletic trainers are required to fulfill the documentation requirements as outlined in the administrative regulations accompanying this policy. Errors in the administration of medication shall be addressed as specified in Section 10-212a-6 of the Regulations of Connecticut State Agencies, and detailed in the administrative regulation pertaining to this policy. If the school nurse is not available, a report may be submitted by the coach or licensed athletic trainer to the school nurse on the next school day.

### **Storage and Use of Epinephrine Cartridge Injectors (Emergency Administration of Epinephrine to Students without Prior Written Authorization)**

A school nurse or in the absence of a school nurse, a qualified school employee who has completed the annual training required by Section 10-212a, of the Connecticut General Statutes, as amended from time to time, shall maintain epinephrine in cartridge injectors for the purpose of emergency first aid. EpiPens expire yearly. Therefore, NFA is responsible for refilling their prescriptions annually and for maintaining an adequate supply of EpiPens for emergency first aid to students without prior authorization.

The NFA medical center supervisor shall review the expiration dates for epinephrine cartridge injectors

maintained by NFA on a monthly basis.

The school shall fulfill all conditions and procedures promulgated in the regulations established by the State Board of Education for the storage and administration of epinephrine by school personnel to students for the purpose of emergency first aid to students who experience allergic reaction and do not have prior written authorization for epinephrine administration.

The school nurse or house principal shall select qualified school employees who voluntarily agree to be trained to administer such epinephrine as emergency first aid. There shall be at least one such qualified school employee on the grounds of NFA during regular school hours in the absence of the school nurse. Each house must maintain a supply of epinephrine in cartridge injectors (EpiPens) for such emergency use.

During regular school hours, when the school nurse is absent or unavailable, qualified school employees who have completed the annual training required by Section 10-212a, of the Connecticut General Statutes, as amended from time to time, may administer epinephrine as emergency first aid to students who experience allergic reactions and who do not have prior written authorization of a parent or guardian or prior written order of a qualified medical professional for the administration of epinephrine.

For the purpose of administration of epinephrine to students without written authorization who are experiencing a life threatening allergic reaction, qualified school employees refers to house principal, teacher, intervention specialist, job coach, or campus safety officer.

The parent or guardian of any student may submit, in writing, to the school nurse or school medical adviser that epinephrine shall not be administered to such student pursuant to this section. The school nurse shall notify selected and trained personnel of the students whose parents or guardians have refused emergency administration of epinephrine. NFA shall annually notify parents or guardians of the need to provide such written notice.

### **Administration of Glucagon to a Specific Student with Diabetes**

Qualified school employees may administer glucagon within injectable equipment used to administer glucagon in an appropriate dose for emergency first aid response to students with diabetes in the event that there is written authorization of a student's parent or guardian and the school nurse and school medical Advisor have attested in writing that the qualified school employee has completed the annual training and voluntarily agrees to serve in this capacity.

Authorization of injectable glucagon is limited to situations when the school nurse is absent or unavailable. For purposes of emergency medication administration of glucagon, the term qualified school employee refers to a house principal, teacher, intervention specialist, job coach, or campus safety officer.

### **Administration of Anti-Epileptic Medications to Students**

With the written authorization of a student's parent/guardian, and pursuant to the written order of a physician, a school nurse and a school medical advisor shall select and provide general supervision to a qualified school employee, who voluntarily agrees to serve as a qualified school employee, to administer anti-epileptic medication, including by rectal syringe, to a specific student with a medically diagnosed epileptic condition that requires prompt treatment in accordance with the student's individual seizure action plan. Such authorization is limited to situations when the school nurse is absent or unavailable. No qualified school employee shall administer such medication unless he/she annually completes the training program developed by the State Department of Education, in consultation with the School Nurse Advisory Council.

In addition the school nurse and school medical advisor shall attest, in writing, that such qualified school

employee has completed the required training. The qualified school employee shall also receive monthly reviews by the school nurse to confirm his/her competency to administer anti-epileptic medication. For purposes of the administration of anti-epileptic medication, a "qualified school employee" means a house principal, teacher, intervention specialist, job coach, or campus safety officer.

### **Required Training for School Bus Drivers**

By June 30, 2019, school transportation carriers must provide training to all school bus drivers, including instruction on (1) identifying the signs and symptoms of anaphylaxis, (2) administering epinephrine by a cartridge injector ("EpiPen"), (3) notifying emergency personnel, and (4) reporting an incident involving a student's life-threatening allergic reaction. Such training can be completed online, provided the online module fulfills legislative requirements.

Beginning July 1, 2019, each carrier must provide the training to designated NFA employees (1) following the issuance or renewal of a public passenger endorsement to operate a school bus for carrier employees, and (2) upon the hiring of a school bus driver who is not employed by such carrier (e.g., subcontractor), except a driver who received the training after the most recent issuance or renewal of his or her endorsement is not required to repeat it.

### **Legal References:**

Connecticut General Statutes 10-206

Health Assessment

10-212 School nurses and nurse practitioners. Administration of medications by parents or guardians on school grounds. Criminal history; records check

10-212a Administration of medications in schools. (as amended by PA 99- 2, and June Special Session and PA 03-211, PA 04-181, PA 07-241, PA

07-252, PA 09-155, PA-12-198, PA 14-176, PA 15-215 and PA 18-185)

10-212c Life-threatening food allergies and glycogen storage disease: Guidelines; district plans (as amended by PA 18-185)

19a-900 Use of cartridge injector by staff member of before- or after- school program, day camp or day care facility

20-12d Medical functions performed by physician assistants. Prescription authority 20-94a

Licensure as advanced practice registered nurse

21a-240 Definitions

29-17a Criminal history records checks. Procedure. Fees

52-557b Immunity from liability for emergency medical assistance first aid or medication by injection. School personnel not required to administer or render. (as amended by PA 05-144, An Act Concerning the Emergency Use of Cartridge Injectors and PA 18-185)

PA 07-241 An Act Concerning Minor Changes to the Education Statutes

PA-12-198 An Act Concerning the Administration of Medicine to Students with Diabetes, the Duties of School Medical Advisors, the Availability of CPR and AED Training Materials for Boards of Education and Physical Exercise During the School Day

PA 14-176 An Act Concerning the Storage and Administration of Epinephrine at Public Schools

PA 15-215 An Act Concerning Various Revisions and Additions to the Education Statutes

PA-18-185 An Act Concerning the Recommendations of the Task Force on Life- threatening Food Allergies in Schools Connecticut Regulations of State Agencies 10- 212a-1 through 10-212a-10, inclusive

PA 07-241 An Act Concerning Minor Changes to the Education Statutes

Federal Law

Code of Federal Regulations: Title 21 Part 1307.2

Regulation Adopted: 9/15/98

Regulation Revised: 1/5/99, 3/20/01, 1/27/05, 2/1/10, 12/13/10, 9/17/13, 9/15/15, 9/17/19

## **POLICY #5141.21**

### **NORWICH FREE ACADEMY EMERGENCY ADMINISTRATION OF NALOXONE (NARCAN)**

Opioid overdoses have become epidemic. Opioid overdose kills thousands of Americans every year. Many of these deaths are preventable through the timely provision of an inexpensive and effective drug called Naloxone (brand name Narcan), an opioid antagonist, and the summoning of emergency responders. Norwich Free Academy (NFA) is committed to enhancing the health and safety of individuals within the school environment. Therefore, the NFA Board of Trustees adopts this policy in order to provide for opioid overdose responsive measures.

#### **Definitions**

**“Drug overdose”** means an acute medical condition, including, but not limited to, severe physical illness, coma, mania, hysteria or death, which is the result of consumption or use of one or more controlled substances causing an adverse reaction. The signs of opioid overdose include unresponsiveness; nonconsciousness; shallow breathing with rate less than 10 breaths per minute or not breathing at all; blue or gray face, especially fingernails and lips; and loud, uneven snoring or gurgling noises.

**“Naloxone”** (Narcan) means a medication that can reverse an overdose caused by an opioid drug. As a narcotic antagonist, Naloxone displaces opiates from receptor sites in the brain and reverses respiratory depression that usually is the cause of opioid overdose deaths.

**“Opioid”** means illegal drugs such as heroin, as well as opioid pain relievers (OPR)—prescription medications used to treat pain—such as morphine, codeine, methadone, oxycodone (OxyContin, Percodan, Percocet), hydrocodone (Vicodin), fentanyl, hydromorphone (Dilaudid), and buprenorphine.

#### **Authorization and Standing Order**

The NFA School Medical Advisor shall be the prescribing and supervising medical professional for NFA’s stocking and use of Naloxone (Narcan). The NFA Medical Advisor shall provide and annually renew a standing order for the administration of Naloxone (Narcan) to students, staff members, or other individuals believed or suspected to be experiencing an opioid overdose on school grounds during school hours. The standing order shall be maintained in the Medical Center office.

The NFA Board of Trustees permits school nurses to administer Naloxone (Narcan) to any person at school or a school event displaying symptoms of an opioid overdose in accord with this policy. Each school nurse shall be trained in the administration of Naloxone (Narcan).

## **Training**

School nurses having custody of Naloxone (Narcan) shall be trained in its use and the training documented. Such training program shall include the following topics:

1. Assessment of the individual
2. Need for immediate notification of 911
3. Proper use and administration of Naloxone (Narcan)
4. Information on potential adverse reactions
5. Requirements for proper storage
6. Documentation of the event
7. Post administration review with School Nurse Supervisor and Medical Advisor

## **Procedure**

### **Signs and Symptoms**

The following signs and symptoms may indicate an opioid overdose situation:

- The person is unresponsive or limp.
- The person is awake but unable to talk.
- The person's breathing is slow or erratic or the individual is not breathing.
- The person's pulse is slow or erratic or there is no pulse.
- The person's skin is pale gray or blue, especially around the fingernails and lips.
- The person is making deep, slow snoring, choking or gurgling sounds.
- The person is vomiting with above symptoms.

### **Assessment**

To determine if an individual is experiencing an overdose, the most important things to consider are presence of breathing and responsiveness to stimulation. Harmless strategies to stimulate a person are:

1. Yelling their name
2. Rubbing knuckles over either the upper lip or up & down the sternum (sternal rub).

If an individual responds to these stimuli, they may not be experiencing an overdose at that time. Stay with the person and continue to evaluate.

If the person does not respond to the stimulation, assume you are responding to an opioid overdose and need to administer Naloxone (Narcan). Continued attempts at stimulation will waste valuable time.

### **Administration of Naloxone (Narcan)**

When responding to a suspected opioid overdose, the school nurse shall:

1. Call for medical help immediately (Dial 911).

2. Check for signs and symptoms of opioid overdose.
3. If it is determined that the person is experiencing an opioid overdose, lay the person on his or her back to receive a dose of Naloxone (Narcan) Nasal Spray.
4. Remove the Naloxone (Narcan) Nasal Spray from box and peel back the tab with the circle to obtain the spray bottle.
5. Hold the Naloxone (Narcan) with your thumb on the bottom of the plunger and hold your index and middle finger on either side of the nozzle.
6. Tilt person's head back and support the neck with your hand.
7. Gently insert the tip of the nozzle into one nostril until your fingers are on either side of the nozzle against the bottom of the person's nose.
8. Press plunger firmly to administer the dose of Naloxone (Narcan).
9. Remove nozzle and place person on his or her side.
10. Administer second dose of Naloxone (Narcan) after 2-3 minutes if no response or minimal breathing or responsiveness.
11. Stay with the individual until emergency medical help arrives.

### **Adverse Reactions**

The abrupt reversal of opioid effects in persons physically dependent on opioids can precipitate an acute withdrawal syndrome (AWS). Signs and symptoms of AWS can include: body aches, fever, sweating, runny nose, sneezing, yawning, weakness, shivering, nervousness, restlessness, irritability, diarrhea, nausea, vomiting, abdominal cramps, tachycardia, and increased blood pressure.

If a person has not overdosed on an opioid and Naloxone (Narcan) is administered, there are no adverse effects to the person.

### **Storage**

Naloxone (Narcan) shall be safely stored in the Medical Center in accordance with the drug manufacturer's instructions and federal and state law and regulation. It shall be accessible during school hours.

Legal Reference:

Connecticut General Statutes

10-212 School nurses and nurse practitioners. Administration of medications by parents or guardians on school grounds. Criminal history; records check.

10-212a Administration of medications in schools. (as amended by PA 99-2, and June Special Session and PA 03-211, PA 04-181, PA 07-241, PA 07-252, PA 09-155, PA 12-198, PA 14-176 and PA 15-215)

17a-714 Immunity for prescribing, dispensing or administering an opioid antagonist to treat or prevent a drug overdose.

21a-279(g) Penalty for illegal possession. Alternate sentences. Immunity.

52-557b Immunity from liability for emergency medical assistance first aid or medication by injection. School personnel not required to administer or render (as amended by PA 05-144, An Act Concerning the Emergency Use of Cartridge Injectors).

Connecticut Regulations of State Agencies 10-212a-1 through 10-212a-10, inclusive, as amended.

PA 15-198: An Act Concerning Substance Abuse and Opioid Overdose Prevention

PA 16-43: An Act Concerning Opioids and Access to Overdose Reversal Drugs

Policy Adopted: February 8, 2018

## **POLICY #5141.23**

### **NORWICH FREE ACADEMY RECOMMENDATIONS FOR THE USE OF PSYCHOTROPIC DRUGS BY CHILDREN POLICY**

The Board of Trustees prohibits all school personnel from recommending the use of psychotropic drugs for any student enrolled at The Norwich Free Academy. For purposes of this policy, the term “recommend” shall mean to directly or indirectly suggest that a child use psychotropic drugs. Psychotropic drugs are defined as prescription medications for behavioral or social-emotional concerns, such as attention deficits, impulsivity, anxiety, depression and thought disorders and includes, but is not limited to stimulant medications and anti-depressants.

However, members of the school medical staff, including school nurses and school’s medical advisor, school health/mental health personnel, school psychologists, school social workers, school counselors, or the Director of Student Services may recommend that a student be evaluated by an appropriate medical practitioner. Further, upon consent of the student’s parents or guardian, school personnel may consult with the medical practitioner regarding such use.

The Student Study Team, Planning and Placement Team, or any other multidisciplinary school team designed for the purpose of assessing and/or providing assistance to students may suggest that a student and/or parent/guardian consult with a medical practitioner provided other educational interventions, if necessary, have been initiated. The suggestion by school personnel that a student and/or parent/guardian consult with a medical practitioner should, in no way, be considered a recommendation for use of psychotropic drugs for any student enrolled at The Norwich Free Academy. Further, upon consent of the student’s parents or guardian, school personnel may consult with the medical practitioner regarding such use. Nothing in this policy shall be construed to prohibit a Planning and Placement Team from discussing with parents and/or guardians of a child the appropriateness of consultation with, or evaluation by, medical practitioners with the consent of the parents/guardians of the child.

The Board recognizes that the refusal of a parent or other person having control of a child to administer or consent to the administration of any psychotropic drug to the child shall not, in and of itself, constitute grounds for the Department of Children and Families (DCF) to take such child into custody or for any court of competent jurisdiction to order that such child be taken into custody by the department, unless such refusal causes such child to be neglected or abused, as defined in Connecticut General Statutes 46b-120.

The Superintendent/Head of School or designee shall promulgate this policy to school staff and parents/guardians annually and upon the registration of new students.

Legal Reference: Connecticut General Statute 10-212b. Policies prohibiting the recommendation of psychotropic drugs by school personnel  
See Also: Policy For Suspected Abuse and Neglect of Students 5141.4  
Policy Adopted: September 25, 2001  
Policy Revised: January 20, 2004 & April 21, 2009

## POLICY #5141.3

### NORWICH FREE ACADEMY COMPLIANCE GUIDELINES FOR THE OSHA BLOODBORNE PATHOGEN STANDARD

The Norwich Free Academy complies with the Bloodborne Pathogens Standard set forth in Title 29 of the Code of Federal Regulations at 29 C.F.R. Section 1910.1030, as promulgated pursuant to Section 6(b) of the Occupational Safety and Health Act of 1970 (“OSHA”), codified at 29 U.S.C. Section 655.

In accord with OSHA’s Bloodborne Pathogens Standard, the following Exposure Control Plan is in effect at Norwich Free Academy (“NFA”):

#### EXPOSURE DETERMINATION

OSHA requires employers to prepare an exposure determination concerning which employees may incur occupational exposure to blood or other potentially infectious materials. “Occupational exposure” is defined as “reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties.” The exposure determination determines occupational exposure without regard to the use of personal protective equipment (i.e. employees are considered to be exposed even if they wear personal protective equipment). The exposure determination is required to contain a list of all job classifications in which all employees in those job classifications have occupational exposure, regardless of frequency. At this facility, all employees in the job classifications below have occupational exposure and are categorized as either Category I or Category II as further described below.

#### Category I

Category I job classifications are jobs in which all job-related tasks or procedures that involve an inherent potential of mucous membrane or skin contact with blood, body fluids, or tissues, or a potential for spills or splashes of them. Use of appropriate protective measures will be required for every employee in a Category I job classification.

#### Category I Job Classifications:

- |                                |   |
|--------------------------------|---|
| 1. Nurses                      | 5. Special Education Teachers                             |
| 2. Campus Safety Personnel     | 6. Special Education Aides                                |
| 3. Coaches                     | 7. Any staff member otherwise determined by the           |
| 4. Physical Education Teachers | medical advisor to be at risk due to unique circumstances |

#### Category II

In addition to listing jobs in which , OSHA requires a listing of job classifications in which some employees have occupational exposure. Since not all the employees in these categories would be expected to incur exposure to blood or other potentially infectious materials, job-related tasks or procedures that would cause these employees to have occupational exposure are also required to be listed in order to clearly understand which employees in these categories are considered to have occupational exposure. The job classifications in which some employees have occupational exposure and associated tasks and procedures are below and categorized as follows:

#### Category II Job Classifications

- |                   |                                     |
|-------------------|-------------------------------------|
| 1. Administrators | 3. Teacher Aides not in Category. I |
|-------------------|-------------------------------------|

2. Teachers not in Category I                      4. Substitute Teachers

Job-related tasks and procedures in which occupational exposure may occur include:

1. First aid assistance with injury causing bleeding or skin tear:  
-MANDATED PROTECTIVE BARRIERS  
\*Non-sterile gloves  
\*Infectious waste disposal  
\*Handwashing
2. Handling of Contaminated Dressings/Clothing:  
-RECOMMENDED PROTECTIVE BARRIERS  
\*Non-sterile gloves  
\*Infectious waste disposal  
\*Handwashing
3. Handling and/or disposing of used needles/lancets/syringes:  
-RECOMMENDED PROTECTIVE BARRIERS  
\*Non-sterile gloves  
\*Infectious waste disposal in needle box/sharps container  
\*Handwashing
4. Cleaning up spills or splashes of blood or other body fluids:  
-RECOMMENDED PROTECTIVE BARRIERS  
\*Non-sterile gloves  
\*Infectious waste disposal  
\*Handwashing
5. CPR/Heimlich:  
-RECOMMENDED PROTECTIVE BARRIERS  
\*Pocket mouth-to-mouth resuscitation masks  
\*Non-sterile gloves  
\*Handwashing
6. Assistance with oral care:  
-RECOMMENDED PROTECTIVE BARRIERS  
\*Non-sterile gloves  
\*Handwashing
7. Broken glass or other sharp objects contaminated with blood:  
-RECOMMENDED PROTECTIVE BARRIERS  
\*Non-sterile gloves  
\*Infectious waste disposal-rigid box marked for sharp disposal – maintained in a secure area  
\*Handwashing
8. Searching personal effects:  
-RECOMMENDED PROTECTIVE BARRIERS  
\*Non-sterile gloves  
\*Handwashing
9. Parenteral: Human bites, needle sticks, cuts or abrasions that break the skin:

## -RECOMMENDED PROTECTIVE BARRIERS

\*Follow the post-exposure protocol described below

\*Get immediate assessment and first aid from school nurse and a licensed healthcare professional

The most likely route of exposure in all cases will be a break in the skin integrity.

## **METHODS OF COMPLIANCE**

### UNIVERSAL PRECAUTIONS

Universal precautions are intended to prevent occupational exposure to a bloodborne infectious agent through contact with blood and other potentially infectious materials. Since blood is the single most important source of a bloodborne infectious agent (such as HIV or Hepatitis B Virus) in the occupational setting, one should assume that ALL blood, or body fluids containing visible blood, may carry an infectious agent. Universal precautions also apply to semen and vaginal secretions and non-excretory body fluids, such as cerebrospinal fluid, but these are not considered a source of transmission in the school setting. Under circumstances in which differentiation between body fluid types is difficult or impossible, all body fluids shall be considered potentially infectious materials.

Engineering and work practice controls will be utilized to eliminate or minimize exposure to employees at NFA. Where occupational exposure remains after institution of these controls, personal protective equipment shall also be utilized. At NFA the following engineering controls will be utilized:

Sharps Containers	Masks
Gloves	Handwashing
Gowns	Pocket mouth-to-mouth resuscitation masks
Goggles	Infectious Waste Disposal

Universal precautions require that gloves be used for touching blood, or body fluids that contain visible blood, whenever possible. Gowns or protective clothing should be used if soiling of clothing with blood or blood-containing body fluids is likely. Protective eyewear or face shields may be needed when there is risk of spattering or splashing blood or body fluids containing blood into the eyes, mouth, or nose during certain procedures.

Disposable gloves (non-sterile or sterile) provide barrier protection for both the student and the hands of the caregiver during performance of tasks when contact with blood, or body fluids containing blood, is likely. These gloves must never be washed or cleaned with the intent to reuse. Soaps and disinfectants can cause deterioration or increase permeability of disposable gloves. New disposable gloves must be used for each task, removed as soon as the task is completed and disposed of appropriately. This activity should be immediately followed by routine handwashing with soap and water.

General purpose utility gloves (rubber gloves) for housekeeping chores which involve potential contact with blood or body fluids may be decontaminated after contact and reused but should be discarded if there are any signs of deterioration such as holes, peeling, cracking or discoloration.

General infection control practices recommend the use of gloves for examination of the mucous membranes, endotracheal suctioning, or when a caregiver's hand(s) must enter a student's mouth to perform a specific treatment. Gloves need not be worn when feeding or wiping saliva or nasal discharge with a tissue.

General infection control practices (for the prevention of transmission of other types of infectious agents) mandate the use of gloves when diapering, assisting in toileting, changing a dressing on a draining wound, or cleaning soiled articles of clothing.

The above controls will be reviewed annually by the Medical Center Staff.

## ENGINEERING AND WORK PRACTICE CONTROLS

The following work practice controls are in place at NFA:

1. Handwashing – hands and other skin surfaces shall be washed immediately and thoroughly with soap and warm water if contaminated with blood or other body fluids or potentially contaminated articles. Hands shall always be washed after removing gloves or any other personal protective equipment. Hand washing shall be completed using the appropriate facilities, such as utility or restroom sinks. If blood or other potentially infectious materials contact mucous membranes, such membranes should immediately be flushed with water.
2. Disposable gloves should be worn in all situations where there is blood or bodily fluids that have the potential of HIV contamination.
3. Sharps Disposal – All workers shall take precautions to prevent injuries caused by sharp instruments. Needles shall NOT be recapped, purposely bent or broken by hand, removed from a disposable syringe, or otherwise manipulated by hand. After use, sharps shall be immediately placed in an appropriate receptacle for disposal. The containers meet the requirements as outlined by OSHA regulations. They are closable, biohazard marked, leakproof on the sides and bottom, and puncture resistant and are located in the use area. The container will be replaced when  $\frac{3}{4}$  full via a medical waste management company. A Biomedical Waste transport log will be maintained. A second labeled leak proof container will be used in the event of leakage of the original container.
4. Eating, drinking, smoking, applying Cosmetics or lip balm, and handling contact lenses are prohibited in work areas where there is a reasonable likelihood of occupational exposure.
5. Storage of food and drink is prohibited where blood or potentially infectious materials are kept. This applies to refrigerators, freezers, shelves, cabinets, countertops, and benchtops.
6. All procedures involving blood or other potentially infectious materials shall be performed in such a manner as to minimize splashing, spraying, spattering, and generation of droplets of these substances.
7. Mouth pipetting/suctioning of blood or other potentially infectious materials is prohibited.
8. Specimens of blood or other potentially infectious materials shall be placed in a container which prevents leakage during collection, handling, processing, storage, transport, or shipping.
9. Equipment which may become contaminated with blood or other potentially infectious materials shall be examined prior to servicing or shipping and shall be decontaminated as necessary, unless not feasible.

## PERSONAL PROTECTIVE EQUIPMENT

### Standard Personal Protective Equipment

NFA will provide clean personal protective equipment at no cost to employees. Spill kits are in place in every building in the janitors' closets. Non-sterile gloves are distributed to all House Offices at the beginning of the school year. Gloves shall be worn when it can be reasonably anticipated that there may be hand contact with blood, other potentially infectious materials, mucous membranes, and non-intact skin; and when handling or touching contaminated items or surfaces.

No one type of glove is appropriate for all situations. In situations involving broken glass or sharp edge, gloves that meet OSHA requirements should be worn. Utility gloves are available in all buildings in the janitors' closets. Employees have been instructed never to pick up by hand any broken glassware. A brush, dust pan, forceps and/or tongs will be available for this purpose. Disposable (single use) gloves shall be replaced as soon as practical when contaminated or as soon as feasible if they are torn, punctured, or when their ability to function as a barrier is compromised; they shall not be washed or decontaminated for re-use. Utility gloves may be decontaminated for re-use if the integrity of the glove is not compromised. However, they must be discarded if

they are cracked, peeling, torn, punctured, or exhibit other signs of deterioration or when their ability to function as a barrier is compromised.

Masks and eyewear shall be used in all medical emergencies and situations whenever splashes, spray, spatter, or droplets of blood or other potentially infectious materials may be generated and eye, nose, or mouth contamination can be reasonably anticipated. Appropriate protective clothing such as gowns or similar outer garments shall be worn in occupational exposure situations. The type and characteristics will depend upon the task and degree of exposure anticipated. How and when masks, eyewear and gowns are used depends on the situation.

When personal protective equipment is removed it shall be placed in an appropriately designated area or container for storage, washing, decontamination or disposal.

### Resuscitation Equipment

No transmission of HIV or HBV infection during mouth-to-mouth resuscitation has been documented. However, other diseases can be transmitted during this emergency procedure and common sense dictates protection against possible infection.

Pocket mouth-to-mouth resuscitation masks shall be provided to all personnel who may provide emergency treatment.

## CLEANING AND HOUSEKEEPING

1. Employees are responsible for ensuring that equipment or surfaces are cleaned with appropriate disinfectant and decontaminated immediately after a spill or leakage occurs and at the end of the work day.
2. Spilled bodily fluids shall be removed from the environment by proper cleaning techniques. Grossly contaminated environmental surfaces shall be thoroughly cleaned with a quaternary agent. Disposable gloves shall be worn. Wastes and disposable cleaning equipment shall be placed in a toilet or plastic bag as appropriate.
3. Non-disposable cleaning equipment (e.g., mops, buckets, bins, pails, cans) shall be washed thoroughly in hot water and thoroughly rinsed in a quaternary agent. The solution shall be disposed of promptly down a drain pipe.
4. Housekeeping responsibilities shall include daily cleaning with a quaternary agent of all areas of high risk for contact with bodily fluids such as the medical center toilets and sinks, student and staff lavatories, etc. Plastic waste bags shall be changed daily and disposed of routinely; disposable gloves shall be worn.
5. Food service/preparation surfaces shall be sanitized with a quaternary agent after first cleaning to remove all visible soil with soapy water.
6. Protective coverings, such as plastic wrap, aluminum foil, or imperviously-backed absorbent paper used to cover equipment and environmental surfaces, shall be removed and replaced as soon as feasible when they become overtly contaminated or at the end of the workshift if they may have become contaminated during the shift.
7. Spilled bodily fluids on carpets shall be disposed of by routine use of a moisture absorbent which is swept/vacuumed and then followed by washing carpet with carpet cleaner.
8. School nurses shall decontaminate all materials saturated with blood or other potential infectious materials by cleaning with a quaternary agent such as Sanicloth.
9. Student clothing items that are soaked to the skin shall be removed, placed in a plastic bag, and sent home for laundering. Contaminated disposable items shall be handed with disposable gloves.
10. Staff shall never pick up by hand any broken glassware that may be contaminated. It shall be cleaned up using mechanical means, such as a brush and dust pan, tongs, or forceps. The equipment used for this purpose must be cleaned and decontaminated if the glass container was contaminated by blood or other

potentially infectious agents.

## **HEPATITIS B VACCINATION**

Information on the Hepatitis B vaccine to include: efficacy, safety, administration, benefits and that the vaccine is offered free of charge, will be offered to all appropriate new employees working at the time of employment unless the employee has previously received the complete Hepatitis B vaccination series, antibody testing has shown the employee is immune, or medical evaluation shows that the vaccine is contraindicated for medical reasons. If after receiving information on Hepatitis B disease and Hepatitis B vaccine, the employee consents or declines the vaccination, he/she must sign either a consent for vaccine or declination form. Employees who initially decline the vaccine but who later wish to have it may then have the vaccine provided at no cost. If at a future date the U. S. Public Health Service recommends a booster dose or doses of Hepatitis B vaccine, the booster dose(s) will also be provided to the employee free of charge.

It will be the responsibility of Human Resources to assure that the vaccine is offered to the appropriate employee and to obtain the necessary permission or declination form.

## **POST-EXPOSURE EVALUATION AND FOLLOW-UP**

When an exposure incident occurs, unless immediate first aid is required, the involved employee will report the incident to the building administrator, and then report to the School Nurse. If immediate first aid is required, the involved employee should report directly to the School Nurse, and report the incident to the building administrator as soon as practicable. The School Nurse or designee, after administering post-exposure incident intervention consistent with applicable protocols, shall immediately refer the employee to the Medical Director or another licensed healthcare professional who shall immediately make available, at NFA's expense, a confidential medical evaluation and follow-up, consistent with state and federal law, at a reasonable time and place. The confidential medical evaluation and follow-up shall include:

1. Documentation of the route(s) of exposure and the circumstances under which the exposure incident occurred;
2. Identification of the source individual unless such identification is not feasible or is prohibited by state or local law.
  - a. The source individual's blood shall be tested as soon as feasible and after consent is obtained in order to determine HBV and HIV infectivity. If consent is not obtained, the employer shall establish that legally required consent cannot be obtained. When the source individual's consent is not required by law, the source individual's blood, if available, shall be tested and the results documented. If the source individual is a student in school, the parents shall be counseled regarding the incident and asked to have the child/student tested if the exposed employee requests testing. If the parent refuses, the child/student cannot be tested.
  - b. If the source individual is already known to be infected with HBV or HIV, testing need not be repeated.
  - c. The results of the source individual's HBV and HIV tests, if known, shall be made available to the exposed employee. At the time this information is made available to the employee, he/she shall be informed of applicable laws and regulations concerning disclosure of the identity and infectious status of the source individual.
3. Collection and testing of the employee's blood for HBV and HIV serological status.
  - a. The exposed employee's blood shall be collected as soon as feasible by an accredited lab and tested after consent is obtained.

- b. If the exposed employee consents to base line collection of blood but refuses HIV serological testing, the sample will be preserved by the laboratory for 90 days. During this time period, the employee may elect to have the sample tested.
4. If the source individual is HBV and/or HIV positive or has refused testing, the employee will be advised that he/she should be retested if seronegative at 6 weeks, 12 weeks, 6 months and one year after exposure. At NFA's option, retesting may also be provided annually for 1-2 years following the exposure incident. The employee must consent to retesting on each occasion.
5. Post-exposure prophylaxis, when medically indicated, as recommended by the U.S. Public Health Service.
6. Counseling.
7. Evaluation of reported illnesses.

In conducting the confidential medical evaluation and follow-up, the healthcare professional shall be provided at minimum the following information:

1. A copy of the applicable OSHA regulation(s), including Section 1910.1030 of Title 29 regarding Bloodborne pathogens;
2. Date of incident, when reported and to whom;
3. Description of the employee's job duties as they relate to the exposure incident;
4. Documentation of the route(s) of exposure and circumstances under which exposure occurred;
5. Results of the source individual's blood testing, if available; and
6. All medical records relevant to the appropriate treatment of the employee including vaccination status

The healthcare professional will prepare and provide to the Medical Center a written opinion following the post-exposure confidential medical evaluation and follow-up. The written opinion shall be limited to the following information:

- (1) that the employee has been advised of the evaluation result; and
- (2) that the employee has been told about any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment.

Any other findings or diagnoses shall remain confidential and shall not be included in the written report. All applicable laws and standards of confidentiality apply to this information. NFA may not be advised of an exposed employee's HIV status. NFA shall provide a copy of the healthcare professional's written opinion to the employee within fifteen (15) days of the completion of the medical evaluation unless the healthcare professional has already given the employee a copy.

All evaluations, medical follow-ups, counseling and evaluations of reported illnesses are provided at no cost to the exposed employee.

All required laboratory tests are done by an accredited laboratory at no cost to the exposed employee.

### **INFORMATION AND TRAINING**

1. Training sessions will be mandated for all new employees during orientation and to any current employees assigned to a new assignment where occupational exposure may take place if not previously assigned to such an assignment.
2. Annual mandatory review training sessions will be assigned to all employees.
3. Employee training records will be maintained for three (3) years after the date of training. These records will include the following information related to specific education about bloodborne pathogens and the Exposure Control Plan:
  - a. the dates of the training sessions;
  - b. the contents or a summary of the training sessions;
  - c. the names and qualifications of persons conducting the training; and
  - d. the names and job titles of all persons attending the training sessions.

4. All training shall be provided at no cost to the employee and during working hours.

## **RECORDKEEPING**

NFA will establish and maintain a medical record for each employee who consents to receive the Hepatitis vaccine. Each employee's medical record will contain:

1. A copy of the employee's Hepatitis B vaccination consent for vaccination and the Employee's Hepatitis B Vaccination Tracking Form to include the dates of all Hepatitis B Vaccinations and any medical records relative to the employee's ability to receive vaccination.
2. In the event of an employee exposure incident, a copy of all medical information will be kept in the Medical Center for the duration of employment plus 30 years.

Employee medical records will be kept confidential and shall not be disclosed or reported without the employee's written consent except as required by applicable laws and regulations. Employee medical records will be retained for the duration of employment plus three years. However in the event of an exposure, the record will be retained for the duration of employment plus 30 years.

Policy Revised: 4/21/09, 7/17/14, 10/20/15, 8/20/19

## **POLICY #5141.4**

### **NORWICH FREE ACADEMY REPORTING OF SUSPECTED CHILD ABUSE, NEGLECT AND SEXUAL ASSAULT**

The Norwich Free Academy (NFA) recognizes its legal and ethical obligations in the reporting of suspected child abuse and neglect. Mandated reporters include all NFA employees, specifically the Head of Schools/Superintendent, administrators, teachers, substitute teachers, guidance counselors, intervention specialists, coaches of intramural and interscholastic athletics, as well as licensed nurses, physicians, psychologists and social workers either employed by NFA or working at NFA, or any other person who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled at NFA. Such individual(s) who, in the ordinary course of their employment or profession, have reasonable cause to suspect or believe that a child has been abused, neglected, placed in imminent risk of serious harm, or sexually assaulted by a school employee is required to report such abuse and/or neglect or risk, and/or sexual assault.

A mandated reporter's suspicions may be based on factors including, but not limited to, observations, allegations, facts or statements by a child, victim, or third party. Suspicion or belief does not require certainty or probable cause.

Furthermore, NFA requires all personnel who have reasonable cause to suspect or believe that a child, under the age of eighteen (18) has had non-accidental physical injury, or injury which is at variance with the history given of such injury, or is placed in imminent danger of serious harm to report such cases in accordance with the law and NFA policy. The mandatory reporting requirement for suspicion of sexual assault of a student by an NFA employee applies based on the individual's status as a student, rather than his or her age; there is no requirement that the student be under eighteen to trigger the reporting requirement.

A mandated reporter shall make an oral report, by telephone or in person, to the Commissioner of Children and Families or a law enforcement agency as soon as possible, but no later than twelve (12) hours after the reporter has reasonable cause to suspect the child has been abused or neglected or placed in imminent risk of serious harm. Not later than forty-eight hours of making the oral report, the mandated reporter shall file a written report with the Commissioner of Children and Families or his/her designee. The mandated reporter shall provide a copy of the written report to the Head of Schools/Superintendent. The Department of Children and Families has established a 24 hour Child Abuse and Neglect hotline at 1-800-842-2288 for the purpose of making such oral reports. On and after October 1, 2019, mandated reporters may file reports electronically if they so choose. All electronic reports must include the same information required to be contained in an oral or in person report. A reporter who electronically files shall respond to further DCF inquiries within twenty-four (24) hours of receiving the report.

All reports of suspected abuse, neglect or sexual assault shall include, if known: (1) the names and addresses of the child and his/her parents/guardians; (2) the child's age; (3) the child's gender; (4) the nature and extent of the child's injury or injuries, maltreatment or neglect; (5) the approximate date and time the injury or injuries, maltreatment or neglect occurred; (6)

information concerning any previous injury or injuries to, or maltreatment or neglect of, the child or his/her siblings; (7) the circumstances in which the injury or injuries, maltreatment or neglect came to be known to the reporter; (8) the name of the person(s) suspected to be responsible for causing such injury or injuries, maltreatment or neglect; (9) the reasons such person or persons are suspected of causing such injury or injuries, maltreatment or neglect; (10) any information concerning any prior cases in which such person or persons have been suspected of causing an injury, maltreatment or neglect of a child; and (11) whatever action, if any, was taken to treat, provide shelter or otherwise assist the child.

Any person required to make a report who either fails to make such report or fails to make it within the prescribed time frame, shall be guilty of a class A misdemeanor. However, such person shall be guilty of a class E felony under Connecticut law if such violation is a subsequent violation; the violation is a willful or intentional act; due to gross negligence; or the mandated reporter had actual knowledge of the abuse, neglect or sexual assault.

If the report of abuse, neglect, or sexual assault involves an NFA employee as the perpetrator, NFA may conduct its own investigation into the allegation, provided that such investigation shall not interfere with or impede any investigation conducted by the Department of Children and Families or by a law enforcement agency.

NFA recognizes that the Department of Children and Families is required to disclose records to the Head of Schools/Superintendent in response to a mandated reporter's written or oral report of abuse or neglect or if the Commissioner of Children and Families has reasonable belief that a NFA employee abused or neglected a student. If DCF has reasonable cause and recommends the employee be placed on DCF's Child Abuse and Neglect Registry, the Head of Schools/Superintendent shall suspend such employee.

NFA, recognizing its responsibilities to protect children and in compliance with its statutory obligations, shall provide in-service training regarding the requirements and obligations of mandated reporters. NFA employees may participate in training offered by the Department of Children and Families, or equivalent training offered by NFA. Each school employee is required to complete a refresher training program, not later than three years after completion of the initial training program and shall thereafter retake such refresher training course at least once every three years.

The Head of Schools/Superintendent shall annually certify that each NFA employee has completed the required initial training and the refresher training.

State law prohibits retaliation against a mandated reporter for fulfilling his/her obligations to report suspected child abuse or neglect. NFA shall not retaliate against any mandated reporter for his/her compliance with the law and with this policy.

In accordance with the mandates of the law and consistent with its philosophy, NFA directs the Head of Schools/Superintendent to develop and formalize the necessary rules and regulations to comply fully with the intent of the law.

This policy will be distributed annually to all employees. Documentation shall be maintained that all employees have, in fact, received the written policy and completed training related to mandated reporting of child abuse and neglect as required by law.

### **Establishment of a Confidential Rapid Response Team**

NFA shall establish a confidential rapid response team to coordinate with DCF to (1) ensure prompt reporting of suspected child abuse or neglect; or 1st, 3rd, or 4th degree sexual assault; 1st degree aggravated sexual assault; or 3rd degree sexual assault with a firearm of a student by an NFA employee and (2) provide immediate access to information and individuals relevant to DCF's investigation of such cases.

The confidential rapid response team shall consist of (1) members of the house student support team, including the house principal, (2) a member of the campus safety office, (3) a local police officer, and (4) any other person the NFA deems appropriate.

DCF, along with a multidisciplinary team, is required to take immediate action to investigate and address each report of child abuse, neglect, or sexual abuse at NFA.

### **Hiring**

Any person applying for employment with NFA shall submit to a record check of the Department of Children and Families Child Abuse and Neglect Registry before the person may be hired.

NFA will not employ anyone who was terminated or resigned after a suspension based on DCF's investigation, if he or she has been convicted of (1) child abuse or neglect, or (2) 1st, 2nd, 3rd, or 4th degree sexual assault; 1st degree aggravated sexual assault; or 3rd degree sexual assault with a firearm of a student.

NFA will not employ an individual who was terminated or resigned, if he or she (1) failed to report the suspicion of such crimes when required to do so or (2) intentionally and unreasonably interfered with or prevented a mandated reporter from carrying out this obligation or conspired or attempted to do so. This applies regardless of whether an allegation of abuse, neglect, or sexual assault has been substantiated.

### **Posting of DCF's "Careline"**

NFA directs that the telephone number for DCF's Careline and the internet website that provides information about the Careline be posted in a conspicuous location at NFA. The posting shall be in various languages appropriate for the students enrolled at NFA.

Legal References:

Connecticut General Statutes  
10-220 a In-service training. Professional development and evaluation committees.

Institutes for educators. Cooperating teacher program, regulations

10-221 d Criminal history and child abuse and neglect registry records check of school personnel. Fingerprinting. Termination or dismissal

17a-28 Definitions. Confidentiality and access to records; exceptions. Procedure for aggrieved persons.

17a-101 Protection of children from abuse. Mandated reporters.

17a-101a Report of abuse, neglect or injury of child or imminent risk of serious harm to child. Penalty for failure to report. Notification of Chief State's Attorney.

17a-103 Reports by others. False reports. Notification to law enforcement agency.

17a-106 Cooperation in relation to prevention, identification and treatment of child abuse/neglect.

17a-106b Report by mandated reporter. Notification of law enforcement agency when allegation of sexual abuse or serious physical abuse.

10-151 Teacher Tenure Act

P.A. 11-93 An Act Concerning the Response of School Districts and the Departments of Education and Children and Families to Reports of Child Abuse and Neglect and the Identification of Foster Children in a School District

P.A. 14-186 An Act Concerning the Department of Children and Families and the Protection of Children.

P.A. 15-205 An Act Protecting School Children

P.A. 18-67 An Act Concerning Minor Revisions to the Statutes of the Department of Children and Families and Establishing a Pilot Program to Permit Electronic Reporting by Mandated Reporters.

Supersedes/Amends Policy: December 10, 1991  
Policy adopted: December 16, 1997  
Policy revised: April 21, 2009, September 17, 2019

**POLICY #5141.5**

**NORWICH FREE ACADEMY  
SUICIDE PREVENTION AND INTERVENTION POLICY**

The Norwich Free Academy (NFA) recognizes that suicide has become a primary concern facing our country and, consequently, is a concern to this school and the community it serves. NFA recognizes that suicide is a complex issue. NFA may recognize potentially suicidal youth and staff can conduct a crisis assessment to evaluate immediate level of risk; however, it cannot make clinical assessments of on-going risk and provide in-depth counseling. NFA staff must refer the youth who may be at risk of attempting suicide to an appropriate place for such clinical assessment and counseling if it is deemed necessary.

Therefore, any NFA employee who may have knowledge of a suicide threat must take the proper steps to report this information to the house principal or his/her designee who will, in turn, notify the appropriate NFA officials, the student's family, and appropriate resource services.

NFA must provide Suicide Prevention Education to faculty/staff annually and to students as appropriate.

Legal Reference: Connecticut General Statutes

10-221 Boards of education to prescribe rules, policies and procedures. (e)  
re "policy and procedures for dealing with youth suicide prevention and youth suicide attempts."

Policy Adopted: December 10, 1991

Policy Revised: March 28, 2006, September 17, 2019

## **POLICY #5144.1**

### **NORWICH FREE ACADEMY SECLUSION, RESTRAINT AND EXCLUSIONARY TIME OUT**

The Norwich Free Academy (NFA) believes that maintaining an orderly, safe environment is conducive to learning and is an appropriate expectation of all staff members within NFA. To the extent that staff actions comply with all applicable statutes and NFA policy governing the use of physical force, including physical restraint of students and seclusion of students, staff members will have the full support of NFA in their efforts to maintain a safe environment.

NFA recognizes that there are times when it becomes necessary for staff to use reasonable restraint or place a student in seclusion as an emergency intervention to protect a student from harming himself/herself or to protect others from harm.

#### **Definitions**

**Physical restraint** means 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. Excluded from this definition is briefly holding a person in order to calm or comfort the person; restraint involving the minimum contact necessary to safely escort a person from one area to another; medical devices including but not limited to, supports prescribed by a health care provider to achieve proper body position or balance; helmets or other protective gear used to protect a person from injuries due to a fall; or helmets, mitts and similar devices used to prevent self-injury when the device is part of a documented treatment plan or individualized education program pursuant to Connecticut's special education laws or prescribed or recommended by a medical professional and is the least restrictive means to prevent such self-injury; and an exclusionary time out.

**Life-threatening physical restraint** means 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, or immobilizes or reduces the free movement of a person's arms, legs or head while the person is in the prone position. The use of prone restraint is prohibited.

**Seclusion** means the involuntary confinement of a person in a room, from which the student is physically prevented from leaving. Seclusion does not include an exclusionary time out. Seclusion does not mean any confinement of a student where the student is physically able to leave the area of confinement including in school suspension and time-out.

**Psychopharmacologic agent** means any medication that affects the central nervous system, influencing thinking, emotion or behavior.

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

**School employee** means a teacher, substitute teacher, school administrator, Head of Schools/Superintendent, school counselor, psychologist, social worker, nurse, physician, behaviorist, intervention specialist, campus safety officer or coach employed by NFA; or any other individual who, in the performance of his/her duties has regular contact with students and who provides services to or on behalf of students enrolled at NFA pursuant to a contract with NFA.

### **Conditions Pertaining to the Use of Physical Restraint and/or Seclusion**

- A. NFA employees shall not use a physical restraint on a student or place a student in seclusion unless he/she has received certification on the proper means for performing such physical restraint or seclusion.
- B. School employees shall not use a life-threatening physical restraint on a student under any circumstance.
- C. If any instance of physical restraint or seclusion of a student exceeds fifteen minutes an administrator or his/her designee, or a school health or mental health personnel, or a board certified behavioral analyst, who has received training in the use of physical restraint and seclusion shall determine whether continued physical restraint or seclusion is necessary to prevent immediate or imminent injury to the student or to others. Upon a determination that such continued physical restraint or seclusion is necessary, such individual shall make a new determination every thirty minutes thereafter regarding whether such physical restraint or seclusion is necessary to prevent immediate or imminent injury to the student or to others.
- D. No student shall be placed in seclusion unless:
  - a. The use of seclusion is as an emergency intervention to prevent immediate or imminent injury to the student or to others, provided the seclusion is not used for discipline or convenience and is not used as a substitute for a less restrictive alternative.
  - b. Such student is continually monitored by an NFA employee during the period of such student's seclusion. Any student voluntarily or involuntarily placed in seclusion or restrained shall be regularly evaluated by an NFA employee for indications of physical distress. The NFA employee conducting the evaluation shall enter each evaluation in the student's educational record. Monitor shall mean by direct observation or by observation using video monitoring within physical proximity sufficient to provide aid as may be required.
  - c. The area in which such student is secluded is equipped with a window or other fixture allowing the student a clear line of sight beyond the area of seclusion.
  - d. No psychopharmacologic agent will be administered to a student in the absence of applicable medication orders from the student's physician, in accordance with the medication administration policy 5141.2.

- e. In the event that physical restraint or seclusion is used on a student four or more times within twenty school days:
  - 1. An administrator, one or more of such student's teachers, the parent/guardian of such student and, if any, a mental health professional shall convene for the purpose of:
    - i. Conducting or revising a behavioral assessment of the student;
    - ii. Creating or revising any applicable behavioral intervention plan; and
    - iii. Determining whether such student may require special education.
- f. The parent/guardian of a student who is placed in physical restraint or seclusion shall be notified not later than twenty-four hours after the student is placed in physical restraint or seclusion. A reasonable effort shall be made to provide such notification immediately after such physical restraint or seclusion is initiated.
- g. NFA shall:
  - 1. Record each instance of the use of physical restraint on a student;
  - 2. Specify whether the use of seclusion was in accordance with an individualized education program;
  - 3. Specify the nature of the emergency that necessitated the use of such physical restraint or seclusion; and
  - 4. Include such information in an annual compilation on its use of such restraint and seclusion on students.
- E. NFA shall provide such annual compilation to the CT Department of Education in order to examine incidents of physical restraint and seclusion at NFA.
- F. Any use of physical restraint or seclusion on a student shall be documented in the student's educational record. The documentation shall include:
  - a. 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; and
  - b. A detailed description of the nature of the restraint or seclusion, the duration of such restraint or seclusion and the effect of such restraint or seclusion on the student's established educational plan.

- G. Any incident of the use of restraint or seclusion that results in physical injury to a student shall be reported to the State Board of Education.

### **Conditions Pertaining to the Use of Exclusionary Time Out**

- A. Exclusionary time outs are not to be used as a form of discipline.
- B. At least one NFA employee must remain with the student, or be immediately available to the student such that the student and school employee are able to communicate verbally, throughout the exclusionary time out.
- C. The space used for an exclusionary time out is clean, safe, sanitary and appropriate for the purpose of calming such student or deescalating such student's behavior.
- D. The exclusionary time-out period terminates as soon as possible.
- E. If the student is a child requiring special education, as defined in Section 10-76a or a child being evaluated for special education, pursuant to section 10-76d and awaiting a determination, and the interventions or strategies are unsuccessful in addressing such student's problematic behavior, such student's planning and placement team (PPT) shall convene as soon as is practicable to determine alternative interventions or strategies.

### **Crisis Intervention Teams**

Annually, NFA shall identify a crisis intervention team. Such team shall consist of NFA professionals, intervention specialists and administrators certified in the use of physical restraint and seclusion.

Such team 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 to others.

Each member of the crisis intervention team shall be recertified in the use of physical restraint and seclusion on an annual basis.

### **Required Training and Prevention Training Plan**

Training regarding physical restraint and seclusion of students shall be provided by NFA to members of the crisis intervention team. NFA may also provide training to any teacher, administrator, school professional, intervention specialist or other NFA employee designated by the house principal and who has direct contact with students. Such training shall include, but not be limited to:

- A. An overview of the relevant laws and regulations regarding the use of physical restraint and seclusion on students. (Such overview is to be provided by the Department of Education on

or after July 1, 2017 and annually thereafter, in a manner and form as prescribed by the Commissioner of Education.)

- B. The creation of a plan by which the Head of Schools/Superintendent or his or her designee will provide school professionals, intervention specialists and administrators with training and professional development regarding the prevention of incidents requiring physical restraint or seclusion of students.
- C. The creation of a plan requiring the training of appropriate school professionals, intervention specialists and administrators regarding the proper means of physically restraining or secluding a student, shall include, but not be limited to:
  - a. Verbal defusing and de-escalation;
  - b. Prevention strategies;
  - c. Various types of physical restraint and seclusion;
  - 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, including training in the proper means of physically restraining or secluding a student; and
  - g. Recording and reporting procedures on the use of physical restraint and seclusion.

Legal References: Connecticut General Statutes

10-76b State supervision of special education programs and services. 10-76d Duties and powers of boards of education to provide special education programs and services.

46a-150 Definitions. (as amended by PA 07-147 and PA 15-141)

46a-152 Physical restraint, seclusion and use of psychopharmacologic agents restricted. Monitoring and documentation required.

46a-153 Recording of use of restraint and seclusion required. Review of records by state agencies. Reviewing state agency to report serious injury or death to Office of Protection and Advocacy for Persons with Disabilities and to Office of Child Advocate. (as amended by PA 12-88) 53a-18 Use of reasonable physical force or deadly physical force generally. 53a-19 Use of physical force in defense of person. 53a-20 Use of physical force in defense of premises. 53a-21 Use of physical force in defense of property.

PA 07-147 An Act Concerning Restraints and Seclusion in Public Schools. PA 15-141 An Act Concerning Seclusion and Restraint in Schools.

State Board of Education Regulations Sections 10-76b-5 through 10-76b- 11.

Policy adopted: December 10, 1991

Policy Revised: May 22, 2007, August 21, 2012, September 17, 2019

**POLICY #5145.12**

**NORWICH FREE ACADEMY  
STUDENT SEARCH AND SEIZURE POLICY**

The Norwich Free Academy has the responsibility to maintain order and decorum on its campus and to protect students from harming themselves or others. At the same time, students have constitutional protections which cannot and will not be unreasonably denied.

The Norwich Free Academy respects and upholds the privacy of individuals consistent with federal and Connecticut state law. More specifically, the Academy respects the Fourth Amendment which guarantees against illegal search and seizure. The school system also provides for the health and safety of students and employees. Therefore, school administrators and others designated by the Superintendent/Head of School are empowered to search for contraband, including but not limited to drugs and alcohol, weapons, stolen property, and contraband. Searches of persons and/or places are authorized only when a reasonable suspicion established that a search is justified.

The Superintendent/Head of School, School Administrators, and Law Enforcement Officials, at the direction of the Building Principal, are hereby authorized to search student lockers and any other school property available for use by students, for weapons, contraband or the fruits of a crime when there are reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or school rules.

Legal References: Connecticut General Statutes 10-221 Boards of education  
to prescribe rules New Jersey v. T.L.O., 53 U.S.W. 4083  
(1985)  
Policy Adopted: August 11, 1993  
Policy Revised: April 21, 2009

**POLICY #5145.14**

**NORWICH FREE ACADEMY  
ON-CAMPUS RECRUITMENT BY THE ARMED FORCES OF THE UNITED  
STATES OF AMERICA POLICY**

Subject to the provisions of Connecticut General Statutes 1-210(b)(11) and applicable provisions of the Family Educational Rights and Privacy Act, the Norwich Free Academy shall provide the same directory information and on-campus recruiting opportunities to representatives of the armed forces of the United State of America and state armed services as are offered to nonmilitary recruiters, recruiters of commercial concerns and recruiters representing institutions of higher education.

Directory information or class lists of student names and/or addresses shall not be distributed without the knowledge of the parent or legal guardian of the student or by the student who has attained majority status.

The administration may make the determination of when the recruitment meetings are to take place and reserves the right to deny such meetings where the holding of such meetings will materially and substantially interfere with the proper and orderly operation of the school.

Any person or organization denied the rights accorded under this policy shall have the right to request a review of the decision by the Superintendent/Head of School by filing a written request.

Legal References: Connecticut General Statutes 1-210(b)(11) Access to public records.  
Exempt records 10-221b Boards of education to establish uniform  
policy retreatment of recruiters

Policy Adopted: April 12, 1995

Policy Revised: April 22, 2008

## **POLICY #5145.3**

### **NORWICH FREE ACADEMY STUDENT PUBLICATIONS AND PRODUCTIONS POLICY**

Student publications are important elements of the instructional program and contribute directly to the accomplishment of the school's goals. The Board of Trustees shall encourage this development.

Freedom of speech and of expression in student publications and productions as guaranteed by the First Amendment is to be observed scrupulously by the administration, faculty and students.

#### **Rights of Students:**

1. To print factual articles dealing with topics of interest to the student writers.
2. To print, on the editorial page, opinions on any topic, whether school related or not, which students feel are of interest to themselves or to the readers.

#### **Responsibilities of Student:**

1. To submit copy that conforms to good journalistic writing style;
2. To re-write stories, as required by an advisor, to improve journalistic structure, sentence structure, grammar, spelling and punctuation;
3. To check facts and verify quotes;
4. In the case of editorials on controversial issues, to provide space for rebuttals, in the same issue if possible, but otherwise no later than the following issue.

#### **Material Not Permitted in Official School Publications or Productions:**

1. Material which is obscene, offensive, vulgar, indecent or libelous or which violates anyone's rights of privacy;
2. Profanity, including but not limited to language which would not be used in "The Norwich Bulletin" or "The New London Day;"
3. Material which criticizes or demeans any race, religion, age, sex, ethnic group or other protected classes;
4. Ads for cigarettes, alcoholic beverages, or any other product not conducive to good health or the best interests of the school.
5. Any material, the publication or production of which would cause substantial disruption of the school and/or place persons or property in danger. Substantial disruption is



## **POLICY #5145.4**

### **NORWICH FREE ACADEMY STUDENT DEMONSTRATIONS POLICY**

The trustees, administration, and faculty of The Norwich Free Academy recognize that, from time to time, students may wish to lawfully and peacefully demonstrate or protest. Ample opportunity exists for lawful and peaceful protest or demonstration without disrupting school activities or causing damage or litter to property. Students who participate in walk-outs, sit-ins, strikes, or other unauthorized group actions or demonstrations which disrupt school activities or which damage or litter school property (or non-school property at or in conjunction with a school sponsored activity) shall be deemed to have engaged in conduct which endangers persons or property, is seriously disruptive of the educational process and/or in violation of school policy. Such persons shall be subject to appropriate disciplinary action, which may include suspension and expulsion, and may be required to make financial restitution for any damage or clean-up costs caused. Students may also be subject to arrest in addition to school imposed disciplinary consequences.

School officials have the prerogative to end unauthorized group actions without student penalty where, in their judgment, the circumstances warrant.

Students and student groups with concerns about educational or social issues should use existing established channels of communication, including student government, class officers, scheduled class meetings, and meetings with the school administration without disrupting classes, disturbing the orderly school and campus environment, or otherwise interfering with the school program. Student groups are encouraged to approach elected student leaders, school counselors, and school administrators whenever they have ideas about holding programs on pressing social issues consistent with constitutional values and orderly democratic process.

See Also:	Administrative Procedure(s) none
Legal Reference:	Connecticut General Statutes 10-233a through 10-233f
Supersedes/Amends Policy:	none
Policy Adopted:	May 20, 1997
Policy Revised:	April 22, 2009

## **POLICY #5145.5**

### **NORWICH FREE ACADEMY SCHOOL-FAMILY-COMMUNITY PARTNERSHIPS POLICY**

The Norwich Free Academy recognizes that a child's education is a responsibility shared by the school and the family and that active parental involvement is fundamental to improved student achievement. The diversity of communities that send students to The Norwich Free Academy include families from a variety of socioeconomic, cultural, and ethnic backgrounds. This diversity is embraced by the Academy and strengthens the educational experience for all students. The Norwich Free Academy shall establish and support programs and practices that enhance parent involvement and reflect the specific needs of students and their families.

The Norwich Free Academy shall support the following practices to encourage parental involvement:

- Responsible parenting is promoted and supported by school personnel.
- Communication between home and school is regular, two-way, and meaningful.
- Parental support and assistance is welcome in the school community.
- Parental involvement is sought in decisions that affect their children.
- Community resources are made available, where appropriate, to strengthen school programs, family practices, and student learning.
- Professional development opportunities for faculty are supported to enhance effective parent involvement strategies.
- The administration shall periodically review practices to involve parents in the school community.

Legal Reference: P.A. 97-290  
See Also: A Guide to Developing Partnership Programs for Student Success  
Connecticut State Department of Education, June 1998  
The Norwich Free Academy Teacher Handbook  
Policy Adopted: February 2, 1999  
Policy Revised: May 22, 2007

**POLICY #6000**

**NORWICH FREE ACADEMY  
STATEMENT OF EDUCATION GOALS POLICY**

The Norwich Free Academy believes there is a common integrated and interdependent set of learning outcomes which is essential to the development of all students. These essential outcomes represent a preparation for life which involves not only preparation for employment and further education but also the acquisition of those characteristics necessary to become a productive and contributing member of society. Consequently, as a result of a K-12 educational experience culminating at The Norwich Free Academy, each student must acquire the attributes, attitudes, skills, competencies, understandings and applications as outlined in Connecticut's Common Core of Learning.

In pursuit of the right to an education, the Academy further believes that all people can learn. Each individual entrusted to our care must ultimately become a lifelong learner and a contributing member of a global society. The Academy is committed to providing the resources to support its high expectations for academic, social and personal achievement to ensure that all people learn.

Policy Adopted: December 8, 1993  
Policy Revised: May 22, 2007

## **POLICY #6115**

### **NORWICH FREE ACADEMY SCHOOL CEREMONIES AND OBSERVANCES POLICY**

#### Silent Meditation

The board directs that the administration shall provide for students and faculty who wish to do so, the opportunity to observe an appropriate period of time for silent meditation during each school day.

#### Pledge of Allegiance

The board directs that an opportunity to say the Pledge of Allegiance shall be provided each school day. Participation in recitation of the Pledge is voluntary. Non-participants may remain quietly seated during the Pledge. Non-participants are expected to conduct themselves in a manner that is respectful of others and appropriate to the school environment.

Legal Reference: Connecticut General Statutes.  
10-16a. Silent Meditation.  
PA 02-119. An Act Concerning Bullying Behavior in Schools and  
Concerning the Pledge of Allegiance.

Policy Adopted: June 9, 1993 (Policy # 5145.2)  
Policy Revised: September 17, 2002  
May 22, 2007

## **POLICY #6141.321**

### **NORWICH FREE ACADEMY ACCEPTABLE USE OF THE INTERNET AND COMPUTER NETWORKS POLICY**

The Norwich Free Academy believes that the use of the Internet and other local and/or wide area networks will further education by promoting the exchange of information and ideas and by providing intra- and inter-district, statewide, national, and global opportunities for faculty, staff, and students.

Since the Internet constitutes an unregulated collection of educational resources which change constantly, it is not possible to predict or control exactly what resources users may locate. The Norwich Free Academy makes no guarantees of the accuracy of the information or the appropriateness of materials which a student may encounter. Students will be under faculty/staff supervision; however, it is not possible to constantly monitor individual students and what they are accessing or creating. Students and other users will refrain from intentionally accessing and downloading or creating any text, picture, or on-line conferencing that includes material which is considered to be obscene, libelous, indecent, vulgar, profane, or lewd; advertises any product or services to minors prohibited by law; presents a clear and present danger; or will cause the commission of unlawful acts or the violation of lawful school regulations. Users will not solicit or receive any information or service which could result in unauthorized expense to The Norwich Free Academy. The Norwich Free Academy uses electronic access filtering or security software to help monitor and prevent inappropriate use of the school's computer network system.

Users should be courteous and polite. Messages will be concise and not abusive in content or language. Personal information should not be revealed. Users must be aware that any message or information posted on the Internet may be accessed by others for whom it is not intended. E-mail and downloaded material should be deleted on a regularly scheduled basis.

Users of the services should respect all copyright and license agreements. Copyrighted software, pictures, video, or music should not be downloaded for use which violates copyright laws.

Faculty and staff of The Norwich Free Academy will be provided with professional development opportunities which addresses the issue of appropriate use of the school network, the Internet, Internet etiquette, and other network systems. Students will be provided with guidelines for appropriate use of the Internet and other network systems.

Violation of this policy will result in forfeiture of all user privileges. Violators shall also be subject to appropriate disciplinary and/or legal action. Pending investigation into a student, staff, or faculty complaint of inappropriate use of the networks, user privileges may be suspended. User privileges may also be suspended at any time when deemed necessary in the sole discretion of the administration.

The computer systems, E-mail systems, voice mail systems, and any similar systems are the sole property of The Norwich Free Academy and are provided for the purpose of carrying out the educational and operational concerns of the school. The Norwich Free Academy

reserves the right to bypass individual student and employee passwords at any time, and to monitor the use of such systems by students and employees.

The Norwich Free Academy shall not be liable for users' inappropriate use of electronic communication resources or violations of copyright restrictions, users' mistakes or negligence, or costs incurred by users. The Norwich Free Academy shall not be responsible for ensuring the accuracy or usability of any information found on the Internet. The Norwich Free Academy reserves the right to modify or eliminate access to the Internet and other local and/or wide area networks.

See Also:                   The Norwich Free Academy, Guidelines for Internet and Network  
                                  Use  
                                  Employee Use of Electronic Mail (4218.4)  
                                  Workplace Monitoring (4118.4)  
                                  Web Site Publication (6141.322)

Policy Adopted:        March 28, 2000  
Policy Revised:         May 22, 2007

**POLICY #6141.322**

**NORWICH FREE ACADEMY  
SCHOOL WEB SITE PUBLICATION POLICY**

The Board of Trustees authorizes The Norwich Free Academy to create and maintain a World Wide Web site for purposes consistent with the mission and goals of the school. Web sites are avenues for educating, providing information, and communicating. The Norwich Free Academy web site shall be used to share information about school curriculum and instruction, school services, school-sponsored activities, and other information related to our mission.

Materials displayed on web sites are published on the Internet. Therefore, the content should be of professional quality and consistent with the mission of the school. Web sites shall follow standards for ethical behavior by showing respect for the principles of intellectual freedom, intellectual property rights, and the responsible use of information and technology. Pages shall reflect an understanding that both internal and external audiences may view the information contained therein. All content must also comply with all Board policies.

The Superintendent/Head of School or designee shall appoint a Webmaster. The Webmaster is the person responsible for the content and publication of the school's World Wide Web. The Webmaster shall review all material for publication with consideration given to web page publishing guidelines, copyright issues, Board policies, and privacy issues prior to such publication.

Final authority for the school's World Wide Web site is the responsibility of the Director of Curriculum and Instruction and/or the Director of Student Affairs.

The school shall develop guidelines to be used in the publication and operation of The Norwich Free Academy World Wide Web Site.

See Also:                   The Norwich Free Academy, Web Page Publishing Guidelines  
                                  Acceptable Use of the Internet and Computer Systems 6141.321  
                                  Employee Use of Electronic Mail 4218.4  
                                  Workplace Monitoring 4118.4

Policy Adopted:        May 15, 2001  
Policy Revised:        April 22, 2008

## **POLICY #6142.101**

### **NORWICH FREE ACADEMY STUDENT NUTRITION AND PHYSICAL ACTIVITY (WELLNESS) POLICY**

The Norwich Free Academy (“NFA”) promotes a healthy school by supporting wellness, good nutrition and regular physical activity as part of the total learning environment. NFA supports a healthy environment where students learn and participate in positive dietary and lifestyle practices. NFA contributes to the basic health status of children by facilitating learning through the support and promotion of good nutrition and physical activity. Improved health optimizes student performance potential and ensures that no child is left behind.

#### **I. GOALS**

The goals of NFA’s Student Nutrition and Physical Activity (Wellness) Policy shall include the following:

A. Provide a comprehensive learning environment for developing and practicing lifelong wellness behaviors.

The entire school environment, not just the classroom, shall be aligned with healthy school goals and shall provide clear and consistent messages, reinforcing and positively influencing a student’s understanding, beliefs and habits as they relate to good nutrition and regular physical activity. Staff will be encouraged to serve as role models for students, demonstrating that healthy eating and physical activity are valuable parts of daily life. NFA is committed to improving academic performance for all students. Educators, administrators, parents, health practitioners and communities must consider the critical role student health plays in academic stamina and performance and adapt the school environment to ensure students’ basic nourishment and activity needs are met.

B. Support, promote, and provide education regarding nutrition and proper dietary habits contributing to students’ health status and academic performance.

School meals shall comply with federal and state statutes and regulations, meet U.S. Department of Agriculture (“USDA”) nutrition standards, requirements, and guidelines for the USDA’s National School Lunch Program (“NSLP”) and School Breakfast Program (“SBP”), as are consistent with the Dietary Guidelines for Americans and information and resources available at [www.ChooseMyPlate.gov](http://www.ChooseMyPlate.gov), and comply with the Connecticut Nutrition Standards for Foods in Schools (“Connecticut Nutrition Standards”), as published by the Connecticut State Department of Education (“CSDE”). All foods sold separately from school meals must meet the Connecticut Nutrition Standards, and all beverages sold to students on school premises must meet the requirements of Connecticut state statute and regulations. This applies to the sale of food and beverages at all activities on school grounds, whether sponsored by the school or an outside group. Emphasis should be placed on foods that are nutrient-rich such as fruits, vegetables, whole grains, low fat dairy, lean meats,

legumes, nuts and seeds. Only 1% low-fat milk or less will be sold. To ensure high-quality nutritious meals, foods should be served with consideration toward variety, appeal, taste, safety and packaging. Food items that do not meet the Connecticut Nutrition Standards and beverages that do not meet the requirements of state statute and/or regulations shall only be sold to students at the location of an event that occurs after the school day or on the weekend, provided the sale is not from a vending machine or a school store.

C. Provide opportunities for students to engage in physical activity.

A quality physical education program is an essential component for all students to learn about and participate in physical activity. The physical activity goal of NFA is to keep students in grades 9-12 physically active in order to help increase their overall level of health and wellbeing. NFA takes a holistic approach towards increasing the health of students by concentrating on the physical, mental and emotional health of each student. Physical activities are provided to all students throughout the school day and integrated across the curricula when possible.

## II. Nutrition Guidelines

The Board recognizes that healthy eating patterns are essential for students to achieve their academic potential, full physical and mental growth, and life-long health and well-being. The link between nutrition and learning is well-documented. Healthy eating is demonstrably linked to reduced risk for mortality and development of many chronic diseases as adults. Schools should encourage students and staff members to establish and maintain life-long healthy eating patterns. Well-planned and well-implemented school nutrition programs have been shown to positively influence students' eating habits.

### A. The School Breakfast/Lunch Programs

The Board believes that NFA's nutrition and food services operation should be financially self-supporting and is an essential educational support activity. In compliance with federal law, including the Child Nutrition Act, NFA's "NSLP" and "SBP" shall be nonprofit. Services provided under the NSLP, including the Afterschool Snack Program, and the SBP will comply with all the federal requirements for program operation. School breakfast and lunch is available at both campuses (Broadway and Sachem). Menu support, promote and reinforce the USDA Dietary Guidelines for Americans, encouraging increased consumption of nutrient-dense foods and beverages, such as fresh fruits, vegetables, whole grains and low fat and nonfat dairy products, (only 1% or lower fat milk will be sold) while limiting levels of cholesterol, fat, saturated fat, trans fat, sodium and added sugars. Food service staff and customer (student, school staff and parent) feedback is considered in the planning of appealing, varied, nutritious, high quality meals that encourage increased participation in the reimbursable breakfast and lunch programs offered and discourage the purchase of à la carte and vended foods. Food service management and cafeteria staff are active members of school food service and nutrition professional organizations and participate in activities that promote professional growth and development, and are based upon current nutrition science and national health recommendations. The school's food

service manager and cafeteria managers shall, at a minimum, be certified in food safety and sanitation. In addition, all cafeteria staff are formally trained in Hazard Analysis and Critical Control Points (HACCP), food safety and sanitation requirements, and prepare a variety of nutritious foods daily. Foods are purchased and/or prepared utilizing low-fat methods allowing for maximum nutrient retention, such as baking and steaming, promoting good health and nutrition. In addition, dietary needs are accommodated. All foods served meet or exceed minimum nutrition standards set by the USDA and federal and state statute and regulations, including those for the NSLP and SBP. Breakfast and lunch menus will be posted on the school website. Child Nutrition Program Information and application materials for the subsidized lunch program will be posted to the school website. The Food Service Program will incorporate the Farm to School initiative, providing locally grown fresh foods in the breakfast and lunch menus. The Food Service Program will also utilize produce grown in school gardens.

#### B. Cafeteria Environment

Parents will be encouraged to supply their children with naturally nutrient-rich foods and beverages such as fruits, vegetables, whole grains, low-fat dairy, lean meats, legumes, nuts and seeds. Soda brought from home is strongly discouraged. All foods sold to students separately from school meals must meet the Connecticut Nutrition Standards, and all beverages sold to students on school premises must meet the requirements of state law and regulations. Students will be provided with a clean, pleasant, and safe environment for eating meals, which will include convenient access to hand-washing facilities and free, safe and fresh drinking water. In accordance with state law, a minimum of twenty minutes will be allowed for lunch; between the hours of 10:00 a.m. and 2:00 p.m. Cafeterias will serve as an additional source of nutrition education, using posters and signage free of brands and illustrations of unhealthful foods, to promote good nutrition and food choices.

#### C. Fundraising

All fundraising projects involving the sale of food and beverages to students on school premises are required to follow the USDA Smart Snacks in Schools nutrition standards, the Connecticut Nutrition Standards, and beverage requirements of state statute and regulations at all times, unless they are sold to students at the location of an event that occurs after the school day or on the weekend, provided the sale is not from a vending machine or a school store.

A healthy school environment should not be sacrificed because of a dependence on revenue from high-added fat, high-added sugar and low-nutrient foods to support school programs. Nutrient rich food items will be encouraged as products sold for fundraising projects. The sale of nonfood items is strongly encouraged to be used for fundraisers.

Organizations operating concessions at events that occur after the school day or on the weekend will offer water, and a minimum of, but not limited to, one fruit and/or vegetable option for purchase. It is recommended that these healthier choices be marketed

and sold at a lower profit margin to encourage student selection. The display and advertising of foods with minimal nutritional value is strongly discouraged.

#### D. Nutrition Practices in Classroom

Healthy snacks such as those satisfying the Connecticut Nutrition Standards or the USDA Smart Snacks in School nutrition standards limiting portion size, total fat, saturated fat, and grams of added sugar are strongly encouraged. NFA demonstrates a commitment to improving student nutrition, and strongly discourages the use of food items as part of a student incentive program. Nonfood alternatives are strongly encouraged for classroom celebrations. Should a classroom celebration use food items, adherence to guidance issued in compliance with the Connecticut Nutrition Standards or the USDA Smart Snacks in School nutrition standards is strongly encouraged.

#### E. Parent/Guardian Information

Food services will provide families with the ability to monitor their students' food purchases. Nutrition information for school breakfast and lunch menu items is available upon request of the Food Service Program and on the school website. Nutrition information for á la carte, vended items, and items sold by school stores, all meeting the Connecticut Nutrition Standards, may be accessed on the Food Service Program's website. Wherever possible, other nutritional information will be provided to parents on healthy snack, breakfast and lunch ideas, nonfood birthday celebration ideas, calcium needs of children, healthy portion sizes, food label reading guidelines, and fun activities to encourage physical activity outside of school.

#### F. Faculty Information

Wherever possible, nutritional information will be made available to staff members through a variety of means such as in-service training, publications, curriculum and publications which will include, but not be limited to, alternative birthday celebrations, activities to increase physical activity in the classroom, healthy snacks, alternative non-food reward options.

#### G. Nutrition Education

Nutrition education topics shall be integrated within the health education program and be consistent with the State of Connecticut's health education standards/guidelines/framework. Educational materials will be free of brands and illustrations of unhealthful foods. Nutrition education shall be designed to help students learn:

□ nutritional knowledge, including but not limited to, the benefits of healthy eating, essential nutrients, nutritional deficiencies, principles of healthy weight management, the use and misuse of dietary supplements, and safe food preparation, handling and storage;

□ nutrition-related skills, including but not limited to, planning a healthy meal, understanding and using food labels, and critically evaluating nutritional information, misinformation, and commercial food advertising; and

□ how to assess one's personal eating habits, set goals for improvement and achieve these goals.

Nutrition education will be supported and supplemented whenever possible by NFA's Medical Center. Nutrition education topics shall be integrated with the health education program and be consistent with the State of Connecticut's health education standards/guidelines/framework and the Connecticut State Department of Education's Guidelines for a Coordinated Approach to School Health. Nutrition education shall be based on current science, research and national guidelines, including the use of USDA Team Nutrition materials, MyPlate, and the most current Dietary Guidelines for Americans. Nutrition education shall be standards-based using the Connecticut State Department of Education's Healthy and Balanced Living Curriculum Framework and other applicable evidence-based strategies and techniques. Nutrition education shall be part of comprehensive school health education and shall also be included, where feasible, into the classroom content across areas such as science, language arts, family and consumer science, and cooking. Staff members responsible for nutrition education shall be adequately prepared and participate in professional development.

### III. Physical Education Guidelines

A. The Norwich Free Academy's Physical Education Program develops the psychomotor, cognitive, and affective domain of students in grades 9 to 12. Students develop their psychomotor domain through instruction and practice of the skills necessary to be competent in a variety of physical activities. Psychomotor assessments are completed during each unit to measure competency of students. The cognitive domain of the students is developed through problem solving activities and self, as well as peer, assessment of skills. In order to develop their affective domain, students are encouraged by their teachers and classmates to succeed and to view physical activity as being pleasurable. Teachers may assess the accomplishment of this domain through observation and discussions with the class. Students in grade 10 participate in the Connecticut State Fitness Test in order to measure their level of fitness in the areas of flexibility, cardiovascular endurance, and muscular strength and endurance. Lessons are designed to provide appropriate scope and sequence for all activities, and modifications are made in order to include all students. Class size is sufficient to insure appropriate instruction and feedback opportunities. Daily equipment and facility inspection, along with modifications of rules, ensure a safe learning environment. Repairs are made to the facility and equipment is replaced when a danger exists. Rules to games may be modified in order to prevent injuries based on class size, ability of students, or condition of a facility. Students are encouraged to assist one another in order to create an emotionally safe environment. Teachers are offered in-service training in order to increase their knowledge in the area of physical education. The high school physical education curriculum is provided to students grades 9 through 12 in semester blocks. High school

students are required to complete 1 full credit of physical education. The high school physical education curriculum has a focus on fitness and lifetime activities. During fitness activities, students are engaged for the majority of the class in vigorous physical activity. Other units allow for 1/3 of the class time for vigorous activity during a warm-up at the beginning of class.

## B. Other Opportunities for Physical Activity

### 1. Passing Time

Passing Time provides opportunities for students to walk between buildings on campus, which helps students stay alert and attentive in class and provides other educational and social benefits.

### 2. School Initiatives

Administrators and teachers are encouraged to find other ways for students to be physically active during the school day or through a school sponsored activity. Examples include the Fitness Incentive Time during the last lunch wave.

### 3. Extracurricular Activities

The Norwich Free Academy offers a variety of interscholastic sports for both boys and girls in each sports season. The high school offers fitness activities such as cardio and weight training. Student clubs that meet during the school day or as an extension of the school day which require physical activity are also available to the students. NFA will seek expansion of these opportunities through additional sports offerings, student clubs and intramurals.

### 4. School/Community Collaboration

The Norwich Free Academy shall work with the Norwich Recreation Department and other community organizations to coordinate and enhance opportunities available to students and staff members for physical activity during their out-of-school time. Students and staff are encouraged to participate in physical activities outside of school and are made aware through instruction or assignments as to where and when they can get involved in these activities.

## IV. MONITORING AND EVALUATION

The Head of School or designee will invite suggestions and comments concerning the implementation and improvement of the school wellness policy from community members, including parents, students, and representatives of the school food authority, the school board, school administrators, and the public.

### A. A school-wide Wellness Committee shall be established

The Wellness Committee will monitor the implementation of the school's Wellness Policy and its nutrition and physical activity components through the Head of School or his/her designee. The Head of School or designee shall ensure compliance with established school-wide nutrition and physical activity policies. The Head of School shall ensure compliance with these policies at NFA.

The Wellness Committee comprised of community members, including parents, students and representatives of the school food authority, Board members, and school administrators shall meet a minimum of twice per school year to review nutrition and physical activity policies, evidence on student health impact, and effective programs and program elements. The committee shall prepare a report annually for the Head of School and the Board, evaluating the implementation of the policy and regulations and include any recommended changes or revisions.

#### B. Annual Progress Report

In accordance with federal and state law and applicable regulations, the Board will inform and update the public (including parents, students and others in the community) about the content and implementation of its wellness policy through an annual Progress Report. The Progress Report shall include the website address for this policy, a description of each school's progress in meeting the local school wellness goals, a summary of each school's events or activities related to the implementation of this wellness policy, the name of the individual responsible for coordinating the Wellness Committee and information on how individuals may become involved with the school Wellness Committee.

#### C. Triennial Assessment

At least once every three years, the Board will measure and make available to the public an assessment on the implementation of the wellness policy. In this triennial assessment, the Board will indicate the extent to which NFA is in compliance with the wellness policy, and how the Board's wellness policy compares with model school wellness policies. In addition, the triennial assessment will provide a description of the progress made in attaining the goals of the wellness policy.

#### D. Recordkeeping

The school will retain records to document compliance with the requirements of the wellness policy at the schools Administrative Offices. Documentation maintained in this location will include but will not be limited to:

- The written wellness policy<sup>7</sup>
- Documentation demonstrating that the policy has been made available to the public<sup>7</sup>
- Documentation of efforts to review and update the school's wellness policy, including an indication of who is involved in the update and

methods the school uses to make stakeholders aware of their ability to participate on the District Wellness Committee<sup>7</sup>

- Documentation to demonstrate compliance with the annual public notification requirements<sup>7</sup>
- The most recent assessment on the implementation of the local school wellness policy<sup>7</sup> and
- Documentation demonstrating that the most recent assessment on the implementation of the school's wellness policy has been made available to the public.

#### LEGAL REFERENCES:

Connecticut General Statutes:

§ 10-215f Certification that food meets nutrition standards.

§ 10-221o Lunch periods. Recess.

§ 10-221p Boards to make available for purchase nutritious and low-fat foods.

§ 10-221q Sale of beverages.

Public Act 16-37, An Act Concerning Connecticut's Farm to School Program

Public Act 16-132, An Act Establishing a Red Ribbon Pass Program

Federal Law

Pub. L. 108-265, § 204, codified at 42 U.S.C. § 1751

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

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

Policy Adopted: May 18, 2010

Policy Revised: May 16, 2017

## POLICY #6146

### NORWICH FREE ACADEMY GRADUATION REQUIREMENTS POLICY

Graduation from The Norwich Free Academy indicates that students have satisfactorily completed a prescribed course of study in accordance with their respective abilities to achieve, that they have satisfactorily met standards established by the faculty and administration, and that they have fulfilled at least the mandated minimum number and distribution of credits as established by law and the Board of Trustees. The Board of Trustees policy for graduation requirements meets the requirements set forth in State regulations addressing credits needed for graduation from high school.

#### Requirements

The Board of Trustees has established that a minimum of twenty-three (23) credits in the following distribution is required for graduation from The Norwich Free Academy:

#### Class of 2022

Subject	Credits
English	4
Mathematics	3
Social Studies <i>Must include 1 in US History and .5 in Civics</i>	3
Science	3
World Language	1
Physical Education	1
Arts or Vocational Education	1
Electives	7
<b>TOTAL Credits Required</b>	<b>23</b>

#### Class of 2023 and Beyond

Humanities	9 Total Credits
English	4
Social Studies <i>Must include 1 US History and .5 in Civics</i>	3
Humanities Elective	2

STEM <i>Science, Technology, Engineering, Math</i>	9 Total Credits
Math	3
Science	3
STEM Electives	3

Other Areas	Credits
<b>World Language</b>	1
<b>Wellness</b>	1
<i>Physical Education</i>	
<i>Health and Safety</i>	1
<b>Mastery Based Diploma Assessment*</b>	1
<b>Electives</b>	3
<b>TOTAL Credits Required</b>	<b>25</b>

*"\*The Mastery Based Diploma Credit is described by the CT State Department of Education as (1) credit "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, course 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."*

A credit or the equivalent is defined in the Connecticut General Statutes.

Only courses taken in grades nine through twelve, inclusive, shall satisfy The Norwich Free Academy graduation requirements except those courses as defined in the Policy for Alternative Credit and the Policy for Homebound Instruction. If all or a portion of the physical education credit requirement is not earned due to an acceptable documented medical excuse, the total credit needed for graduation shall be earned in other subject areas. Moreover, a minimum of two (2) credits must be earned at The Norwich Free Academy to satisfy graduation requirements and the graduating student must be enrolled at The Norwich Free Academy at the time of graduation.

#### Early Graduation

The experiences at The Norwich Free Academy are designed to develop the intellect, engage and employ the interest, and instill a passion for learning so that students may become productive and responsible. Completion of the requirements for graduation reflects minimum standards and does not necessarily signify the conclusion of the high school experience. However, early graduation from The Norwich Free Academy may be permitted under certain circumstances at the sole discretion of the Superintendent/Head of School. The Superintendent/Head of School may consider specific criteria in a request for early graduation, determined on a case-by-case basis, including but not limited to the following:

- Successful completion of all requirements for graduation from The Norwich Free Academy.
- A minimum of twelve (12) credits earned at The Norwich Free Academy.
- A minimum of four (4) semesters enrolled at The Norwich Free Academy.
- A minimum grade point average of 2.75 (B-) or evidence of an earned grade point average commensurate with ability.
- Documentation of acceptance to a two or four year college or university program or;
- Documentation of acceptance to a post-secondary training program or;
- Documentation of acceptance to the United States Armed Forces.
- Evidence of social and academic readiness for post-secondary education or training.

### Commencement Ceremonies

Participation in The Norwich Free Academy commencement ceremonies is a student privilege that is earned by meeting academic, social, and behavioral standards. Students may be denied the privilege of participation in commencement ceremonies for reasons including but not limited to the following:

- Failure to earn a minimum of four credits during the senior year.
- Failure to pass the equivalent of four full credit courses in the second semester of the senior year.
- Violation of the policies and practices of The Norwich Free Academy including those published in the Pilot, The Norwich Free Academy Student Handbook.
- Violation of standards of behavior that may be considered by The Norwich Free Academy as seriously disruptive of the educational process or endangers persons or property.

The Norwich Free Academy commencement ceremony shall be scheduled in accordance with state statutes as amended from time to time.

### Awarding The Norwich Free Academy Diploma

The Norwich Free Academy offers a standard diploma and three honors diplomas to its graduates. Students must meet all established graduation requirements and earn the following GPA in all courses taken in grades 9-12:

Standard Diploma	Below 3.33 GPA
Honors Diploma	3.33 – 3.49 GPA
High Honors Diploma	3.50 – 3.65 GPA
Highest Honors Diploma	3.66 GPA and above

Transfer grades from other schools shall be evaluated by the Director of Guidance in accordance with established criteria to determine which grades, if any, will be included in the student's GPA. Students must earn minimum of six credits at the Academy to qualify for an honors (Honors, High Honors, and Highest Honors) diploma.

Students who complete all graduation requirements shall receive a diploma at the June commencement. Students who have completed all graduation requirements but were denied participation in the June commencement will receive their diploma at The Academy, or by certified mail, during the weeks following the June commencement.

Students may satisfy deficient credit requirements for graduation in the following ways, including, but not limited to, successful completion of summer school, successful completion of an approved tutorial program at parent expense, and/or application to the sending school district for an additional semester(s) at The Norwich Free Academy.

The Norwich Free Academy may award the high school diploma, on a case-by-case basis, to individuals who withdrew from school to join the Armed Forces providing the individual was honorably discharged from the United States Armed Forces after a minimum of ninety days of active service during World War II.

### Exceptions

Exceptions to this policy, excluding the number and distribution of credit requirements for

graduation, may be made by the Superintendent/Head of School or designee on the basis of supporting physical, psychological, and/or educational evidence. If a special education student is being considered for an exemption to the graduation requirements policy a Planning and Placement Team, including a representative from The Norwich Free Academy, shall be convened by the sending town.

Legal Reference: Connecticut General Statutes  
10-221a. High School Graduation Requirements  
10-16(l). Graduation exercises  
10-14n. Statewide Mastery Examination  
10-233a. Promotion and Graduation Policies.

See Also: The Norwich Free Academy Policy For Alternative Credit  
The Norwich Free Academy Policy For Homebound Instruction  
The Norwich Free Academy Policy For Home Schooling

Policy Adopted: May 15, 2001  
Policy Revised: September 17, 2002  
January 20, 2004  
April 22, 2008  
November 17, 2009  
July 17, 2014  
February 16, 2021

**POLICY # 6146.1**

**NORWICH FREE ACADEMY  
GRADING AND ASSESSMENT SYSTEMS POLICY**

Grading and Assessment Systems

Grading at the Academy is based upon the 4.0 grade point average (GPA) system. The quality point scale for grades is as follows:

A	4.0	C	2.0
A-	3.66	C-	1.66
B+	3.33	D+	1.33
B	3.0	D	1.0
B-	2.66	D-	0.66
C+	2.33	F	0.0

The Norwich Free Academy believes that the classroom teacher can make the best assessment of student progress and achievement. The unique relationship fostered between student and teacher makes possible an honest and accurate appraisal of the educational experience enjoyed by the student through a marking period, semester, or year. Every classroom teacher shall maintain an evaluation record for each student in the teacher's classes. The teacher's assessment includes, but is not limited to, student achievement, effort, classroom participation, satisfaction of course requirements, and attendance.

The highest possible level of student achievement is a common goal of both home and school. Regular communication with parents/guardians, utilizing a variety of means, regarding the academic performance of their child is essential to the accomplishment of this common goal. Report cards, progress reports, conferences, and other communication vehicles help to promote a process of continuous evaluation of student performance. It is the intention of the school and individual staff members to keep parents/guardians well informed.

A prompt referral shall be made to a Planning and Placement Team by the Student Study Team or by staff of all children whose progress in school is considered unsatisfactory or at a marginal level of acceptance in accordance with the requirement of RCSA Section 10-76d-7.

The administration shall publish a system of grading, awarding credit, establish requirements for promotion, and develop methods for reporting school achievement to parents/guardians and students. These systems and methods are subject to the approval of the Superintendent/Head of School.

Weighted Grades

The curriculum of The Norwich Free Academy contains a wide variety of courses at various levels of academic challenge. Students are allowed considerable choice and encouraged to explore various interests while striving for academic excellence. A system of grade weighting recognizes course differences and rewards students for selecting courses at more challenging

levels of difficulty.

Grading at the Academy is based upon the 4.0 GPA system. A weighted factor of 1.2 is used for all courses designated as Advanced Placement and University of Connecticut Cooperative classes. A weighted factor of 1.1 is used for all courses designated as Honors. All other courses use a weighted factor of 1 (one).

### Honor Roll

Honor roll designations are based upon semester GPA as follows:

Honors	3.33 – 3.49 GPA
High honors	3.50-3.65 GPA
Highest honors	3.66 GPA and above

Transfer grades from other schools shall be evaluated by the Director of Guidance in accordance with established criteria to determine which grades will be included in the student's GPA.

Parents and students shall be advised of this policy and other requirements through The Catalogue of The Norwich Free Academy and/or The Pilot, The Norwich Free Academy Student Handbook.

Legal Reference:	Connecticut General Statutes
Policy Adopted:	January 20, 2004
Policy Revised:	May 22, 2007
	April 22, 2008

## **POLICY #6153/6153.1**

### **NORWICH FREE ACADEMY STUDENT TRIP POLICY**

#### Field Trips

To the extent the budgetary resources permit and as otherwise consistent with Board of Trustee policies and educational mission, the Norwich Free Academy Board of Trustees and Administration and Faculty encourage planned student visits to places outside the regular classroom for the purpose of providing firsthand knowledge, stimulating the imagination, and encouraging further reading and investigation. The school staff, under the direction of the administration, shall take all reasonable and prudent steps to safeguard the physical and educational welfare of participating students.

Field trips must be planned and conducted in accordance with administrative guidelines which will include provisions for notifying parents in advance of the details of proposed trips and ensuring the adequate supervision of students who participate.

All field trips that return to campus the same day they depart must be approved in advance by the academic department head and the administrator whose responsibility it is to do so. Field trips with an overnight component must be approved at least one month in advance by the Superintendent/ Head of School who, in turn, will provide this information to the Board of Trustees. Field trips outside of the country must be approved at least one month in advance by the Board of Trustees.

Except in cases where the Board of Trustees vote to provide funds for students who might be excluded from participation due to financial constraints, the cost of any such trip shall be borne by those students participating on a pro-ratio basis.

Any outside, for profit agency, such as a travel agency, must be approved by the Superintendent/ Head of School before they are allowed to solicit or advertise on campus and must be acting as the agent for a recognized school organization, i.e. the French Club.

#### Recreational Trips

The Board of Trustees recognizes the value of student excursions designed to provide a healthy recreational experience on non-school time or a memorable culminating activity for high school seniors.

Recreational trips must be planned and conducted in accordance with administrative guidelines which will include provisions for notifying parents of the details of proposed trips and ensuring the adequate supervision of students who participate.

All recreational trips must be approved at least one month in advance by the Board of Trustees.

Any outside, for profit agency, such as a travel agency must be approved by the Superintendent/Head of School before they are allowed to solicit or advertise on campus and must be acting as the agent for a recognized school organization, i.e. the Outing Club.

### Field Trips

1. The following procedures are to be followed for any field trip involving students in a school related or sponsored activity:
2. All trips must be carefully planned and approved by the appropriate person well in advance.
3. Whenever five or more persons are involved, transportation must be by a properly insured public carrier (i.e., school bus, train, etc.).
4. Parents/guardians are to be informed before the trip as to its details, including but not limited to, purpose, possible cost, timing, etc.
5. Although parents/guardians may not be able to waive the rights of their children as per liability claims, they are to be asked for written permission for their children to participate in the trip. In some cases this might be blanket permission for a season (i.e., athletics) but in any case it should be received prior to any travel.
6. All trips must be under the constant, direct supervision of a Norwich Free Academy employee as designated by the Superintendent/Head of School as "trip leader". The chaperone/student ratio should not be less than 1:20.

### Overnight Trips

1. The category includes all trips extending beyond one school day.
2. Prior to discussion with students, any teacher wishing to take a group on an extended trip shall first clear with the administration and the Superintendent/Head of School and have the following available:
  - a. Tentative itinerary and timetable
  - b. Cost per student
  - c. Reliability of the agency sponsoring trip
  - d. Anticipated numbers and qualifications of chaperones
  - e. Anticipated numbers of students to go
  - f. Reason and purpose of trip
  - g. Proposed means of obtaining financing for the trip
  - h. Proper liability and accident insurance to cover participants must be determined as sufficient by the administration.
3. The following guidelines will be used in approving or not approving the trip and deciding upon financial support if requested:
  - a. The educational value of the trip and its relationship to the curriculum and school goals will be the major criteria for approval.

- b. The trip is not to be taken for profit by the staff member(s) involved. (This does not preclude an agency's paying travel and admission expenses for the chaperone.)
- c. Excessive class time should not be lost because of the trip.
- d. Sponsors of trips, including travel agencies, should carry sufficient insurance, as suggested by the Board's insurance agent, to be fully covered against liability or accident claims. The Board of Trustees shall be held "save harmless" by the sponsor.
- e. In foreign language classes, out-of-the-country trips generally will be for students taking that language.
- f. The parents and students must be willing to assume all costs on a pro-rated basis.
- g. Method of raising funds by the organization and proposed budget must be approved in advance by the administration.

Policy Adopted: December 8, 1992  
Policy Revised: April 22, 2008

## **POLICY #6154**

### **NORWICH FREE ACADEMY HOMEWORK POLICY**

The Norwich Free Academy recognizes homework as an integral part of the learning process, and a vital component of class work. Further, the Norwich Free Academy recognizes that satisfactory completion of homework assignments is positively associated with student learning and is an important factor in student achievement. Additionally, the Academy believes that quiet, reflective time outside of the classroom, ideally coupled with parental involvement at home, can help all students reach their full potential.

The intent of this policy is to ensure, through administrative guidelines, that all classrooms will serve as primary instructional centers where faculty will use allotted class times to the fullest to achieve curriculum objectives and goals.

Teachers will develop, in conjunction with their Heads of Department and the administration, homework guidelines specific to their curriculum. It is the responsibility of the teachers to inform their students of these expectations.

Legal Reference	Connecticut General Statutes 10-221(b). Boards of Education to prescribe rules, policies and procedures.
Policy Adopted:	August 11, 1993
Policy Revised:	May 22, 2007

## **POLICY #6161(a)(b)**

### **NORWICH FREE ACADEMY SELECTION OF TEXTBOOKS, EQUIPMENT AND MATERIALS POLICY**

The Norwich Free Academy recognizes that appropriate texts, library reference facilities, maps and globes, laboratory equipment, audiovisual equipment, art supplies, athletic equipment, current periodicals, tests and questionnaires, and similar materials are the tools of the teaching profession. The teaching staff will serve on curriculum committees and consult with the administration for the purpose of recommending improvements in curriculum and materials.

#### Instruction - Equipment, Books, Materials: Provision/Selection

It is the policy of Norwich Free Academy to provide educational materials and equipment that support and enrich the curriculum and further the achievement of the district's instruction goals.

The review and selection of basic textbooks (the book or set of instructional materials that serve as the foundation for more than fifty per cent of the course content shall be considered the basic textbook, referred to simply as "textbooks") will be carried on continuously through curriculum committees comprised of professionals with administrative consult in order to keep up with the great expansion of knowledge and the rapid changes going on in our world today.

Where applicable, all textbooks should present balanced views concerning the international, national and local issues and problems of the past, present, and future. Textbooks should:

1. Provide materials to stimulate growth in factual knowledge, literary appreciation, aesthetic and ethical values.
2. Provide materials that will help students develop abilities in critical reading and thinking.
3. Provide materials that will develop and foster an appreciation of cultural diversity and development in the United States and throughout the world.
4. Provide for all students an effective basic education that does not discriminate on the basis of race, age, color, religion, national origin, sex, or physical disabilities or other protected class status.
5. Allow sufficient flexibility for meeting the special needs of individual students and groups of students.

The administration will develop and review administrative rules, outlining a procedure to select textbooks which meet the preceding criteria. This process will include:

1. analysis, evaluation and recommendation by professional staff and
2. the opportunity for interested citizens in the towns served by the Academy to review recommended textbooks.

### Instruction - Evaluation of Instructional Materials

The purpose of this policy is to provide consistent, systematic standards for evaluating instructional materials proposed for use in Norwich Free Academy to ensure compliance with Connecticut General Statutes and with the regulations of the State Board of Education.

### Limitations

It may be appropriate to require a pictorial or textual item to conform to these guidelines, for example in reprinting a story by a well-known author or in a painting by an artist which makes an important contribution to a particular instructional material. In such a situation, however, discussion material should be included indicating that, for example, a particular attitude toward women or minority groups was prevalent during a certain period in history, and how and why that attitude has changed.

When examining material for adverse reflection on race, creed, sex, etc., the evaluators should make a qualitative judgment with respect to stories or articles having an historical perspective. Any description, depiction, inference, label or retort found to be, by itself, an adverse reflection should not be judged out of context. Rather, the story or article should be examined for appropriate explanations, discussion or other devices included therein, or immediately attached thereto, which may overcome the impact of such offending words or pictures. The instructional material should be rejected only if, on a total basis, the story or article would, in the mind of an average student for whom the material is intended, reflect adversely upon a person because of his or her race, color, creed, national origin, ancestry, sex or occupation.

### Materials in a Series

When evaluating instructional materials which are designed to be used as a graded, nongraded or multigraded series, each component thereof shall be judged individually for compliance and without regard to the content of any other component. However, a group or sequence of materials which is designed for use exclusively within a particular single grade shall be judged on a total basis for compliance concerning adverse reflections of one's race, creed, sex, etc. For example, if a package of three different books is designed to be used as ninth grade readers and a student is expected to complete all books in that school year, any portrayal deficiencies found in one book may be balanced against any exemplary portrayal in another book. However, each of the three books must be judged separately for compliance with the adverse reflection prohibitions.

### Specific Criteria for Evaluation of Instructional Materials

#### *Male and Female Roles*

1. To encourage the individual development and self-esteem of each child, regardless of gender, instructional materials, when they portray people (or) animals having identifiable human attributes), shall portray women and men, girls and boys, in a wide variety of occupational, emotional, and behavioral situations, presenting both sexes in the full range of their human potential.
2. Descriptions, depiction, inferences, labels or retorts which tend to demean, stereotype, or patronize must not appear.

3. Instructional materials that generally or incidentally reflect contemporary American society, regardless of the subject area, must contain references to, or illustrations of, males and females.
4. Mentally and physically active, creative, problem-solving roles, and success and failure in those roles, should be shared similarly between male and female characters.
5. Traditional activities engaged in by characters of one sex should be balanced by the presentation of nontraditional activities for characters of that sex.
6. If professional executive roles, or vocations, trades or other gainful occupations are portrayed, men and women should be represented approximately equally.
7. Where life-style choices are discussed, boys and girls should be offered an equally wide range of such aspirations and choices.
8. Whenever material presents developments in history or current events, or achievements in art, science, or any other field, the contributions of women should be included and discussed when historically accurate.
9. Imbalance or inequality of any kind, when presented for historical accuracy, should, in the student edition of the instructional material, be interpreted in light of contemporary standards and circumstances.
10. Sexually neutral language - for example, "people", "persons", "men and women", "pioneers", "they", should generally be used.

#### *Ethnic and Cultural Groups*

To project the cultural diversity of our society, instill in each child a sense of pride in his or her heritage, eradicate the seeds of prejudice, and encourage the individual development of each child, instructional materials, when portraying people (or animals having identifiable human attributes), shall include a fair representation of majority and minority group characters portrayed in a wide variety of occupational and behavioral roles, and present the contributions of ethnic and cultural groups.

1. Descriptions, depictions, inferences or labels which tend to demean, stereotype, or patronize minority groups must not appear.
2. When diverse ethnic or cultural groups are portrayed, such portrayal should not depict differences in customs or life-style as undesirable and should not reflect an adverse value judgment of such difference.
3. Instructional materials that generally or incidentally reflect contemporary American society, regardless of the subject area, should contain references to, or illustrations of, a fair proportion of diverse ethnic groups.
4. Mentally active, creative, and problem-solving roles, and success and failure in those roles, should be divided in fair proportion between majority and minority group characters.

5. The portrayal of minority characters in roles to which they have been traditionally restricted by society should be balanced by the presentation of nontraditional activities for characters of that race.
6. Minority persons should be depicted in the same range of socioeconomic settings as persons of the majority group.
7. Depiction of diverse ethnic and cultural groups should not be limited to the root culture, but rather expanded to include such groups within the mainstream of American life.
8. If professional or executive roles, or vocations, trades or other gainful occupations are portrayed, majority and minority groups should be presented therein in fair proportion.
9. Whenever developments in history or current events, or achievements in art, science, or any other field are presented, the contributions of minority peoples, and particularly the identification of prominent minority persons should be included and discussed when historically accurate.
10. Imbalance or inequality of any kind, when presented for historical accuracy, should, in the student edition of the instructional materials, be interpreted in light of contemporary standards and circumstances.

#### *Management and Labor*

1. References or labels which tend to demean, stereotype, or patronize an occupation, vocation, or livelihood should not appear.
2. Where appropriate, reference should be made to the role and contribution of the entrepreneur in the total development of Connecticut and the United States, and any such reference should be accurate.
3. Where appropriate, reference should be made to the role and contribution of labor in the total development of Connecticut and the United States, and any such reference should be accurate.

#### *Ecology and Environment*

1. Responsibilities of human beings toward a healthy, sanitary environment are appropriately portrayed.
2. Wide use of resources, both human and physical, is actively encouraged.
3. Interdependence of people and their environment is portrayed.
4. The effects of solutions to environmental problems are identified.
5. Appropriate means of protecting the environment are suggested.

#### *Dangerous Substances*

1. The hazards of the use of tobacco, alcohol, narcotics, and restricted dangerous drugs are depicted in illustrations or discussion where references to these substances are included in instructional materials.
2. The use of tobacco, alcohol, narcotics, or restricted dangerous drugs is not glamorized or encouraged by illustrations or discussion references.

### *Religion*

1. No religious belief or practice shall be held up to ridicule nor any religious group portrayed as inferior or superior.
2. Portrayals of contemporary American society should, where religion is discussed or depicted, reflect its religious diversity. Except where material deals with a particular historical era, materials in art and music, where religious aspects thereof are depicted, reflect the religious diversity of contemporary American society.
3. Any explanation or description of a religious belief or practice shall be presented in a manner which neither encourages nor discourages belief in the matter, nor indoctrinates the student in any particular religious belief, nor otherwise instructs students in religious principles.

### *Brand Names*

Instructional materials shall not contain illustrations of any identifiable commercial brand names, representations or corporate logos unless such illustrations are necessary to the educational purpose of the instructional material and that purpose cannot be achieved without using such illustrations, or unless such illustrations are incidental to a scene of a general nature. If, under these exceptions, a brand name, representation or corporate logo is illustrated, prominence shall not be given to any one brand or corporation unless, in turn, such illustration is necessary to the educational purpose of instructional material and that purpose cannot be achieved without using such illustration.

### *Food*

When instructional materials contain illustrations of foods, there shall be an emphasis on foods of high nutritive value.

Legal Reference: Connecticut General Statutes  
10-221 Boards of education to prescribe rules.  
10-228 Free Textbooks, supplies, materials and equipment.  
10-220 Change of Textbooks.  
President's Council, District 25 v. Community School Board No. 25,  
457 F. 2d. 289 (1972), cert. denied Nov. 1972  
  
Minarcini v. Strongsville City School District, 541 F. 2d. 577 (6th Cir.  
1976)  
Island Trees Union Free School District Board of Education v. Pico,

457 US 853 (1982)

Academic Freedom Policy (adopted by Connecticut State Board of  
Education, 9/9/81)

Policy Adopted:

May 12, 1993

Policy Revised:

April 21, 2009

## **POLICY #6162.51**

### **NORWICH FREE ACADEMY STUDENT PRIVACY (SURVEYS OF STUDENTS) POLICY**

Surveys can be a valuable resource for schools and communities in determining student needs for educational services. When a survey is used, every effort should be made to ask questions in a neutral manner to ensure the accuracy of the survey.

Administrators, teachers, other staff members and the Board of Trustees may use surveys for many purposes. Such purposes may include, but are not limited to, the need for student services, the determination of prevailing views pertaining to proposed policies and/or practices, or the determination of student knowledge and/or attitudes related to a specific subject or unit. These are examples of surveys and not intended to be an all-inclusive listing. Administrative approval is required for surveys. Responses will not be used in any identifying manner. Parents shall have the right to inspect all instructional material that will be used for a survey, analysis, or evaluation as part of a federal program.

The Superintendent/Head of School or designee must approve all surveys that include reference to any of the factors listed below. In addition, no student may, without parental consent, participate in a survey, analysis, or evaluation that reveals information concerning:

1. Political affiliations or beliefs of the student or the student's parents;
2. Mental or psychological problems of the student or the student's family;
3. Sexual behavior and attitudes;
4. Illegal, anti-social, self-incriminating and demeaning behavior;
5. Critical appraisals of other individuals with whom respondents have close family relationships;
6. Legally recognized privileged or analogous relationships; such as those of lawyers, physicians and ministers;
7. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program); or
8. Religious practices, affiliations or beliefs of the student or the student's parent.

Surveys conducted for other agencies, organizations or individuals must have the recommendation of the Superintendent/Head of School or designee as to content and purpose. The results of such approved surveys must be shared with the Board of Trustees.

Parents/guardians shall have the right to inspect, upon their request, a survey created by a third party before the survey is administered or distributed by a school to a student. Such requests shall be made in writing with a response to be at least two weeks in advance of any survey to be given.

Overall survey results following decisions must be shared with all parties who request such information.

Parents/guardians shall be notified at least annually, at the beginning of the school year, of this policy and when enrolling students for the first time. This notification shall explain that

parents/guardians, or students 18 or older, have the right to “opt the student out of participation,” in writing, in the following activities:

1. The collection, disclosure and use of personal information gathered from students for the purpose of marketing or selling the information. This does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to students, such as:
  - a. College or other post-secondary education recruitment, or military recruitment;
  - b. Book clubs, magazines and programs providing access to low-cost literary products;
  - c. Curriculum and instructional materials used in schools;
  - d. Tests and assessments;
  - e. Student recognition programs; and
  - f. The sale by students of products or services to raise funds for school-related activities;
2. The administration of any survey that delves into the restricted sensitive subject areas identified and listed above, or
3. The administration of any non-emergency, invasive physical examination or screening that is required as a condition of attendance, administered by the school not necessary to protect the immediate health of safety or other students and not otherwise permitted or required by state law.

NOTE: The term “invasive physical examination” means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.

The term “personal information” means individually identifiable information including a student’s or parent’s name, address, telephone number, or social security number.

NOTE: The term “instructional material” means instructional content that is provided to a student, regardless of format. It does not include tests or academic assessments.

Legal Reference: P.L. 103-227 Section 1017 (which amends Section 439 of the General Education Provisions Act)  
P.L. 107-110 (HR 1 – “Leave No Child Behind”) 1061/1062 –  
Student Privacy, Parental Access to Information, and  
Administration of Certain Physical Examinations to Minors.  
Regulation 34 CFR Part 99

Policy Adopted: May 18, 2010

## **POLICY #6163.1**

### **NORWICH FREE ACADEMY LIBRARY COLLECTION SELECTION, MANAGEMENT, AND USE POLICY**

The purpose of the Edwin H. Land Library is to support and enrich the curricula of The Norwich Free Academy by providing access to diverse resources in a variety of formats that are stimulating, interesting, and informative, with breadth and depth of content, and varied in perspective on issues, and to provide instruction which fosters competence in the effective use of these materials. Additionally, the Edwin H. Land Library provides informational and recreational materials for the students and staff of the Academy and its sending town communities.

#### Library Management and Use Guidelines

The school shall develop guidelines for the management and use of the Edwin H. Land Library that are consistent with the mission of The Norwich Free Academy.

#### Acquisition and Management of Library Materials

The library collection is acquired and managed to support the curricula of the Academy and the informational and recreational needs of its patrons. The Board of Trustees, acting through the Superintendent/Head of School or designee, delegates the authority for the selection and maintenance of library materials to the Library Media Director. Library materials shall be selected by professional personnel following the guidelines for management and use of the library.

#### Confidentiality

The Norwich Free Academy, concordant with State statutes, recognizes the right to privacy of library users. However, the Superintendent/Head of School or designee may request specific circulation record information in those situations where it is needed to protect the health and safety of an individual patron or campus safety, or whenever otherwise permitted by law.

#### Access to Resources

The Norwich Free Academy affirms the principles of intellectual freedom and the importance of access to a broad range of ideas in the education of young people. However, in the interest of providing a safe and orderly school environment, the administration reserves the right to limit or deny access to library resources if they are inconsistent with the mission of The Norwich Free Academy and/or violate a publicized policy, and/or are seriously disruptive of the educational process, and/or endanger persons or property. Any misuse of library resources may result in forfeiture of all library privileges. Violators may also be subject to appropriate disciplinary and/or legal action. Pending investigation into a student, staff, or faculty complaint of the misuse of library resources, user privileges may be suspended.

## Complaint Procedure

Persons objecting to specific material in the library collection are encouraged to discuss their concerns with the Library Media Director or designee. A formal request to remove an item or to reevaluate its use must be made in writing as outlined in the guidelines for management and use of the library.

See Also: Guidelines for Management and Use of The Edwin H. Land Library  
The Pilot, The Norwich Free Academy Student Handbook  
Supersedes/Amends: Selection of School Library Material Policy (6163.1)  
Policy Adopted: September 8, 1993  
Policy Revised: November 27, 2001  
April 22, 2008

**POLICY #6164.12**

**NORWICH FREE ACADEMY  
EXEMPTION FROM AIDS INSTRUCTION POLICY**

Education is the best way to prevent the spread of AIDS, and through learning the facts about AIDS, students are better able to make decisions which will keep them healthy and even save their lives. Various school district curricula, including health curricula, science curricula, and social studies curricula among others may include information on AIDS – both its cause and prevention.

Students will be exempt from instruction on acquired immune deficiency syndrome upon written request of the parent/guardian in accordance with state statutes.

Legal Reference: Connecticut General Statutes  
10-19(b) AIDS education.  
Policy Adopted: May 18, 2010

## **POLICY #6172.3**

### **NORWICH FREE ACADEMY HOME SCHOOLING POLICY**

Parents wishing to educate their children in the home may do so in compliance with Connecticut General Statutes and regulations of the Connecticut State Board of Education. When parents/guardians notify the administration of The Norwich Free Academy of their decision to provide home schooling for their child(ren), the administration shall contact the superintendent of schools of the sending town in which the family resides. The sending town shall provide whatever reasonable assistance it can, within the parameters of the public school district's policy, to ensure such children benefit appropriately from home instruction. When parents/guardians are willing to discuss their decision for home instruction with school personnel, school district staff, including the administration of The Norwich Free Academy, shall explain the advantages of education in a school setting with peers to such parents/guardians without any criticism of parental choices. If decisions are made by parents/guardians to return home schooled children to The Norwich Free Academy, the administration shall provide an appropriate return to school within the guidelines of state statutes.

The following parameters for home schooling shall be followed:

The Norwich Free Academy administration shall assist the sending town superintendent and administration, as requested, with the review of the home schooling instructional plan provided by the parent/guardian.

1. The Norwich Free Academy shall withdraw from the school rolls any student under age seventeen participating in a home schooling program upon the approval of the sending town superintendent.
2. The Norwich Free Academy shall withdraw from the school rolls any student seventeen years of age or older involved in a home schooling program at parent/guardian request.
3. The Norwich Free Academy will not accept or grant credits for home schooling unless the home schooling is done through a regionally or state accredited program.
4. The Norwich Free Academy will not grant a diploma for home schooled students.
5. Only those students who are enrolled in school at The Norwich Free Academy are eligible for participation in classes, co-curricular activities and school-sponsored events.
6. The Norwich Free Academy will loan appropriate texts to parents/guardians for use in an approved home schooling program at the request of the sending town. The Norwich Free Academy administration may request a copy of the home schooling instructional plan for these purposes.
7. The Norwich Free Academy neither undertakes, accepts, nor assumes any responsibility for the adequacy, effectiveness, or appropriateness of any proposed or actual program of home instruction.

See Also: Administrative Procedure 6172.3 Home Schooling Notification  
Legal Reference: Connecticut General Statutes  
10-184 Duties of Parents  
10-220 Duties of Boards of Education  
Regulations of the Connecticut State Board of Education

Policy Adopted: May 20, 1997  
Policy revised: April 21, 2009  
August 17, 2021

**POLICY #6173**

**NORWICH FREE ACADEMY  
HOMEBOUND INSTRUCTION POLICY**

Special instruction may be allowed for those students with an identified medical and/or psychological special need; a disciplinary removal from school; or institutionalization precluding regular class attendance at the Norwich Free Academy and for those students who need additional instruction on an individual or small group basis (tutoring).

Any program of homebound instruction for regular education students must be approved in advance by the Director of Curriculum and Instruction. Any program of homebound instruction for students receiving Special Education services, students receiving services under Section 504 of the Rehabilitation Act of 1973, or students requiring homebound instruction for medical reasons must be approved in advance by the Director of Student Services. Credit for homebound instruction will be awarded only when approved in advance and taught by a teacher certified by the Department of Education for the State of Connecticut or through an accredited program of instruction at an approved institution.

Legal Reference: Connecticut General Statutes  
10-186 Duties of local and regional boards of education  
Policy Adopted: November 10, 1993  
Policy Revised: April 22, 2008

## **POLICY #6176**

### **NORWICH FREE ACADEMY ALTERNATIVE CREDIT POLICY**

The Norwich Free Academy recognizes that students may complete course work offered through approved alternative sources outside of the school's academic program. These alternatives may include institutions outside of traditional secondary school programs such as community and technical college, two or four year college or university programs, or other vocational and training programs. The school also recognizes that it may be beneficial to a student's academic growth to accept credit earned from alternative sources and apply that credit toward The Norwich Free Academy diploma. The school shall accept alternative credit while maintaining the quality of the academic program and the integrity of The Norwich Free Academy diploma through the application of the following criteria.

1. An Alternative Credit Review Committee shall be established to review requests for alternative credit. The committee shall be composed of the Director of Curriculum or designee, the Director of Guidance, and one Head of Department. The Committee's decisions shall be final.
2. Students and their parents/guardians must request consideration for alternative credit prior to the start of the course work. The request must be made to the student's guidance counselor and forwarded to the Director of Guidance.
3. A description of the course work must accompany the request for alternative credit and shall include the name of the institution offering the course, the number of instructional hours, performance criteria, starting and ending dates, and any other pertinent information.
4. Each request for alternative credit shall be judged on an individual basis. The Alternative Credit Review Committee shall notify the student and parent/guardian of the committee's determination in a timely manner.
5. The student and parent/guardian shall forward to the student's guidance counselor an official transcript or grade report indicating the grade earned within two weeks of completion of the course work.
6. Credits are not required to be recognized on a 1:1 ratio.

Approved alternative credits shall be recorded on the student transcript and applied toward The Norwich Free Academy diploma as follows.

1. The school may apply up to two (2) credits from alternative sources toward The Norwich Free Academy diploma. Procedures shall be in place to identify alternative course work on the student transcript.
2. Alternative credit shall be awarded for passing grades based upon total instructional hours and equivalent to credit earned for The Norwich Free Academy courses.

3. Credit earned from approved alternative sources shall be applied toward graduation requirements as elective credits.
4. Credit earned from approved alternative sources shall not apply toward a student's grade point average or class rank.

Students receiving Special Education services may complete course work from approved alternative sources outside of the traditional secondary school program consistent with the provisions of the individual student's IEP. Credit awarded from alternative sources and applied toward The Norwich Free Academy diploma shall be determined on an individual basis by the Planning and Placement Team.

The Norwich Free Academy neither undertakes, assumes, nor accepts any responsibility for;

1. the adequacy, effectiveness, or appropriateness of any alternative credit courses taken pursuant to this policy; or,
2. the safety, security, or well-being of any student enrolled in any alternative credit courses taken pursuant to this policy while attending such courses and/or traveling to and from them.

The Norwich Free Academy supports the educational advancement of our students. Course work completed outside of the school's academic program for enrichment and not approved for credit may be listed on the student transcript, per approval and at the discretion of the Guidance Department, as activities pursued.

See Also:	Administrative Procedure(s) Guidance 6176
Legal Reference:	Connecticut General Statutes 10-221a. High School Graduation Requirements
Supersedes/Amends Policy:	6176 adopted July 14, 1993
Policy adopted:	May 20, 1997
Policy revised:	April 22, 2008

## **POLICY #9270**

### **NORWICH FREE ACADEMY CONFLICT OF INTEREST POLICY**

#### ARTICLE 1 – PURPOSE

The purpose of the conflict of interest policy is to protect The Norwich Free Academy (“NFA” or “the School”) and its interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer, member of the Board of Trustees (“Trustee”), member of the Administration of the School, or might result in a possible excess benefit transaction. This policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit and charitable organizations and provisions in the School’s Bylaws.

#### ARTICLE II – DEFINITIONS

##### 1. Interested Person

Any Trustee, officer, member of the Administration, or member of a committee with governing board delegated powers, who has a direct or indirect financial interest, as defined below, is an interested person.

If a person is an interested person with respect to any affiliate of NFA, he or she is an interested person with respect to all affiliates.

##### 2. Financial Interest

A person has a financial interest if the person has, directly or indirectly, through business, investment or family:

- a. An ownership or investment interest in any entity with which NFA has a transaction or arrangement,
- b. A compensation arrangement with NFA or with any entity or individual with which NFA has a transaction or arrangement, or
- c. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which NFA is negotiating a transaction or arrangement.

Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial.

A financial interest is not necessarily a conflict of interest. Under Article III, Section 2, a person who has a financial interest will be deemed to have a conflict of interest only if the appropriate governing board or committee decides that a conflict of interest exists.

## ARTICLE III – PROCEDURES

### 1. Duty to Disclose

In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the Trustees and members of committees with governing board delegated powers or others considering the proposed transaction or arrangement.

### 2. Determining Whether a Conflict of Interest Exists

After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he/she shall leave the governing board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining board or committee members shall decide if a conflict of interest exists.

### 3. Procedures for Addressing the Conflict of Interest

- a. An interested person may make a presentation at the governing board or committee meeting, but after the presentation, he/she shall leave the meeting during the discussion of, and the vote on, alternatives to the proposed transaction or arrangement.
- b. The chairperson of the governing board or committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.
- c. After exercising due diligence, the governing board or committee shall determine whether NFA can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.
- d. If a more advantageous transaction or arrangement under circumstances not producing a conflict of interest is not reasonably possible, the governing board or committee shall determine by a majority vote of the disinterested Trustees whether the transaction or arrangement is in NFA's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination it shall decide whether to enter into the transaction or arrangement.

### 4. Violations of the Conflict of Interest Policy

- a. If the governing board or committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
- b. If, after hearing the member's response and making further investigations as warranted by the circumstances, the governing board or committee determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

## ARTICLE IV – RECORDS OF PROCEEDINGS

The minutes of the governing board and all committees with board delegated powers shall contain:

1. The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action to determine whether a conflict of interest was present, and the governing board's or committee's decision as to whether a conflict of interest in fact existed.
2. The names of the persons who were present for discussions and votes related to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

## ARTICLE V – COMPENSATION

1. A voting member of the governing board who receives compensation, directly or indirectly, from NFA for services is precluded from voting on matters pertaining to that member's compensation.
2. A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from NFA for services is precluded from voting on matters pertaining to that member's compensation.
3. No voting member of the governing board or any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from NFA, either individually or collectively, is prohibited from providing information to any committee regarding compensation.

## ARTICLE VI – ANNUAL STATEMENTS

Each Trustee, officer, member of a committee with governing board delegated powers, and member of Administration (as applicable) shall annually sign a statement which affirms such person:

1. Has received a copy of the conflict of interest policy,
2. Has read and understands the policy,
3. Has agreed to comply with the policy, and
4. Understands NFA is a charitable organization that is tax-exempt under section 501(c)(3) of the Internal Revenue Code, and that in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

## ARTICLE VII – PERIODIC REVIEWS

To ensure NFA operates in a manner consistent with its charitable purposes and does not engage in activities that could jeopardize its tax-exempt status under section 501(c)(3) of the Internal Revenue Code, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:

1. Whether compensation arrangements and benefits are reasonable, based on competent survey information, and the result of arm's length bargaining.
2. Whether partnerships, joint ventures, and arrangements with management organizations conform to NFA's written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further charitable purposes and do not result in inurement of an impermissible private benefit or in an excess benefit transaction.

## ARTICLE VIII – USE OF OUTSIDE EXPERTS

When conducting the periodic reviews provided in Article VII, NFA may, but need not, utilize the advice of outside experts. If outside experts are used, their use shall not relieve the governing board of its responsibility for ensuring periodic reviews are conducted.

## ARTICLE IX – FURTHER POLICIES

NFA shall adopt further conflict of interest policies applicable to the Administration, faculty and staff of the School as appropriate.

Legal References: Connecticut General Statutes Sec. 33-1129 and 33-1130 Directors'  
Conflicting Interest Transactions  
Adopted: February 8, 1995  
Revised: May 20, 2008  
October 20, 200

## APPENDIX A

### Reportable Relationship Criteria Based on IRS Form 990 Instructions

Privileged relationship exception: For the purposes of this form, a “business relationship” does not include a relationship between an attorney and client, a medical professional (including psychologist) and patient, or a priest/clergy and penitent/communicant.

Business relationship: Business relationships between two persons include any of the following:

1. One person is employed by the other in a sole proprietorship or by an organization with which the other is associated as a trustee, director, officer, key employee, or greater-than-35% owner.
2. One person is transacting business with the other (other than in the ordinary course of either party’s business on the same terms as are generally offered to the public), directly or indirectly, in one or more contracts of sale, lease, license, loan, performance of services, or other transaction involving transfers of cash or property valued in excess of \$10,000 in the aggregate during the organization’s tax year. (Indirect transactions are transactions with an organization with which the one person is associated as a trustee, director, officer, key employee, or greater-than-35% owner.)
3. The two persons are each a director, trustee, officer, or greater than 10% owner in the same business or investment entity.

Ownership is measured by stock ownership (either voting power or value) of a corporation, profits or capital interest in a partnership or a limited liability company, membership interest in a nonprofit organization, or beneficial interest in a trust. Ownership includes indirect ownership (for example, ownership in an entity that has ownership in the entity in question); there may be ownership through multiple tiers of entities.

**Example 1:** B is an officer of the organization, and C is a member of the organization’s governing body. B is C’s brother-in-law. The organization must report that B and C have a family relationship.

**Example 2:** D and E are officers of the organization. D is also a partner in an accounting firm with 300 partners (with a 1/300th interest in the firm’s profits and capital) but is not an officer, director, trustee, or key employee of the accounting firm. D’s accounting firm provides services to E in the ordinary course of the accounting firm’s business, on terms generally offered to the public, and receives \$100,000 in fees during the year. The relationship between D and E is not a reportable business relationship, either because (1) it is in the ordinary course of business on terms generally offered to the public, or because (2) D does not hold greater-than-35% interest in the accounting firm’s profits or capital.

**Example 3:** F and G are trustees of the organization. F is the owner and CEO of an automobile dealership. G purchased a \$45,000 car from the dealership during the organization’s tax year in the ordinary course of the dealership’s business, on terms generally offered to the public. The relationship between F and G is not a reportable business

relationship because the transaction was in the ordinary course of business on terms generally offered to the public.

**Example 4:** H and J are members of the organization's board of directors. Both are CEOs of publicly traded corporations and serve on each other's boards. The relationship between H and J is a reportable business relationship because each is a director or officer in the same business entity.

**Example 5:** K is a key employee of the organization, and L is on its board of directors. L is a greater-than-35% partner of a law firm that charged \$60,000 during the organization's tax year for legal services provided to K that were worth \$600,000 at the law firm's ordinary rates. Thus, the ordinary course of business exception does not apply. However, the relationship between K and L is not a reportable business relationship, because of the privileged relationship of attorney and client.

**POLICY #9330.1**

**CARL D. PERKINS GRANT POLICY**

BOARD/SCHOOL DISTRICT RECORDS

All records pertaining to enrollment in vocational courses and expenditure of funds from the Carl D. Perkins Act grants shall be maintained for a period of five (5) years, after completion of the activity for which grant funds were used.

(34 CFR Sec. 76-734)

Policy Adopted: December 10, 1991

Policy Revised: April 21, 2009