

**WESTPORT BOARD OF EDUCATION**

**\*AGENDA**

(Agenda Subject to Modification in Accordance with Law)

**PUBLIC CALL TO ORDER**

7:00 p.m., Staples High School, Room 333

**EXECUTIVE SESSION:** Discussion of Possible Ratification of the Tentative Agreement with the Westport Education Association

**RESUME PUBLIC SESSION/PLEDGE OF ALLEGIANCE**

7:30 p.m., Staples High School, Cafeteria B (Room 301)

**ANNOUNCEMENTS FROM BOARD AND ADMINISTRATION**

**PUBLIC QUESTIONS/COMMENTS ON NON-AGENDA ITEMS (15 MINUTES)**

**MINUTES:** October 1, 2018, *pages 1-2*

**DISCUSSION/ACTION**

- |   |         |                                       |
|---|---------|---------------------------------------|
| 1. Acceptance of Gifts, <i>pages 3-5</i>  | (Encl.) | Dr. Colleen Palmer                    |
| 2. Approval of Tentative Agreement between Westport Board of Education and the Westport Education Association                       |         | Dr. Colleen Palmer<br>Mr. John Bayers |
| 3. 2019-2020 Board of Education Meeting Calendar, <i>page 7</i>   | (Encl.) | Dr. Colleen Palmer                    |
| 4. Update on CMS Facilities and Continuation of CMS Students and Staff at BMS and SHS Throughout the End of the 2018-19 School Year |         | Dr. Colleen Palmer<br>Mr. Elio Longo  |
| 5. Coleytown Middle School - Special Appropriation Request Board of Finance   |         | Dr. Colleen Palmer<br>Mr. Elio Longo  |

**DISCUSSION:**

- |   |         |   |
|---|---------|---|
| 1. First Reading of the Following Revised Westport Board of Education policies and regulations:   | (Encl.) | Ms. Karen Kleine<br>Dr. Colleen Palmer<br>Dr. Anthony Buono<br>Dr. Tina Mannarino |
| <ul style="list-style-type: none"> <li>• Policy 5142.4, School Resource Officers (New Policy), <i>pages 9-11</i></li> <li>• Policy 5144, Physical Restraint and Seclusion of Students and Use of Exclusionary Time Out (New Policy), <i>pages 13-14</i></li> <li>• Regulation 5144, Administrative Regulations Concerning Physical Restraint and Seclusion of Students and Use of Exclusionary Time Out (New Regulation), <i>pages 15-25</i></li> <li>• Policy 1250, Policy Regarding Visitors and Observations in Schools and Schools and School Facilities (Revised), <i>page 27</i></li> </ul> |         |   |

## UPDATES

1. September Health and Medical Report, *page 31* (Encl.) Mr. Elio Longo
2. Policy Committee Ms. Karen Kleine
3. Finance and Facilities Committee Ms. Elaine Whitney  
Mr. Neil Phillips

## ADJOURNMENT

\*A 2/3 vote is required to go to executive session, to add a topic to the agenda of a regular meeting, or to start a new topic after 10:30 p.m. The meeting can also be viewed on Cablevision on channel 78; Frontier channel 6021 and by video stream @[www.westportps.org](http://www.westportps.org)

PUBLIC PARTICIPATION WELCOME USING THE FOLLOWING GUIDELINES:

- Comment on non-agenda topics will occur during the first 15 minutes *except* when staff or guest presentations are scheduled.
- Board will not engage in dialogue on non-agenda items.
- Public may speak as agenda topics come up for discussion or information.
- Speakers on non-agenda items are limited to 2 minutes each, except by prior arrangement with chair.
- Speakers on agenda items are limited to 3 minutes each, except by prior arrangement with chair.
- Speakers must give name and use microphone.
- Responses to questions may be deferred if answers not immediately available.
- Public comment is normally not invited for topics listed for action after having been publicly discussed at one or more meetings.

**WESTPORT BOARD OF EDUCATION MINUTES**

**Board Members Present:**

Mark Mathias           Chair  
Jeannie Smith       Vice Chair  
Elaine Whitney       Secretary  
Karen Kleine  
Vik Muktavaram  
Candice Savin  
Neil Phillips

**Administrators Present:**

Colleen Palmer       Superintendent of Schools  
Anthony Buono       Asst. Superintendent of Teaching and Learning  
Tina Mannarino      Asst..Superintendent Pupil Personnel Services  
Elio Longo           Chief Financial Officer  
John Bayers          Director of Human Resources

**PUBLIC SESSION/PLEDGE OF ALLEGIANCE:** 7:33 p.m., Staples High School, Cafeteria B (Room 301)

**ANNOUNCEMENTS FROM BOARD AND ADMINISTRATION**

**PUBLIC QUESTIONS/COMMENTS ON NON-AGENDA ITEMS**

**MINUTES:** September 17, 20, and 21, 2018

Mark Mathias moved to approve the minutes of September 17, 20 and 21, 2018; seconded by Elaine Whitney and passed unanimously.

**PRESENTATION**

Assessment Data Report: 2017-18 School Year

**DISCUSSION**

2019-2020 Board of Education Meeting Calendar

Discussion of Staffing PreK-5 Language Arts Position

**UPDATES**

Update on Coleytown Middle School Facilities

Finance and Facilities Committee

Policy Committee

Teaching and Learning Committee

Negotiations Update

**ADJOURNMENT:** Mark Mathias moved to adjourn at 10:08 p.m.; seconded by Jeannie Smith and passed unanimously.

Respectfully submitted,  
Elaine Whitney, Secretary  
(Minutes written by Lisa Marriott)

DRAFT

Saugatuck Elementary School  
170 Riverside Ave  
Westport, CT 06880

Westport Board of Education  
110 Myrtle Avenue  
Westport, Connecticut 06880

October 15, 2018

Dear Members of the Board of Education:

Fall has been a very exciting time at Saugatuck Elementary School. The students and staff have enjoyed the brand new playground that the SES PTA gifted to the Board of Education in June 2018. Upon completion of the playground, the PTA realized students were missing two key elements. SES currently does not have a basketball hoop and there was an expressed interest in a Gaga Ball Pit. The SES community is very excited about the Gaga Ball Pit because it promotes inclusivity, fun and movement.

To fund "Phase II" of the playground, the SES PTA held a direct appeal. We are always humbled by the generosity and eagerness of our community. Through an online appeal, the SES PTA raised enough money to fund the basketball hoop and gaga pit. Hence, it is the pleasure of the SES PTA to gift \$4,665 to the Board of Education for the purchase and delivery of a Gaga Ball Pit and SDF Toddler Friendly turf and \$2,999 for the purchase, delivery and installation of an adjustable "Pro Dunk Hoop". Total gift to the Board of Education is \$7,664.

Thank you!

Most sincerely,

Amie Peck and Sarin Cheung  
SES PTA Co-Presidents

M.W.Billings, Inc.  
 PO Box 207  
 EAST WOODSTOCK, CT 06244 US  
 (860) 928-0327  
 mwbillings@gmail.com  
 www.mwbillingsinc.com

# Estimate



| ADDRESS  |
|--|
| Westport,CT<br>Westport Public Schools<br>Accounts Payable Department<br>PO Box 312<br>Westport, CT 06881-0312 |

| SHIP TO                                  |
|--|
| 170 Riverside Ave, Westport, CT<br>06880 |

| ESTIMATE # | DATE       | EXPIRATION DATE |
|------------|------------|-----------------|
| 1129       | 09/21/2018 | 12/21/2018      |

**SALES REP**  
 Greg

| QTY          | PRODUCT/SERVICE   | RATE     | AMOUNT            |
|--------------|---|----------|-------------------|
| 1            | <b>outdoor backstop</b><br>"Pro Dunk Hoops" Platinum model. Glass board and height adjustable.<br>Board padding and post padding included | 1,799.00 | 1,799.00          |
| 1            | <b>Installation</b><br>Installation of unit (includes digging footing holes, and concrete delivery)                                       | 1,200.00 | 1,200.00          |
| <b>TOTAL</b> |   |          | <b>\$2,999.00</b> |

Accepted By

Accepted Date

**TRASSIG Corp.**

65 Redding Rd. #874  
 Georgetown, CT 06829  
 203-659-0456  
 info@trassig.com  
 http://www.trassig.com



# ESTIMATE

**ESTIMATE #** 2437  
**DATE** 10/08/2018

**ADDRESS**

Beth Messler  
 Saugatuck Elementary School

Please detach top portion and return with your payment.

**SALES REP**

HG

| ACTIVITY   | QTY | RATE     | AMOUNT   |
|--|-----|----------|----------|
| <b>Playground Equipment</b><br>30 H Octagon Gaga Ball Pit (20' diameter): brown structural composite lumber, green brackets, holes drilled and countersunk, 2 cutouts. | 1   | 3,200.00 | 3,200.00 |
| <b>Shipping &amp; Handling</b><br>Shipping & Handling  | 1   | 550.00   | 550.00   |
| <b>Synthetic Turf</b><br>pride SDF toddler friendly Synthetic Turf to fit inside gaga pit (2 rolls) - To be picked up at New Milford warehouse                         | 1   | 780.00   | 780.00   |
| <b>Turf Seaming Kit</b><br>Turf seaming kit - To be picked up at New Milford warehouse   | 1   | 135.00   | 135.00   |

**TOTAL** **\$4,665.00**

Accepted By

Accepted Date

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# WESTPORT PUBLIC SCHOOLS

## 2019-2020 Board of Education Meeting Calendar

REVISED DRAFT 10-15-18

| AUGUST |    |    |    |    | 4 School Days          |
|--------|----|----|----|----|------------------------|
| M      | T  | W  | T  | F  |                        |
| 19     | 20 | 21 | 22 | 23 | 21-23, 26 Prof. Dev.   |
| 26     | 27 | 28 | 29 | 30 | 27 Students' First Day |

| SEPTEMBER |    |    |    |    | 19 School Days   |
|-----------|----|----|----|----|------------------|
| M         | T  | W  | T  | F  |                  |
| 2         | 3  | 4  | 5  | 6  | 2 Labor Day      |
| 9         | 10 | 11 | 12 | 13 | 30 Rosh Hashanah |
| 16        | 17 | 18 | 19 | 20 |                  |
| 23        | 24 | 25 | 26 | 27 |                  |
| 30        |    |    |    |    |                  |

| OCTOBER |    |    |    |    | 22 School Days |
|---------|----|----|----|----|----------------|
| M       | T  | W  | T  | F  |                |
|         | 1  | 2  | 3  | 4  | 9 Yom Kippur   |
| 7       | 8  | 9  | 10 | 11 |                |
| 14      | 15 | 16 | 17 | 18 |                |
| 21      | 22 | 23 | 24 | 25 |                |
| 28      | 29 | 30 | 31 |    |                |

| NOVEMBER |    |    |    |    | 17 School Days              |
|----------|----|----|----|----|-----------------------------|
| M        | T  | W  | T  | F  |                             |
|          |    |    |    | 1  | 5 Election Day (Prof. Dev.) |
| 4        | 5  | 6  | 7  | 8  | 27 Prof. Dev.               |
| 11       | 12 | 13 | 14 | 15 | 27-29 Thanksgiving          |
| 18       | 19 | 20 | 21 | 22 | Recess                      |
| 25       | 26 | 27 | 28 | 29 |                             |

| DECEMBER |    |    |    |    | 15 School Days       |
|----------|----|----|----|----|----------------------|
| M        | T  | W  | T  | F  |                      |
| 2        | 3  | 4  | 5  | 6  | 23-31 Holiday Recess |
| 9        | 10 | 11 | 12 | 13 |                      |
| 16       | 17 | 18 | 19 | 20 |                      |
| 23       | 24 | 25 | 26 | 27 |                      |
| 30       | 31 |    |    |    |                      |

| Key |                |
|-----|----------------|
|     | Schools Closed |

|                           |  |  |  |  | JANUARY | 21 School Days |    |    |    |
|---------------------------|--|--|--|--|---------|----------------|----|----|----|
|                           |  |  |  |  | M       | T              | W  | T  | F  |
| 1 New Year's Day          |  |  |  |  |         |                | 1  | 2  | 3  |
| 20 Martin Luther King Day |  |  |  |  | 6       | 7              | 8  | 9  | 10 |
|                           |  |  |  |  | 13      | 14             | 15 | 16 | 17 |
|                           |  |  |  |  | 20      | 21             | 22 | 23 | 24 |
|                           |  |  |  |  | 27      | 28             | 29 | 30 | 31 |

|                       |  |  |  |  | FEBRUARY | 15 School Days |    |    |    |
|-----------------------|--|--|--|--|----------|----------------|----|----|----|
|                       |  |  |  |  | M        | T              | W  | T  | F  |
| 17 Presidents' Day    |  |  |  |  | 3        | 4              | 5  | 6  | 7  |
| 17-21 February Recess |  |  |  |  | 10       | 11             | 12 | 13 | 14 |
|                       |  |  |  |  | 17       | 18             | 19 | 20 | 21 |
|                       |  |  |  |  | 24       | 25             | 26 | 27 | 28 |

|  |  |  |  |  | MARCH | 22 School Days |    |    |    |
|--|--|--|--|--|-------|----------------|----|----|----|
|  |  |  |  |  | M     | T              | W  | T  | F  |
|  |  |  |  |  | 2     | 3              | 4  | 5  | 6  |
|  |  |  |  |  | 9     | 10             | 11 | 12 | 13 |
|  |  |  |  |  | 16    | 17             | 18 | 19 | 20 |
|  |  |  |  |  | 23    | 24             | 25 | 26 | 27 |
|  |  |  |  |  | 30    | 31             |    |    |    |

|                    |  |  |  |  | APRIL | 17 School Days |    |    |    |
|--------------------|--|--|--|--|-------|----------------|----|----|----|
|                    |  |  |  |  | M     | T              | W  | T  | F  |
| 10 Good Friday     |  |  |  |  |       |                | 1  | 2  | 3  |
| 6-10 Spring Recess |  |  |  |  | 6     | 7              | 8  | 9  | 10 |
|                    |  |  |  |  | 13    | 14             | 15 | 16 | 17 |
|                    |  |  |  |  | 20    | 21             | 22 | 23 | 24 |
|                    |  |  |  |  | 27    | 28             | 29 | 30 |    |

|                 |  |  |  |  | MAY | 20 School Days |    |    |    |
|-----------------|--|--|--|--|-----|----------------|----|----|----|
|                 |  |  |  |  | M   | T              | W  | T  | F  |
| 25 Memorial Day |  |  |  |  |     |                |    |    | 1  |
|                 |  |  |  |  | 4   | 5              | 6  | 7  | 8  |
|                 |  |  |  |  | 11  | 12             | 13 | 14 | 15 |
|                 |  |  |  |  | 18  | 19             | 20 | 21 | 22 |
|                 |  |  |  |  | 25  | 26             | 27 | 28 | 29 |

|                                       |  |  |  |  | JUNE | 10 School Days |    |    |    |
|---------------------------------------|--|--|--|--|------|----------------|----|----|----|
|                                       |  |  |  |  | M    | T              | W  | T  | F  |
| 19 Projected Last Day (Early Release) |  |  |  |  | 1    | 2              | 3  | 4  | 5  |
|                                       |  |  |  |  | 8    | 9              | 10 | 11 | 12 |
|                                       |  |  |  |  | 15   | 16             | 17 | 18 | 19 |

**NOTE:** Students'/teachers' last day will be June 19. If there are no snow days, students'/teachers' last day will be June 12. In the event that additional make-up days are needed, District schools will use, in the following order: Monday, April 6; Tuesday, April 7; Wednesday, April 8; Thursday, April 9.

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## **Students**

### **Safety**

#### **School Resource Officer**

The Board will work in cooperation with the law enforcement agency/police department in the placement of school resource officers in its high/middle/elementary schools. The objectives and qualifications of resource officers will be determined by the police department and shall be subject to approval by the Board.

The Board shall enter into a Memorandum of Understanding (MOU) with the local police department that defines the officer's role and responsibilities. The MOU must address daily interactions among students, school personnel, and police officers, and must include a graduated response model for student discipline.

(cf. [5114](#) - Suspension/Expulsion; Student Due Process)

(cf. [5131](#) - Student Conduct)

(cf. [5131.2](#) - Assault)

(cf. [5131.21](#) - Terrorist Acts/Threats)

(cf. [5131.4](#) - School Grounds Disturbances)

(cf. [5131.41](#) - In-School Disturbances)

(cf. [5131.5](#) - Vandalism)

(cf. [5131.6](#) - Drugs, Tobacco, Alcohol)

(cf. [5131.61](#) - Inhalant Abuse)

(cf. [5131.612](#) - Surrender of Physical Evidenced Obtained from Students)

(cf. [5131.7](#) - Weapons and Dangerous Instruments)

(cf. [5131.8](#) - Off School Grounds Misconduct)

(cf. [5131.9](#) - Gang Activity or Association)

(cf. [5141.6](#) - Crisis Management)

(cf. [5142](#) - Safety)

(cf. [5144](#) - Use of Physical Force)

(cf. [5145.11](#) - Questioning and Apprehension)

(cf. [5145.12](#) - Search and Seizure)

(cf. [5145.121](#) - Vehicle Searches on School Grounds)

Legal Reference: Connecticut General Statutes

[4-176e](#) through [4-180a](#). Contested Cases. Notice. Record.

[10-220](#) Duties of boards of education.

[10-233a](#) through [10-233f](#). Suspension, removal and expulsion of students, as amended by PA 95-304, PA 96-244, and PA 98-139.

[53a-3](#) Definitions.

[53a-217b](#) Possession of Firearms and Deadly Weapons on School Grounds.

PA 15-168 An Act Concerning Collaboration Between Boards of Education and School Resource Officers and the Collection and Reporting of Data on School-Based Arrests

PA 94-221 An Act Concerning School Discipline and Safety.

GOALS 2000: Educate America Act, Pub. L. 103-227.

18 U.S.C. 921 Definitions.

Title III - Amendments to the Individuals with Disabilities Education Act.

Sec. 314 (Local Control Over Violence)

Elementary and Secondary Act of 1965 as amended by the Gun Free Schools Act of 1994.

P.L. 105-17 The Individuals with Disabilities Act, Amendment of 1997.

Kyle P. Packer PPA Jane Packer v. Thomaston Board of Education.

**Policy adopted:**

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

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

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

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

### Legal References:

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

### Other References:

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

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

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

APPROVED:  
REVISED:

7/26/18

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

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

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

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

### **I. Definitions:**

- A. Exclusionary Time Out: A temporary, continuously monitored separation of a student from an ongoing activity in a non-locked setting, for the purpose of calming such student or deescalating such student’s behavior.
- B. Life Threatening Physical Restraint: Any physical restraint or hold of a person that (1) restricts the flow of air into a person’s lungs, whether by chest compression or any other means, or (2) immobilizes or reduces the free movement of a person’s arms, legs or head while the person is in the prone position.
- C. Psychopharmacological Agent: Any medication that affects the central nervous system, influencing thinking, emotion or behavior;
- D. Physical Restraint: Any mechanical or personal restriction that immobilizes or reduces the free movement of a person’s arms, legs or head, including, but not limited to, carrying or forcibly moving a person from one location to another. The term does not include: (1) Briefly holding a person in order to calm or comfort the person; (2) restraint involving the minimum contact necessary to

safely escort a person from one area to another; (3) medical devices, including, but not limited to, supports prescribed by a health care provider to achieve proper body position or balance; (4) helmets or other protective gear used to protect a person from injuries due to a fall; (5) helmets, mitts and similar devices used to prevent self-injury when the device is (i) part of a documented treatment plan or an Individualized Education Program (“IEP”); or (ii) prescribed or recommended by a medical professional, as defined in section 38a-976 of the Connecticut General Statutes, and is the least restrictive means available to prevent such injury; or (6) an exclusionary time out.

- E. School Employee: (1) Any individual employed by the Westport Public Schools who is a teacher, substitute teacher, administrator, superintendent, guidance counselor, psychologist, social worker, nurse, physician, paraprofessional, coach; and (2) any other individual who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in the Westport Public Schools pursuant to a contract with the Westport Public Schools.
- F. Seclusion: The confinement of a person in a room from which the student is physically prevented from leaving. Seclusion does not include the following: (i) an exclusionary time out; or (ii) any confinement of a student in which the person is physically able to leave the area of confinement including, but not limited to, in-school suspension.
- G. Student: a child who is
1. Enrolled in grades kindergarten to twelve, inclusive, in a public school under the jurisdiction of a local or regional board of education;
  2. Receiving special education and related services in an institution or facility operating under a contract with a local or regional board of education pursuant to subsection (d) of section 10-76d of the Connecticut General Statutes;
  3. Enrolled in a program or school administered by a regional education service center established pursuant to section 10-66a of the Connecticut General Statutes; OR
  4. Receiving special education and related services from an approved private special education program.

## II. Life-Threatening Physical Restraint

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

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

### III. Procedures for Physical Restraint and Seclusion of Students

- A. No school employee shall use physical restraint or seclusion on a student EXCEPT as an emergency intervention to prevent immediate or imminent injury to the student or to others.
- B. Seclusion shall not be used as a planned intervention in a student's behavioral intervention plan, individualized education program or plan pursuant to Section 504 of the Rehabilitation Act.
- C. No school employee shall use physical restraint or seclusion on a student unless the school employee has received training in accordance with state law and/or the District's trainings plans as described in Section X below, upon implementation thereof.
- D. Physical restraint and seclusion of a student shall never be used as a disciplinary measure or as a convenience.
- E. School employees must explore ALL less restrictive alternatives prior to using physical restraint or seclusion for a student.
- F. School employees must comply with all regulations promulgated by the Connecticut State Department of Education in their use of physical restraint and seclusion with a student.
- G. Monitoring
  - 1. Physical restraint: A school employee must continually monitor any student who is physically restrained. The monitoring must be conducted by either:
    - a. direct observation of the student; or
    - b. observation by way of video monitoring within physical proximity sufficient to provide aid as may be needed.
  - 2. Seclusion: A school employee must frequently monitor any student who is placed in seclusion. The monitoring must be conducted by either:
    - a. direct observation of the student; or

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

G. Length

1. Any period of physical restraint or seclusion:
  - a. shall be limited to that time necessary to allow the student to compose him or herself and return to the educational environment; and
  - b. shall not exceed fifteen (15) minutes, except as provided below.
2. If any instance of physical restraint or seclusion of a student used as an emergency intervention exceeds fifteen (15) minutes, one of the following individuals, who have received training in the use of physical restraint or seclusion, will determine whether continued physical restraint or seclusion is necessary to prevent immediate or imminent injury to the student or to others:
  - a. an administrator, or such administrator's designee;
  - b. a school health or mental health personnel; or
  - c. a board certified behavior analyst.
3. The individual identified under subsection 2 (a-c) shall make a new determination every thirty (30) minutes thereafter regarding whether such physical restraint or seclusion is necessary to prevent immediate or imminent injury to the student or to others.

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

IV. Seclusion Room Requirements

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

- A. be of a size that is appropriate to the chronological and developmental age, size and behavior of the student;
- B. have a ceiling height that is comparable to the ceiling height of the other rooms in the building in which the seclusion room is located;

- C. be equipped with heating, cooling, ventilation and lighting systems that are comparable to the systems that are used in the other rooms of the building in which the seclusion room is located;
- D. be free of any object that poses a danger to the student who is being placed in the seclusion room;
- E. conform to applicable building code requirements.

If the door or doors to a room used for seclusion are to be locked, latched or otherwise secured, a modification from the State Fire Marshal's office shall be secured prior to the installation of a locking mechanism. If a door locking mechanism is used, the student shall be constantly monitored notwithstanding any other provisions of the Connecticut General Statutes or Regulations to the contrary. The locking mechanism to be used shall be a device that shall be readily released by staff as soon as possible but in no case longer than within two minutes of the onset of an emergency and is connected to the fire alarm system so that the locking mechanism is released automatically when a fire alarm is sounded. An "emergency," for purposes of this subsection, includes but is not limited to the following:

- 1. the need to provide direct and immediate medical attention to the student;
  - 2. fire;
  - 3. the need to remove the student to a safe location during a building lockdown; or
  - 4. other critical situations that may require immediate removal of the student from seclusion to a safe location.
- F. have an unbreakable observation window or fixture located in a wall or door, which allows the student a clear line of sight beyond the area of seclusion, to permit frequent visual monitoring of the student and any school employee in such room. The requirement for an unbreakable observation window does not apply if it is necessary to clear and use a classroom or other room in the school building as a seclusion room for a student.

V. Use of Psychopharmacologic Agent

- A. No school employee may use a psychopharmacologic agent on a student without that student's consent and the consent of the student's parent/guardian, except:
  - 1. as an emergency intervention to prevent immediate or imminent injury to the student or to others; or

2. as an integral part of the student's established medical or behavioral support or educational plan, or, if no such plan has been developed, as part of a licensed practitioner's initial orders.
- B. The use of psychopharmacologic agents, alone or in combination, may be used only in doses that are therapeutically appropriate and not as a substitute for other appropriate treatment.
  - C. Any administration of a psychopharmacologic agent must **ONLY** be done in accordance with applicable federal and state law and the Board of Education's Administration of Medication Policy.

#### VI. Procedures for Exclusionary Time Out

- A. No school employee may use exclusionary time out as a form of discipline for a student.
- B. At least one school employee must remain with the student, or be immediately available to the student such that the student and the employee are able to communicate verbally, throughout the exclusionary time out.
- C. The space used for an exclusionary time out must be clean, safe, sanitary and appropriate for the purpose of calming the student or deescalating the student's behavior.
- D. The exclusionary time period must end as soon as possible.
- E. Consistent with subsection D above, the exclusionary time out period may vary depending on the student's chronological and developmental age, individual needs and behavior.

#### VII. Required Meetings

- A. Students not eligible for special education (and not being evaluated for eligibility for special education)
  1. In the event that physical restraint or seclusion is used on a student **four (4) or more times within twenty (20) school days**, a team composed of an administrator, one or more of the student's teachers, a parent or guardian of the student, and, if any, a school mental health professional, shall convene to:
    - a. conduct or revise a behavioral assessment of the student;
    - b. create or revise any applicable behavior intervention plan; and

- c. determine whether such student may require a referral for consideration for special education pursuant to federal and state law.
  2. The requirement to convene this meeting shall not supersede the District's obligation to refer a student to a planning and placement team ("PPT") as may be required in accordance with federal and state law.
- B. Students eligible for special education (and students being evaluated for eligibility for special education)
  1. In the event that physical restraint or seclusion is used on a student **four (4) or more times within twenty (20) school days**, the student's PPT shall convene to:
    - a. conduct or revise a functional behavioral assessment ("FBA");
    - b. create or revise any applicable behavior intervention plan ("BIP"), including but not limited to, such student's individualized education program ("IEP"); and
    - c. review or revise the student's IEP, as appropriate.
  2. In the event that the exclusionary time out process is unsuccessful in addressing a student's problematic behavior, the student's PPT shall convene as soon as practicable to determine alternative interventions or strategies to address the student's behavior.
- C. A District and/or school administrator(s) shall determine the school employee(s) responsible for reviewing the number of occurrences of the use of physical restraint or seclusion on a monthly basis to ensure that the appropriate meeting(s) has been convened following the fourth occurrence of physical restraint or seclusion in a twenty (20) day period.

#### VIII. Crisis Intervention Team

- A. Each school year, each school in the District must identify a crisis intervention team consisting of any teacher, administrator, school paraprofessional or other school employee designated by the school principal (in coordination with other appropriate administrators), and who has direct contact with students.
- B. Members of crisis intervention teams shall respond to any incident in which the use of physical restraint or seclusion may be necessary as an emergency intervention to prevent immediate or imminent injury to a student or others.

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

IX. Documentation and Communication

- A. After each incident of physical restraint or seclusion, and no later than the school day following the incident, a school employee must complete the form provided by the Westport Public Schools for reporting incidents of physical restraint and seclusion. The incident form must be included in the educational file of the student who was physically restrained or secluded. The information documented on the form must include the following:
  - 1. in the case of an emergency use, the nature of the emergency and what other steps, including attempts at verbal de-escalation, were taken to prevent the emergency from arising if there were indications that such an emergency was likely to arise;
  - 2. a detailed description of the nature of the restraint or seclusion;
  - 3. the duration of the restraint or seclusion;
  - 4. the effect of the restraint or seclusion on the student's established behavioral support or educational plan; AND
  - 5. whether the seclusion of a student was conducted pursuant to an IEP.
- B. A school employee must notify the parent or guardian of a student of each incident that the student is physically restrained or secluded.
  - 1. A school employee must make a reasonable attempt to immediately notify a parent or guardian after a student is initially placed in physical restraint or seclusion; in all circumstances, a school employee shall notify the parent or guardian within twenty-four (24) hours after a student is initially placed in physical restraint or seclusion.
  - 2. Notification must be made by telephone, e-mail, or other method which may include, but is not limited to, sending a note home with the student.
  - 3. The parent or guardian of a student who has been physically restrained or placed in seclusion shall be sent a copy of the completed incident report of such action no later than two (2) business days after the use of physical restraint or seclusion, regardless of whether the parent received the notification described in subsections 1 and 2 above.

4. The Director of Special Education **[or other responsible administrator]** shall determine what school employees shall be permitted to ensure that required parent/guardian notifications are made.
- C. The Director of Special Education **[or other responsible administrator]**, or his or her designee, must, at each initial PPT meeting for a student, inform the child's parent, guardian, or surrogate parent, or the student if such student is an emancipated minor or eighteen years of age or older, of the laws relating to physical restraint and seclusion as expressed through this regulation, and of the laws and regulations adopted by the Connecticut State Department of Education relating to physical restraint and seclusion.
1. The Director of Special Education **[or other responsible administrator]**, or his or her designee, shall provide to the child's parent, guardian, or surrogate parent, or the student if such student is an emancipated minor or eighteen years of age or older, at the first PPT meeting following the student's referral to special education the plain language notice of rights regarding physical restraint and seclusion developed by the Connecticut State Department of Education.
  2. The plain language notice developed by the Connecticut State Department of Education shall also be provided to the student's parent, guardian, or surrogate parent, or the student if such student is an emancipated minor or eighteen years of age or older at the first PPT meeting at which the use of seclusion as a behavior intervention is included in the student's IEP.
- D. The Director of Special Education **[or other responsible administrator]**, or his or her designee, must be notified of the following:
1. each use of physical restraint or seclusion on a student;
  2. the nature of the emergency that necessitated its use;
  3. whether the seclusion of a student was conducted pursuant to an IEP;  
AND
  3. if the physical restraint or seclusion resulted in physical injury to the student.
- X. Responsibilities of the Director of Special Education **[or other responsible administrator]**
- A. The Director of Special Education **[or other responsible administrator]**, or his or her designee, must compile annually the instances of physical restraint and seclusion within the District, the nature of each instance of physical restraint and seclusion, and whether instances of seclusion were conduct pursuant to IEPs.

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

XI. Professional Development Plan and Training

- A. The District shall provide training regarding the physical restraint and seclusion of students to the members of the crisis intervention team for each school in the District identified in Section VIII, above. The District may provide such training to any teacher, administrator, school paraprofessional or other school employee, designated by the school principal and who has direct contact with students. The District shall provide such training annually and the training shall include, but not be limited to:
  - 1. Beginning with the school year commencing July 1, 2017, an annual overview of the relevant laws and regulations regarding the use of physical restraint and seclusion on students and the proper uses of physical restraint and seclusion. Such overview shall be provided by the Department of Education in a manner and form as prescribed by the Commissioner of Education.
  - 2. The creation of a plan to provide training regarding the prevention of incidents requiring physical restraint or seclusion of students. This plan shall be implemented not later than July 1, 2018.
  - 3. The creation of a plan to provide training regarding the proper means of physical restraint or seclusion of a student, including, but not limited to:
    - a. verbal defusing or de-escalation;
    - b. prevention strategies;
    - c. various types of physical restraint;
    - d. the differences between life-threatening physical restraint and other varying levels of physical restraint;
    - e. the differences between permissible physical restraint and pain compliance techniques;
    - f. monitoring methods to prevent harm to a student who is physically restrained or in seclusion; and

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

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

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

## XII. Review and Revision of Policies, Regulations and Procedures

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

### Legal References:

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

### Other References:

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

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

Guidance Related to Recent Legislation Regarding Restraint and Seclusion, Connecticut State Department of Education (Revised, July 2018). 7/26/18

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**POLICY REGARDING VISITORS AND OBSERVATIONS IN SCHOOLS AND  
SCHOOL FACILITIES**

~~The Board of Education (the “Board”) encourages visits by citizens, taxpayers, and parents to all school buildings.~~ In order to promote a safe and productive educational environment for all students and staff, the Board requires all visitors to receive prior approval from the school Principal or his/her designee before being permitted to visit any school building during the school day[1]. The Board, through the administration, reserves the right to limit visits in grant access to school buildings subject to in accordance with the school’s ~~the prescribed procedure~~ [2]for scheduling, as applicable, and in accordance with administrative regulations.

The Board further desires to work collaboratively with parents with an educational nexus with the district, its educational programs or the student being observed, to observe their students in their current classrooms or observe proposed educational placements in the Board’s schools. The Board, through the administration, reserves the right to limit observations of current and proposed educational placements in accordance with administrative regulations and the Board’s Guidelines for Independent Educational Evaluations.

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

Legal References:

“Guidelines Regarding Independent Educational Evaluations at Public Expense and In-School Observations,” Connecticut State Department of Education (Mar. 28, 2018).

ADOPTED: \_\_\_\_\_  
REVISED: \_\_\_\_\_

8/12/18

**Series 1000**  
**Community/Board Operation**

**ADMINISTRATIVE REGULATIONS**  
**REGARDING VISITORS AND OBSERVATIONS IN SCHOOLS**

1. Any person wishing to visit a school building, and/or observe any student program, [3] during the school day must obtain prior approval from the building Principal or responsible administrator of the respective school building or program.
2. A visitor to any school building or program must be able to articulate a legitimate reason for his/her proposed visit and/or observation. Where the visitation involves direct contact with district students, or observation of an identified student or student program, the visitor must have a sufficient educational nexus with the district, its educational programs or the student to support such request.
3. All visits must be reasonable in length and conducted in a manner designed to minimize disruption to the district's educational programs.
4. When a parent/guardian makes a request to observe an identified student or student program, the request will be reviewed with the student's parent/guardian to determine the purpose of the observation, specific questions being addressed, the location(s) of the observation, and the date, time and length of the observation.
5. When determining whether to approve a request to visit and/or observe individual students or student programs, the building Principal or responsible administrator shall consider the following factors:
  - a. the frequency of visits;
  - b. the duration of the visit;
  - c. the number of visitors involved;
  - d. the effect of the visit on a particular class or activity;
  - e. the age of the students;
  - f. the nature of the class or program;
  - g. the potential for disclosure of confidential personally identifiable student information;

- h. whether the visitor/observer has a legitimate educational interest in visiting the school;
  - i. whether the visitor/observer has professional ethical obligations not to disclose any personally identifiable student information;
  - j. any safety risk to students and school staff; and
  - k. compliance with the Board's Guidelines for Independent Educational Evaluations, if applicable.
6. The building Principal or responsible administrator has the discretion to limit, or refuse, requests for visits and/or observations of student programs in light of the above criteria. When a requested observation is refused, the building Principal or responsible administrator will provide the parent/guardian with the reason for the decision and will work to develop alternative ways for the parent/guardian to obtain the information the parent/guardian seeks.
  7. If a building Principal or responsible administrator approves a request to visit a school building and/or observe a student program, arrangements must be made in advance to ensure that the visit will not disrupt educational programs. The length and scope of any visit shall be determined by the building Principal or responsible administrator in accordance with these regulations and accompanying Board policy. The building Principal or responsible administrator shall determine a reasonable amount of time for observations of individual students or student programs.
  8. Upon arrival, all visitors must comply with any and all applicable building security procedures, including but not limited to utilizing security buzzers for access, complying with requests for photo identification, reporting directly to and signing in and out at the visitors' reception area of the school office, prominently displaying visitors' badges or other identification required for visitors to the school buildings, limiting access to those areas of the buildings and grounds for which the visitors have authorized access, and complying with directives of school officials at all times.
  9. The district has an obligation to maintain the confidentiality of personally identifiable student information. All visitors and observers must restrict their visits and observations to the purpose identified in the request to visit or observe and are strictly prohibited from observing or collecting information on other students within the school. If the visitor/observer views, accesses or otherwise obtains personally identifiable student information concerning another student, the visitor/observer must notify the building Principal or responsible administrator as soon as possible.
  10. A refusal to comply with any of the Board's policy provisions and/or regulations concerning visitors shall constitute grounds for denial of the visitor's privileges, as determined appropriate by the building Principal or designee. Such refusal may also

result in a referral to law enforcement personnel, as determined appropriate by the building Principal or designee.

Legal References:

“Guidelines Regarding Independent Educational Evaluations at Public Expense and In-School Observations,” Connecticut State Department of Education (Mar. 28, 2018).

ADOPTED: \_\_\_\_\_

REVISED: \_\_\_\_\_

8/12/18

**Medical Health Insurance  
FY 18-19 Projections**

|   | <u>FY 19 Projection</u> |
|---|-------------------------|
| <b>Cash receipts</b>                                |                         |
| General Fund Budget from line 210                   | 15,203,452              |
| Other Fund Contributions                            | 100,000                 |
| Employee Contributions (Active)                     | 3,045,340               |
| Flex Spending Accounts                              | -                       |
| Cobra Participants                                  | -                       |
| Retirees - Under 65                                 | 375,000                 |
| State Teachers Retirement (TRB)                     | 115,000                 |
| Life Insurance Premiums                             | 25,000                  |
| Retirees Medicare Surround                          | 598,619                 |
| Other Contributions (FMLA, Retiree Life, etc.)      | 64,500                  |
| Prescription Guarantee Adjustment                   | -                       |
| Pharmacy Rebate                                     | -                       |
| <b>Total cash receipts</b>                          | <b>19,526,911</b>       |
| <b>Cash disbursements</b>                           |                         |
| State Partnership Plan 2.0 (10 months)              | 13,222,576              |
| Medical & Prescription (2 Months Self insured)      | 2,800,000               |
| IBNR  | 1,300,000               |
| Dental  | 1,147,718               |
| Flex Spending Accounts                              | -                       |
| Contribution to HSA                                 | -                       |
| Medical Administrative                              | 66,322                  |
| Network Access Fee                                  | 25,546                  |
| Individual Stop-Loss                                | 171,662                 |
| Dental Administrative                               | 55,931                  |
| FSA Administrative                                  | 2,000                   |
| Consulting Fee                                      | 52,500                  |
| PCORI Fee   | 4,525                   |
| Retirees Medicare Surround                          | 913,706                 |
| <b>Total cash disbursements</b>                     | <b>19,762,486</b>       |
| <b>Change in cash balance</b>                       | <b>(235,575)</b>        |
| <b>Beginning cash balance</b>                       | <b>1,695,998</b>        |
| FY 19 Pre funded by Town                            | (1,500,000)             |
| Change in Cash                                      | (235,575)               |
| <b>Net Position(Deficit) end of year-projection</b> | <b>(39,576)</b>         |

|                            | <u>Medical/Rx (HDHP)</u> | <u>Medical/Rx (SPP)</u> | <u>IBNR</u> | <u>Dental</u> | <u>Flex/Other</u> |
|----------------------------|--------------------------|-------------------------|-------------|---------------|-------------------|
| Jul 2018                   | \$ 1,514,635             | -                       | -           | \$ 99,980     | \$ 775            |
| Aug 2018                   | \$ 1,611,274             | -                       | -           | \$ 90,743     | \$ 190            |
| Sep 2018                   |                          | \$ 1,318,542            | 979,962     | \$ 90,285     | \$ 7,367          |
| Oct 2018                   |                          | \$ 1,338,285            |             |               |                   |
| Actual                     | \$ 3,125,910             | \$ 2,656,827            | \$ 979,962  | \$ 281,008    | \$ 8,332          |
| Budget                     | \$ 2,800,000             | \$ 13,222,576           | 1,300,000   | \$ 1,147,718  |                   |
| Actual vs. Budget          | \$ (325,910)             | -                       | -           | -             |                   |
| Actual YTD Spend Rate      | 111.6%                   | 20.1%                   | 75.4%       | 24.5%         |                   |
| Theoretical YTD Spend Rate | 100.0%                   | 20.0%                   | 100.0%      | 25.0%         |                   |
| YTD variance %             | 11.6%                    | 0.1%                    |             | -0.5%         |                   |
| YTD variance \$            |                          | \$ (12,311)             |             | \$ 5,921      |                   |
| Projected Trend full year  |                          | \$ (61,557)             |             | \$ 23,684     |                   |