

WESTPORT BOARD OF EDUCATION
POLICY COMMITTEE
NOTICE OF SPECIAL MEETING
AGENDA

(Agenda Subject to Modification in Accordance with Law)

SPECIAL NOTICE ABOUT PROCEDURES FOR THIS ELECTRONIC MEETING:

Pursuant to the Governor's Executive Orders No. 7B and 9H, there will not be a physical location for this meeting. This meeting will be held electronically and live streamed on westportct.gov and shown on Optimum Government Access Channel 79 and Frontier Channel 6020. Emails to BOE members can be sent to BOE@westportps.org. Comments to be read during the public comment period must be submitted to the meeting's Googledoc during the submission period. Please see the following link for instructions and guidelines: https://www.westportps.org/uploaded/site_files/www/boe/Procedures_and_Guidelines_for_Public_Participation_in_Remote_Board_Meetings.pdf We will use our best efforts to read public comments if they are received during the public comment period and if they state your full name and address. Meeting materials will be available at westportps.org along with the meeting notice posted on the Meeting Agenda page.

WORK SESSION:

8:00 a.m. Held Remotely Via Zoom Pursuant to Executive Order 7B and 9H

DISCUSSION/ACTION:

1. Minutes: October 21, 2020, *pages 1-2*

DISCUSSION:

1. Second Reading of Policy 2260, "Policy Regarding Retention of Electronic Records and Information" (New), *pages 3-4*
2. Continued Discussion of Policy 6162.51, "Surveys of Students/Student Privacy" (Revision), *pages 5-12*
3. First Reading of the Following:
 - Policy 5131.6, "Alcohol, Drugs, and Tobacco" (Revision), *pages 13-26*
 - Policy 1331, "Smoke Free Environment" (Revision), *pages 27-29*
 - Policy 5131.63, "Chemical Health for Student Athletes" (New), *pages 30-36*
 - Policy 5141.4, "Child Sex Abuse and Assault Response Policy and Reporting" (New), *pages 37-46*
 - 5000-series "Education Stability Procedures for Transportation Coordination with the Department of Children and Families" (New), *pages 47-49*
 - Policy 5141.3, "Immunizations" (Revision), *pages 50-54*
 - Policy 6141.321, "Acceptable Use", *pages 55-58*
 - Policy 4111.3, "Plan for Minority Staff Recruitment" (New), *pages 59-61*
4. Any Other Policy Matters

ADJOURNMENT

The meeting can also be viewed on Cablevision on channel 79; Frontier channel 6020, and by video stream @www.westportct.gov

PUBLIC PARTICIPATION WELCOME USING THE FOLLOWING GUIDELINES:

- Public comment will be accepted via a Google doc and the comments will be read aloud at the meeting. A link will be provided prior to the meeting.
- There will be no in-person public comment due to public health concerns.
- A maximum of 15 minutes will be provided for public comments.
- Comments on agenda items are limited to 1 minute each.

It is the policy of the Town of Westport that all Town-sponsored public meetings and events are accessible to people with disabilities. If you need assistance in participating in a meeting or event due to a disability as defined under the Americans with Disabilities Act, please contact Westport's ADA Coordinator at 203-341-1043 or eflug@westportct.gov at least three (3) business days prior to the scheduled meeting or event to request an accommodation.

**WESTPORT BOARD OF EDUCATION
POLICY COMMITTEE WORK SESSION MINUTES**

Committee Members Present:

Karen Kleine Committee Chair
Youn Su Chao
Lee Goldstein

Administrators Present

John Bayers Director of Human Resources (departed at 8:30 a.m., returned 9:33 a.m.)
Jessica Smith Counsel, Shipman and Goodwin (departed at 8:53 a.m.)

PUBLIC SESSION/CALL TO ORDER: 8:06 a.m., Held Remotely Via Zoom Pursuant to Executive Order 7B

EXECUTIVE SESSION: Discussion of attorney-client privileged memorandum providing legal advice regarding Board policies. Karen Kleine moved to enter into executive session, inviting Jessica Smith; seconded by Youn Su Chao. (3-0-0)

Karen Kleine moved to resume public session, seconded by Youn Su Chao. (3-0-0)

DISCUSSION

1. Second Reading of the Following Policies:

- 6159, "Individualized Education Instruction Program" (Revision)
- 6162.51, Surveys of Students/Student Privacy (Revision)
- 5112, "Ages of Attendance" (Revision)
- 5141.21, "Administration of Medications" (Revision)
- 5145.15, "Disclosure of Directory Information" (Revision)
- 5145.41, "Non-Discrimination" (Revision and Renumbering to 5145.4)
- 4118.237/4218.237/5141.8, "Face Masks/Coverings" (New)
- 5144, "Physical Restraint" (Renumber Only to 5144.1)
- 5113.2-C19, "Attendance, Truancy, and Chronic Absenteeism" (Revision)

2. First Reading of the Following:

- Regulation 5125.1, "Electronically Stored Data" (Renumbering to 2260)

- Policy 2260, "Policy Regarding Retention of Electronic Records and Information" (New)

The First reading of Policy 5131.6, "Alcohol, Drugs, and Tobacco" (Revision) was postponed to the next meeting.

The following policies will be moved to the full Board for discussion:

- 6159, "Individualized Education Instruction Program" (Revision)
- 5112, "Ages of Attendance" (Revision)
- 5141.21, "Administration of Medications" (Revision)
- 5145.15, "Disclosure of Directory Information" (Revision)
- 5145.41, "Non-Discrimination" (Revision and Renumbering to 5145.4)
- 4118.237/4218.237/5141.8, "Face Masks/Coverings" (New)
- 5144, "Physical Restraint" (Renumber Only to 5144.1)
- 5113.2-C19, "Attendance, Truancy, and Chronic Absenteeism" (Revision)

MINUTES: Karen Kleine moved to approve the minutes of September 16, 2020; seconded by Youn Su Chao. (3-0-0).

ADJOURNMENT

Meeting adjourned at 10:05 a.m.

Respectfully submitted,
Jennifer Caputo

Administration

POLICY REGARDING RETENTION OF ELECTRONIC RECORDS AND INFORMATION

I. POLICY

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

II. USE OF E-MAIL AND ELECTRONIC COMMUNICATIONS

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

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

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

Any retained messages may be retrieved as part of routine monitoring by the Board, an employee investigation or a formal discovery process as part of litigation. Employees should bear in mind

that e-mail messages may be retained at different locations within the computer network and that these messages are subject to retrieval. Consequently, employees should use discretion when using computers or other electronic technology to send, record or retain electronic communications and information.

III. RETENTION OF ELECTRONICALLY STORED INFORMATION

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

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

Legal References:

Conn. Gen. Stat. §§ 1-200(5); 1-211; 1-213(b)(3)

Conn. Gen. Stat. § 7-109

Conn. Gen. Stat. § 11-8 et seq.

General Letters 96-2, and 2009-2 of the Public Records Administrator

Public Records Policy 01, *Digital Imaging*, of the Public Records Administrator (Aug. 2014)

Record Retention Schedules Towns, Municipalities and Boards of Education

Frequently Asked Questions about E-mail, CT Public Records Administrator, *available at* <https://ctstatelibrary.org/wpcontent/uploads/2015/05/EmailGuidelines.pdf>.

POLICY ADOPTED:

WESTPORT PUBLIC SCHOOLS
Westport, Connecticut

Instruction

Survey of Students/Student Privacy

Surveys can be a valuable resource for schools and communities ~~in determining student needs for educational services.~~¹ When a survey is used, ~~every~~ effort should be made to ask questions in a neutral manner to [help](#) ensure the accuracy of the survey.²

Administrators, teachers, other staff members and the Board of Education may use surveys for many purposes. Such purposes may include, but are not limited to, [determining](#) the need for student services, ~~the determination of~~ [determining](#) prevailing views pertaining to proposed policies and/or practices, or ~~the determination of~~ [determining](#) student knowledge and/or attitudes related to a specific subject or units. These are examples of surveys and not intended to be an all-inclusive listing. [Surveys require Board and/or a](#) Administrative approval, ~~as applicable is required for surveys.~~³ Responses [to surveys](#) ~~will not be used in any identifying any identifying will not be used in any identifying~~ manner [unless a legally recognized exception or exemption applies](#) ~~manner.~~⁴

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

I. Definitions

- A. *"Invasive physical examination"* means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.
- B. *"Parent"* includes a legal guardian or other person standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child).
- C. *"Personally identifiable information"* includes, but is not limited to,
 - 1. the student's name;
 - 2. the name of the student's parent or other family members;
 - 3. the address of the student or student's family;

¹ I have proposed to strike this language because the stricken language represents only a small portion of the reasons why surveys may be administered, according to the language of the policy.

² I have proposed to soften the language to avoid establishing standards that may be difficult to meet (e.g., "every effort" and "ensure").

³ You added the Board approval requirement in Section II.

⁴ I am concerned about framing this as an absolute. For example, a student may consent to the use of personally identifiable information, or such information may be used in an emergency circumstance.

4. a personal identifier, such as the student's social security number, student number, or biometric record;
 5. other information that, alone or in combination, is linked or linkable to a specific student that would allow ~~a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify~~ the identification of the student with reasonable certainty; or
 6. information requested by a person who the educational agency or institution reasonably believes knows the identity of the student to whom the education record relates.
- D. *"Personal information"* means individually identifiable information including—
1. a student's or parent's first and last name;
 2. a home or other physical address (including a street name and the name of a city or town) or physical or technical (device) address or identifier;
 3. a telephone number; or
 4. a Social Security identification number.
- E. *"Survey"* ~~includes an evaluation~~ is defined as the collection of information from a sample of individuals through their responses to questions, but does not include a survey or evaluation administered to a student in accordance with the Individuals with Disabilities Education Act (20 U.S.C. § 1400 et seq.).

II. Student Surveys

Surveys conducted for agencies, organizations, or individuals other than the Westport Public Schools must have the recommendation of the Superintendent, or his/her designee, and approval of the Board of Education as to content and purpose.

- A. Surveys Funded in Whole or in Part by the U.S. Department of Education:
1. The administration shall make available for inspection by parents all instructional materials, including teacher's manuals, films, tapes or other supplementary material which will be used in connection with any survey, analysis, or evaluation funded in whole or in part by the U.S. Department of Education.
 2. The administration shall obtain the prior written consent of the parent or student (if the student is an adult or an emancipated minor), prior to requiring a student to submit to a survey, analysis, or evaluation funded in whole or part by the U.S. Department of Education that reveals information concerning any of the following topics:

- a. political affiliations or beliefs of the student or the student's parent;
- b. mental or psychological problems of the student or the student's parent;
- c. sex behavior or attitudes;
- d. illegal, anti-social, self-incriminating, or demeaning behavior;
- e. critical appraisals of other individuals with whom respondents have close family relationships;
- f. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
- g. religious practices, affiliations, or beliefs of the student or of the student's parent; or
- h. income (other than that required by law to determine eligibility in a program or for receiving financial assistance under such program).

B. All Other Surveys, Whether Funded by Sources Other than the U.S. Department of Education, or Not Funded by Any Source:

1. Third Party Surveys

- a. Prior to distributing any third party survey, the administration shall give notice to parents of the district's intent to distribute a survey on behalf of a third party.
- b. Upon request, the administration shall permit parents to inspect any third party survey before it is administered or distributed by a school to a student. The administration shall grant reasonable access to the survey within a reasonable period of time after a parental request is received.
- c. Student responses to third party surveys that contain personally identifiable information shall be considered student records, and shall be subject to the district's Confidentiality and Access to Student Records Policy and any administrative regulations or procedures governing the confidentiality of student records.

2. Confidential Topic Surveys

- a. The provisions of this subsection apply to any survey (i.e., any collection of personally identifiable information from students, whether or not it resembles a formal "survey), regardless who sponsors it, or whether it is sponsored at all, which ~~(sponsored~~

~~by the school district or a third party)~~ which contains questions pertaining to one or more of the following items ("Confidential Topic Surveys"):

- i) political affiliations or beliefs of the student or the student's parent,
 - ii) mental or psychological problems of the student or the student's parent,
 - iii) sex behavior or attitudes,
 - iv) illegal, anti-social, self-incriminating, or demeaning behavior,
 - v) critical appraisals of other individuals with whom respondents have close family relationships,
 - vi) legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers,
 - vii) religious practices, affiliations, or beliefs of the student or of the student's parent,
 - viii) income (other than that required by law to determine eligibility in a program or for receiving financial assistance under such program).
 - ix) biometric records
 - x) medical/genetic information
- b. At the beginning of the school year, ~~the~~ administration or faculty shall give direct notice to parents of affected students of the district's intent to distribute ~~a~~ one or more Confidential Topic Survey(s). Such notice shall include the specific or approximate dates during the school year of such distribution. This notice shall also permit the parent or student (if an adult or emancipated minor) to opt in or opt out of all such Confidential Topic Surveys for the year, and shall further permit the parent or student to choose to opt in solely through the use of paper and pencil for such surveys, in lieu of a web-based platform.
- c. Upon request, the administration shall permit parents to inspect any Confidential Topic Survey before it is administered, distributed or used by a school to or with a student. The administration shall grant reasonable access to the Confidential Topic Survey within a reasonable period of time after a parental request is received.

d. Confidential Topic Surveys may only be administered to students whose parents (or, in the case of an adult or emancipated minor, the student him or herself) has submitted a written opt-in for such Surveys. Where parents (or adult or emancipated minor students) have not opted in to all such Surveys at the beginning of the year, the administration or individual teachers may solicit a written opt-in in advance of a specific Survey. A written opt-in for for that Survey shall only apply to that Survey, and shall include the option to use paper and pencil for that Survey, in lieu of a web-based platform.

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

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

~~f.~~ For each Confidential Topic Survey, the administration shall determine whether, in connection with administering such survey, additional steps are advisable to help further protect student privacy, including but not limited to the privacy of student information collected, maintained, and/or used via a web-based platform such as an Internet web site, online service, or mobile application. The administration shall specifically consider, among any other considerations the administration determines are appropriate, (i) whether, in addition to the direct notice described in Section II.B.2.b above, further direct notice to parents of affected students of the district's intent to distribute such Confidential Topic Survey is appropriate, and if so, the timing and form of such notice; and (ii) whether such Confidential Topic Survey should be administered using paper and pencil in lieu of a web-based platform.

III. Collection of Personal Information

A. The provisions of this subsection apply to any instrument designed to collect personal information from a student for the purpose of marketing, selling or otherwise distributing such information or providing that information to others for that purpose. The provisions of subsection II, above, apply to any instruments described in this section that also meet the requirements of subsection II.

- B. At the beginning of the school year, the administration shall give direct notice to parents of affected students (or to the students aged eighteen (18) or older or emancipated minors) of the district's intent to collect, disclose or use personal information collected from students for the purpose of marketing, selling or otherwise distributing such information or providing that information to others for that purpose. Such notice shall include the specific or approximate dates during the school year of such collection, disclosure or use of personal information.
- C. Upon written request, the administration shall permit parents to inspect an instrument designed to collect personal information of students before it is administered or distributed by a school to a student. The administration shall grant reasonable access to the instrument within a reasonable period of time after a parental request is received.
- D. The administration will require parents (or students aged eighteen (18) or older or emancipated minors) to opt in to participation in the collection, disclosure or use of personal information obtained from students for the purposes of marketing, selling or otherwise distributing the personal information to others for that purpose.
- E. The provisions regarding the collection, disclosure and/or use of personal information do not apply to personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following:
1. college or other post-secondary education recruitment, or military recruitment*;
 2. book clubs, magazines, and programs providing access to low-cost literary products;
 3. curriculum and instructional materials used by elementary schools and secondary schools;
 4. tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students;
 5. the sale by students of products or services to raise funds for school-related or education-related activities;
 6. student recognition programs.

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

accordance with the district's Confidentiality and Access to Student Records Policy.

IV. Non-Emergency Invasive Physical Examinations and Screenings:

- A. The provisions described in this subparagraph shall apply to any non-emergency, invasive physical examinations/screenings conducted by the school district, when such examinations/screenings meet the following conditions:
1. they are required as a condition of attendance;
 2. they are administered by the school and scheduled by the school in advance;
 3. they are not necessary to protect the immediate health and safety of the students; and
 4. they are not required by state law.
- B. At the beginning of the school year, the administration shall give direct notice to parents of affected students (or the affected student if eighteen (18) or older or an emancipated minor) of the district's intent to conduct non-emergency invasive physical examination(s)/ screening(s) described above, except for hearing, vision or scoliosis screenings. Such notice shall include the specific or approximate dates during the school year of the administration of such the non-emergency invasive physical examination(s) / screening(s).
- C. Upon written request, the administration shall permit parents of affected students or the affected students (if adults or emancipated minors) to opt out of participation in the non-emergency invasive physical examination(s)/screening(s) described in this subparagraph.

V. Complaint Procedure

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

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

(cf. 6161 – Instructional Materials Selection)

Legal Reference:

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

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

Policy adopted:

WESTPORT PUBLIC SCHOOLS
Westport, Connecticut

**Series 5000
Students**

DRUG AND ALCOHOL USE BY STUDENTS

Policy Statement

The Board is required by Connecticut law to prescribe rules for the management and discipline of its schools. In keeping with this mandate, the unlawful use, sale, distribution or possession of controlled drugs, controlled substances, drug paraphernalia, as defined in C.G.S. Section 21a-240, or alcohol on or off school property or during any school sponsored activity is prohibited. It shall be the policy of the Board to take positive action through education, counseling, discipline, parental involvement, medical referral, and law enforcement referral, as appropriate, in the handling of incidents in the schools involving the unlawful possession, distribution, sale or use of substances that affect behavior.

Definitions

- (1) Controlled Drugs: means those drugs which contain any quantity of a substance which has been designated as subject to the federal Controlled Substances Act, or which has been designated as a depressant or stimulant drug pursuant to federal food and drug laws, or which has been designated by the Commissioner of Consumer Protection pursuant to C.G.S. Section 21a-243, as having a stimulant, depressant or hallucinogenic effect upon the higher functions of the central nervous system and as having a tendency to promote abuse or psychological or physiological dependence, or both. Such controlled drugs are classifiable as amphetamine-type, barbiturate-type, cannabis-type, cocaine-type, hallucinogenic, morphine-type and other stimulant and depressant drugs. C.G.S. Section 21a-240(8).
- (2) Controlled Substances: means a drug, substance or immediate precursor in schedules I to V, inclusive, of the Connecticut controlled substance scheduling regulations adopted pursuant to C.G.S. Section 21a-243. C.G.S. Section 21a-240(9).
- (3) Professional Communication: any communication made privately and in confidence by a student to a professional employee of such student's school in the course of the professional employee's employment. C.G.S. Section 10-154a(a)(4).
- (4) Professional Employee: means a person employed by a school who "(A) holds a certificate from the State Board of Education, (B) is a member of a faculty where certification is not required, (C) is an administration officer of a school, or (D) is a

registered nurse employed by or assigned to a school." C.G.S. Section 10-154a(a)(2).

- (5) Drug Paraphernalia: means any equipment, products and materials of any kind which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing or concealing, or injecting, ingesting, inhaling or otherwise introducing controlled drugs or controlled substances into the human body, including but not limited to all items specified in C.G.S. Section 21a-240(20)(A), such as "bongs," pipes, "roach clips," miniature cocaine spoons, crack cocaine vials, tobacco rolling papers, and any object or container used, intended or designed for use in storing, concealing, possessing, distributing or selling controlled drugs or controlled substances. C.G.S. Section 21a-240(20)(A).

Procedures

- (1) Emergencies.

If an emergency situation results from drug or alcohol use, the student shall be sent to the school nurse or medical advisor immediately. The parent or designated responsible person will be notified.

- (2) Prescribed Medications.

Students may possess and/or self-administer medications in school in accordance with the Board's policy concerning the administration of medication in school.

Students taking improper amounts of a prescribed medication, or otherwise taking medication contrary to the provisions of the Board's policy on the administration of medication will be subject to the procedures for improper drug or alcohol use outlined in this policy.

- (3) Voluntary Disclosure of Drug/Alcohol Problem (Self-Referral).

The following procedures will be followed when a student privately, and in confidence, discloses to a professional employee in a professional communication information concerning the student's use, possession, distribution or sale of a controlled drug, controlled substance or alcohol.

- (a) Professional employees are permitted, in their professional judgment, to disclose any information acquired through a professional communication with a student, when such information concerns alcohol or drug abuse or any alcohol or drug problem of such student. In no event, however, will they be required to do so. C.G.S. Section 10-154a(b).

- (b) Any physical evidence obtained from such student through a professional communication indicating that a crime has been or is being committed by the student **must** be turned over to school administrators or law enforcement officials as soon as possible, but no later than two calendar days after receipt of such physical evidence, excluding Saturdays, Sundays and holidays. Employees are encouraged to contact the school administrator immediately upon obtaining physical evidence. In no case, however, will such employee be required to disclose the name of the student from whom the evidence was obtained. C.G.S. Section 10-154a(b).
 - (c) Any professional employee who has received a professional communication from a student may obtain advice and information concerning appropriate resources and refer the student accordingly, subject to the rights of the professional employee as described in paragraph (a) above.
 - (d) If a student consents to disclosure of a professional communication concerning the student's alcohol or drug problem, or if the professional employee deems disclosure to be appropriate, the professional employee should report the student's name and problem to the school's building administrator or designee who shall refer the student to appropriate school staff members for intervention and counseling.
- (4) Involuntary Disclosure or Discovery of Drug/Alcohol Problems.

When a professional employee obtains information related to a student *from a source other than the student's confidential disclosure*, that the student, on or off school grounds or at a school sponsored activity, is under the influence of, or possesses, uses, dispenses, distributes, administers, sells or aids in the procurement of a controlled drug, controlled substance, drug paraphernalia or alcohol, that information is considered to be involuntarily disclosed. In this event, the following procedures will apply.

- (a) The professional employee will immediately report the information to the building administrator or designee. The building administrator or designee will then refer the student to appropriate school staff members for intervention and counseling.
- (b) Any physical evidence (for example, alcohol, drugs or drug paraphernalia) obtained from a student indicating that a crime has been or is being committed by the student must be turned over to the building administrator or designee or to law enforcement officials as soon as possible, but no later than within two calendar days after receipt of such physical evidence, excluding Saturdays, Sundays and holidays. C.G.S. Section 10-154a(b). Because such evidence was **not** obtained through a

professional communication, the name of the student must be disclosed to the building administrator or designee.

- (c) Search and Seizure of Students and/or Possessions: A professional employee who reasonably suspects that a student is violating a state/federal law or a school substance abuse policy must **immediately** report his/her suspicion to the building administrator or designee. The building administrator or designee may then search a student's person or possessions connected to that person, in accordance with the Board's policies and regulations if he/she has reasonable suspicion from the inception of the search that the student has violated or is violating either the law or a school substance abuse policy.

Any physical evidence obtained in the search of a student, or a student's possessions, indicating that the student is violating or has violated a state or federal law **must** be turned over to law enforcement officials as soon as possible, but not later than within three calendar days after receipt of such physical evidence, excluding Saturdays, Sundays and holidays. C.G.S. Section 10-154a(c). All school employees are encouraged to contact the school administration immediately upon obtaining physical evidence.

(5) Consequences for the Use, Sale, Distribution or Possession of Controlled Drugs, Controlled Substances, Drug Paraphernalia or Alcohol.

- (a) Any student in the [] Public Schools using, consuming, possessing, being under the influence of, manufacturing, distributing, selling or aiding in the procurement of controlled drugs, controlled substances, drug paraphernalia or alcohol either on or off school property, or at a school-sponsored activity, except as such use or possession is in accordance with Connecticut General Statutes § 21a-408a through 408q, is subject to discipline up to and including expulsion pursuant to the Board's student discipline policy.
- (b) In conformity with the Board's student discipline policy, students may be suspended or expelled for drug or alcohol use off school grounds if such drug or alcohol use is considered seriously disruptive of the educational process. In determining whether the conduct is seriously disruptive of the educational process, the Administration and the Board may consider, among other factors: 1) whether the drug or alcohol use occurred within close proximity of a school; 2) whether other students from the school were involved; and 3) whether any injuries occurred.
- (c) If a school administrator has reason to believe that any student was engaged, on or off school grounds, in offering for sale or distribution a controlled substance (as defined by Conn. Gen. Stat. § 21a-240(9)), whose manufacturing, distribution, sale, prescription, dispensing, transporting, or

possessing with intent to sell or dispense, offering or administering is subject to criminal penalties under Conn. Gen. Stats. §§ 21a-277 and 21a-278, the administrator will recommend such student for expulsion, in accordance with the Board's student discipline policy.

- (d) Students found to be in violation of this policy may be referred by the building administrator to an appropriate agency licensed to assess and treat drug and alcohol involved individuals. In such event, assessment and treatment costs will be the responsibility of the parent or guardian.
- (e) A meeting may be scheduled with appropriate school staff members for the purpose of discussing the school's drug and alcohol policy with the student and parent or guardian.
- (f) Law enforcement officials may be contacted by the building administrator in the case of suspected involvement in the use, sale or distribution of controlled drugs, controlled substances, drug paraphernalia or alcohol.

Legal References:

Connecticut General Statutes:

Public Act 18-185, An Act Concerning the Recommendations of the Task Force on Life-Threatening Food Allergies in Schools

Section 10-154a
Section 10-212a
Section 10-221

Sections 10-233a through 10-233f
Section 21a-240
Section 21a-243
Section 21a-408a through 408q

ADOPTED: _____
REVISED: _____

07/30/18

Students

Alcohol Use, Drugs, and Tobacco (including Performance Enhancing Substances)

Pursuant to the goal of the Board of Education (Board) to maintain a drug, tobacco and alcohol-free school district, schools shall take positive action through education, counseling, parental involvement, and medical and police referral in handling incidents in the schools involving possession, sale, and/or use of behavior affecting substances. These substances shall include but not be limited to alcohol and controlled substances as defined in the Penal Code of the State of Connecticut.

Alcohol, tobacco, stimulants, street drugs, including but not limited to marijuana, heroin and cocaine; anabolic steroids, hormones and analogues, diuretics and other performance enhancing substances; including supplements and Creatine, are addressed by this policy and accompanying administrative regulations.

Possessing, using, or transmitting any substance which is represented to be or looks like a narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, stimulant, depressant, or intoxicant of any kind, including such substances that contain chemicals which produce the same effect of illegal substances including but not limited to Spice and K2 and bath salts are addressed by this policy.

Definitions

Drugs are defined as any substance other than food or water that is intended to be taken or administered (ingested, injected, applied, implanted, inhaled, etc.) for the purpose of altering, sustaining, or controlling the recipient's physical, mental, or emotional state. Drugs may include, but not be limited to, alcoholic beverages; controlled substances such as marijuana, hallucinogens, cocaine, barbiturates, amphetamines, narcotics; and non-authorized prescription drugs.

Controlled substances, for purposes of this policy shall include all controlled substances prohibited by federal and state law, look-alike drugs, alcoholic beverages, anabolic steroids, drug paraphernalia, any volatile solvents or inhalants, such as but not limited to glue and aerosol products, and prescription or patent drugs, except those for which permission for use in school has been granted pursuant to Board policy.

Under the influence, for purposes of this policy shall include any consumption or ingestion of controlled substances by a student.

Electronic nicotine delivery system means an electronic device that may be used to simulate smoking in the delivery of nicotine or other substance to a person inhaling from the device, and includes, but is not limited to, an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or electronic hookah and any related device and any cartridge or other component of such device.

Liquid nicotine container means a container that holds a liquid substance containing nicotine that is sold, marketed or intended for use in an electronic nicotine delivery system or vapor product, except "liquid nicotine container" does not include such a container that is prefilled and sealed by the manufacturer and not intended to be opened by the consumer.

Vapor product means any product that employs a heating element, power source, electronic circuit or other electronic, chemical or mechanical means, regardless of shape or size, to produce a vapor that may or may not include nicotine that is inhaled by the user of such product.

Privacy Rights

Personal privacy rights of students shall be protected as provided by law. School properties may be inspected by school authorities to maintain health and safety. Searches to locate drugs, narcotics, liquor, weapons, poisons, and missing properties are matters relating to health and safety and may be regarded as reasonable grounds for searches by school personnel. Privileged communication between a certified or paraprofessional employee and a student concerning drug abuse shall remain confidential except in cases where the employee is obtaining physical evidence of a controlled substance, and/or where there is an immediate threat to, or where students' health, safety, and welfare may be jeopardized.

Illegal Activities

Use, possession, sale or distribution of drugs, including prescription drugs, drug paraphernalia and/or alcoholic beverages in violation of state law or Board of Education policy is prohibited at any time on school premises or at any school-sponsored activity. If a student is under the influence of a drug or alcohol, or engaged in the illegal activity of possessing or selling drugs and/or alcohol, the police will be notified, his/her parent(s)/guardian will be contacted, he/she will be suspended from school, referred to a Student Support Team, and considered for expulsion. In cases of the illegal activity of possessing or selling drugs or alcohol, students will be referred to the appropriate law enforcement authorities. If a student is arrested and is awaiting trial for possession of, or possession of with intent to sell drugs in or on school property or at a school-sponsored event, the student will not be allowed to attend school without the permission of the Superintendent, per the guidelines set forth in Policy [#5114](#).

Notification of Policy

Annually, students will be notified through the student handbook, or through other means, of disciplinary sanctions for violation of this policy.

Principals shall include statements, appropriate to student maturity, in school handbooks and on District/school websites to the effect that:

1. the unlawful manufacture, distribution, sale, dispensing, possession or use of controlled substances, other illegal drugs, performance-enhancing substances, alcohol or tobacco, including electronic nicotine delivery systems and vapor products, is prohibited in school, on school grounds, on school transportation and at school sponsored activities;
2. compliance with the standards of conduct stated in the handbook is mandatory;

3. a violation of its provisions will subject students to disciplinary action up to and including expulsion and referral for prosecution: and
4. CIAC controlled activities at the high school and middle school levels sponsored by the District/school are included in this policy and accompanying administrative regulations.
5. CIAC may impose sanctions beyond those applied by the District for the use of performance-enhancing substances, as defined in this policy, by athletes.

Disciplinary Action

Students who violate this policy will be subject to disciplinary action which includes, but is not limited to, suspension or expulsion, and/or a program recommended by the Student Support Team. Student athletes who violate this policy, participating in CIAC-controlled activities shall also be declared ineligible for such activities in accordance with CIAC policy and regulation. Any disciplinary actions imposed will ensure that similar violations will be treated consistently. The Superintendent shall propose and the Board of Education shall approve procedures and regulations to ensure that any student violating this policy is subjected to disciplinary action, and that any disciplinary actions imposed for similar violations are treated consistently.

The following guidelines for reporting alleged violations are to be followed:

1. If an employee suspects student possession, use, abuse, distribution or sale of controlled substances, other illegal drugs, performance-enhancing drugs, alcohol, or tobacco/tobacco products the employee shall refer the matter to the Principal or his/her designee. The Principal or designee will notify the student's parent/guardian, recommend a specific assessment, as appropriate, and contact law enforcement personnel as appropriate.
2. If an employee obtains physical evidence of a controlled substance, other illegal drug, drug paraphernalia, performance-enhancing drugs, alcohol, tobacco products or tobacco paraphernalia from a student in school, on school grounds, on school provided transportation or at a school sponsored event, the employee shall turn the student and the controlled substance over to the school principal or designee. The Principal will notify the student's parent/guardian, recommend a specified assessment as appropriate, notify law enforcement personnel and shall surrender possession of the controlled substance to the proper authorities within the time period required by state law.

Drug-Free Awareness Program

The Superintendent shall assure that the school District provides a drug-free awareness program for students including the following topics:

- health and safety-related dangers of drug abuse;
- review of the Board of Education's policy of maintaining drug-free schools;
- notification of the availability of drug counseling and rehabilitation programs; and

- official penalties for drug abuse violations in schools.

Drugs and Alcohol

It is the policy of the Board to prevent and prohibit the use (except as duly authorized through the school nurse), possession, distribution or sale of any drug, drug paraphernalia, or alcohol by any student at any time on school property, at school-sponsored events or on school-provided transportation. The District provides (1) a supportive environment for recovering chemically dependent students during and/or after their involvement in a treatment program for chemical dependency; and will provide (2) assistance to those students who are affected by drug/alcohol possession or use by others. Any student in District schools found to be using, selling, distributing, in possession of or under the influence of intoxicants, mood altering drugs or substances, or look-alike drugs, or in possession of any related drug paraphernalia during a school session, on school premises, or anywhere at a school-sponsored activity or trip, on school-provided transportation, or otherwise off school grounds when such student's conduct violates the substance abuse policy and is seriously disruptive of the educational process shall be subject to consequences as stated in the student handbook.

A breath alcohol tester is approved for use at events/activities such as dances and proms at the middle school and high school levels where, in the judgment of the school administrator, there exists reasonable suspicion that a student has consumed an alcoholic beverage and then, only under the following circumstances:

- The student denies to an administrator that he/she has consumed alcoholic beverages and wishes to establish his/her innocence. Should the student register a positive reading on the breath alcohol tester, consequences will be administered as outlined in the discipline/behavior regulations in the Code of Conduct
- The student denies to an administrator that he/she has consumed alcoholic beverages and elects not to utilize the breath alcohol tester to establish his/her innocence. The judgment of the administrator will then be utilized to determine if the student has consumed an alcoholic beverage. In this instance, consequences will be administered as outlined in the discipline/behavior regulations in the Code of Conduct.

Inhalant Abuse

In addition to the prohibitions pertaining to alcohol, drugs and tobacco contained in this policy, no student shall inhale, ingest, apply, use or possess an abusable glue, aerosol paint or substance containing a volatile chemical with intent to inhale, ingest, apply or use any of these in a manner:

1. Contrary to directions for use, cautions or warnings appearing on a label of a container of the glue, paint aerosol or substance; and
2. Designed to affect the central nervous system, create or induce a condition of intoxication, hallucination or elation, or change, distort, or disturb the person's eyesight, thinking process, balance or coordination.

For purposes of this policy, inhalants are defined as follows, but not limited to:

Nitrous Oxide - Laughing Gas, Whippets, CO₂ Cartridge

Amyl Nitrite - "Locker Room," "Rush," "Poppers," "Snappers"

Butyl Nitrite - "Bullet," "Climax"

Chlorohydrocarbons - Aerosol Paint Cans, Cleaning Fluids

Hydrocarbons - Aerosol Propellants, Gasoline, Glue, Butane

Further, no student, 18 years of age or older, shall intentionally, knowingly or recklessly deliver or sell potentially abusable inhalant materials as listed above to a minor student.

No student shall intentionally use or possess with intent to use inhalant paraphernalia to inhale, ingest, or otherwise introduce into the body an abusable glue, aerosol paint or substance or other substance that contains a volatile chemical.

Any student in the District schools found to be in possession of, using, distributing, or selling potentially abusable inhalant materials shall be subject to disciplinary action as outlined in this policy, up to and including suspension and a recommendation for expulsion. Violators of this policy may also be required to complete an appropriate rehabilitation program. The Superintendent shall propose and the Board of Education shall approve procedures and regulations to ensure that any student violating this policy is subjected to disciplinary action, and that any disciplinary actions imposed for similar violations are treated consistently.

The Board of Education shall incorporate into the curriculum at all levels education pertaining to potential inhalant abuse which is appropriate for students given their age, maturity, and grade level. Inhalant abuse educational programs/information for parents/guardians will be offered in a manner convenient to parents/guardians.

Performance-Enhancing Drugs (including food supplement)

In addition to the prohibition pertaining to alcohol, drugs, tobacco and inhalants, the Board of Education prohibits the use, possession, distribution or sale of performance-enhancing drugs, including anabolic steroids and food supplements, including Creatine, by students involved in school-related athletics or any co-curricular or extracurricular school activity/program, other than use for a valid medical purpose as documented by a physician. Bodybuilding and enhancement of athletic ability and performance are not considered valid medical purposes.

School personnel and coaches will not dispense any drugs, medication or food supplements except as in compliance with Connecticut State law, District policy and as prescribed by a student's physician, dentist, physician assistant or advanced practice registered nurse.

Students shall be made aware of the dangers of steroid abuse and that such abuse, unauthorized possession, purchase, or sale will subject them to disciplinary action and CIAC sanctions.

Students who violate this policy will be subject to disciplinary action. The Superintendent shall propose, and the Board of Education shall approve, procedures and regulations to ensure that any student violating this section is subjected to disciplinary action, and that any disciplinary actions imposed for similar violations are treated consistently.

It is the expectation of the Board that District schools, as members of the Connecticut Interscholastic Athletic Association (CIAC), require all athletes playing in CIAC-controlled sports to be chemical free.

Tobacco/E-Cigarette Use by Students

There shall be no smoking or any other unauthorized use or possession of tobacco, tobacco products, including chewing tobacco or tobacco paraphernalia, and electronic nicotine delivery systems or vapor products by students in any school building or school vehicle at any time or on any school grounds during the school day, or at any time when the student is subject to the supervision of designated school personnel. Such as when the student is at any school function, extracurricular event, field trip, or school related activity such as a work-study program. An ongoing program of student support and counseling will be offered to provide support for students who wish to break the smoking habit.

Tobacco includes, but is not limited to cigarettes, cigars, snuff, smoking tobacco, smokeless tobacco, nicotine, nicotine delivering systems or vapor product, chemicals, or devices that produce the same flavor or physical effect of nicotine substances; and any other tobacco or nicotine innovations.

Alternate language to consider: For purposes of this policy, "use of tobacco" shall mean all uses of tobacco, including but is not limited to, cigarettes, cigars, snuff, blunts, bidis, pipes, chewing tobacco, or any other substance that contains tobacco or nicotine, and all other forms of smokeless tobacco, rolling papers and any other items containing or reasonably resembling tobacco or tobacco products. In order to protect students and staff, the Board prohibits the use of tobacco or nicotine-based products in school buildings, on school grounds, in school vehicles, or at any school-related event.

Students who violate this policy will be subject to disciplinary action. The Superintendent shall propose and the Board of Education shall approve procedures and regulations to ensure that any student violating this policy is subjected to disciplinary action, and that any disciplinary actions imposed for similar actions are treated consistently.

Medical Marijuana

The conditions which follow are applicable to a District student who holds a certificate authorizing the palliative use of marijuana issued by the Connecticut Department of Consumer Protection (DCP) for the medical use of marijuana as set out in P.A. 12-55, "An Act Concerning the Palliative Use of Marijuana" and as amended by P.A. 16-23.

The District will not refuse to enroll a student or otherwise penalize a student for being a medical marijuana certificate holder unless failure to do so would cause the school to lose a monetary or licensing benefit under federal law or regulations.

A student medical marijuana certificate holder is subject to, without bias, the same code of conduct and disciplinary standards applicable to all students attending District schools. A student medical marijuana certificate holder shall not:

- Undertake any task under the influence of marijuana that would constitute negligence;
- Possess or engage in the medical use of marijuana
- On a school bus,
- On the grounds of any preschool, elementary or secondary school,
- Utilize marijuana on any form of public transportation or in any public place.
- Operate, navigate, or be in actual physical control of any motor vehicle while under the influence of marijuana, except that a qualifying certified marijuana user for medical purposes shall not be considered to be under the influence of marijuana solely because of the presence of metabolites or components of marijuana that appear in insufficient concentration to cause impairment;
- Use marijuana in any manner not authorized by P.A. 12-55 as amended by P.A. 16-23; or
- Offer to give, sell, or dispense medical marijuana to another student or other individual on school property, in school-provided vehicles, at school events, or when functioning as a representative of the school.

If District officials have reasonable belief that a student may be under the influence, in possession of, or distributing medical marijuana, in a manner not authorized by the medical marijuana statute, law enforcement authorities will be informed.

A student who violates any portion of this policy shall be subject to disciplinary action and applicable criminal prosecution.

Alternate language to consider: Although possession and use of marijuana for certain medical conditions, consistent with Connecticut's P.A. 12-55, "An Act Concerning the Palliative Use of Marijuana," as amended by P.A. 16-23, is no longer a crime in Connecticut, the possession and use of marijuana remains illegal under federal law. Consistent with federal law, including the Controlled Substances Act and the Drug-Free Schools and Communities Act, the use and or possession of marijuana continues to be prohibited while a student is on a school bus, at school, on school grounds or at a school-sponsored activity. The District will continue to enforce its policies regarding controlled substances and any students who violate District policy prohibiting the use, sale or possession of illegal drugs in District facilities and school property will be subject to disciplinary and criminal action.

(cf. [5114](#) - Suspension/Expulsion)

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

(cf. 5131.61 - Inhalant Abuse)

(cf. [5131.62](#) - Steroid Use)

(cf. 5131.612 - Surrender of Physical Evidence Obtained from Students)

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

(cf. 5131.92 - Corporal Punishment)

(cf. 5144 - Discipline/Punishment)

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

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

(cf. [5145.122](#) - Use of Dogs to Search School Property)

(cf. 5145.124 - Breathalyzer Testing)

(cf. 5145.125 - Drug Testing-Extracurricular Activities)

(cf. [6164.11](#) - Drugs, Alcohol, Tobacco)

Legal Reference: Connecticut General Statutes

[1](#)-21b Smoking prohibited in certain places.

[10](#)-19 Teaching about alcohol, nicotine or tobacco, drugs and acquired immune deficiency syndrome. Training of personnel.

[10](#)-154a Professional communications between teacher or nurse and student. Surrender or physical evidence obtained from students.

[10](#)-220b Policy statement on drugs.

[10](#)-221(d) Boards of education to prescribe rules, policies and procedures re sale or possession of alcohol or controlled drugs.

[21a](#)-240 Definitions dependency producing drugs.

[21a](#) -240(8) Definitions "Controlled Drugs," dependency producing drugs.

[21a](#)-240(9) Definitions "controlled substance."

[21a](#)-243 Regulation re schedules of controlled substances.

[21a](#)-408 et. seq. Palliative Uses of Marijuana (as amended by P.A. 16-23)

[53](#)-198 Smoking in motor buses, railroad cars and school buses.

P.A. 11-73 An Act Regulating the Sale and Possession of Synthetic Marijuana and Salvia Divinorum.

P.A. 12-55 An Act Concerning the Palliative Use of Marijuana.

P.A. 16-23 An Act Concerning the Palliative Use of Marijuana

P.A. 14-76 An Act Concerning the Governor's Recommendations Regarding Electronic Nicotine Delivery Systems and Youth Smoking Prevention.

P.A. 15-206 An Act Regulating Electronic Nicotine Delivery Systems and Vapor Products

Federal Regulation 34 CFR Part 85 Drug-free Schools & Communities Act.

PL 114-95 Every Student Succeeds Act, Section 8573

Synthetic Drug Abuse Prevention Act of 2012. (part of s.3187, the Food and Drug Administration Safety and Innovation Act)

New Jersey v. T.L.O., 469 U.S. 325 (1985).

Veronia School District 47J v. Acton, 515 U.S. 646. (1995)

Board of Education of Independent School District No 92 of Pottawatomie County v. Earls 01-332 U.S. (2002).

Community Relations

~~Smoke Free Environment~~ Prohibition Against Smoking

The Westport Board of Education ~~recognizes the deleterious health effect of smoking, and second-hand smoke. The Board also recognizes that adults should be providing positive role models for students. Therefore, the Board of Education prohibits any student or adult smoking on school property or at school-sponsored events at any time. The Board of Education is supportive of a system-wide educational campaign, about the harmfulness of smoking, and of programs of assistance to help smokers cure the habit.~~ ("Board") prohibits smoking, including smoking using an electronic nicotine delivery system (e.g., e-cigarettes) or vapor product, within any of its schools, including any indoor facility owned or leased or contracted for, and utilized by the Board for the provision of routine or regular kindergarten, elementary, or secondary education or library services to children, or on the grounds of such school, or at any school-sponsored activity. For purposes of this policy, the term "electronic nicotine delivery system" shall mean an electronic device used in the delivery of nicotine or other substances to a person inhaling from the device and includes, but is not limited to, an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or electronic hookah and any related device and any cartridge or other component of such device, including, but not limited to, electronic cigarette liquid. The term "vapor product" shall mean any product that employs a heating element, power source, electronic circuit or other electronic, chemical or mechanical means, regardless of shape or size, to produce a vapor that may or may not include nicotine and is inhaled by the user of such product. The term "school-sponsored activity" shall mean any activity sponsored, recognized or authorized by the Board and includes activities conducted on or off school property.

The Board further prohibits smoking including smoking using an electronic nicotine delivery system (e.g., e-cigarettes) or vapor product on the real property of any administrative office building. Real property means the land and all temporary and permanent structures comprising the district's administrative office building(s) and includes, but is not limited to storage facilities and parking lots.

~~**Students:** Students are not permitted to smoke at any time, or be in possession of any tobacco products, or non-tobacco smoking products in school buildings, on school grounds, on school buses, vans or any school provided transportation, or at any school sponsored activity.~~

~~**Staff and Other Adults:** Staff and other adults are not permitted to smoke at any time in school buildings, on school grounds, on school buses, vans or any school provided transportation, or at any school sponsored activity. Smoking is prohibited in any offices assigned to, or public reception areas used by Board of Education personnel, and at public meetings held under the aegis of the Board of Education.~~

~~**Definition:** As used herein, "smoke" or "smoking" means the lighting or carrying of a lighted cigarette, cigar or pipe or similar device.~~

It is the policy of the Town of Westport to prohibit smoking on all Town premises in order to provide and maintain a safe and healthy work environment for all employees and visitors. The law defines smoking as the "act of lighting, smoking or carrying a lighted or smoldering cigar, cigarette or pipe of any kind." This will also apply to e-cigarettes.

The smoke-free workplace policy applies to:

- All areas of buildings occupied by Town employees.
- All Town-sponsored off-site conferences and meetings.
- All vehicles owned or leased by the Town.
- All visitors (customers and vendors) to Town premises.
- All contractors and consultants and/or their employees working on Town premises.
- All temporary employees.
- All seasonal employees
- All student interns.

Smoking is permitted in the parking lots and other open areas, but not within 25 feet from any building entrance.

(cf. 1120 Board of Education Meetings)

(cf. 1330 Use of School Facilities)

(cf. 4118.231/4218.231 Employee Smoking, Drinking, and Use of Drugs on School Premises)

(cf. 5131.6 Drugs, Tobacco, and Alcohol)

Legal Reference: ~~Connecticut General Statutes~~

Public Act 19-13

Conn. Gen. Stat. § 10-233a(h)

Conn. Gen. Stat. § 19a-342 ~~Smoking prohibited in certain places. Signs required. Penalties.~~

Conn. Gen. Stat. § 19a-342a

Conn. Gen. Stat. § 53-344b

Pro-Children Act of 2001, Pub. L. 107-110, 115 Stat. 1174, 20 U.S.C. § 7183~~21a-242 Schedules of controlled substances.~~

Clean Indoor Air Act CGS § 1-21b, as amended by PA 93-304

Policy adopted:
Policy modified:
[Amended:](#)

April 4, 1997
August 20, 2001

WESTPORT PUBLIC SCHOOLS
Westport, Connecticut

**Series 5000
Students**

CHEMICAL HEALTH POLICY FOR STUDENT ATHLETES

Policy Statement

The Board participates in the Connecticut Interscholastic Athletic Conference (“CIAC”). In accordance with CIAC participation rules and the Board’s obligation under state and federal law, the Board prohibits the unauthorized use, sale, distribution or possession of controlled drugs, controlled substances, drug paraphernalia, performance enhancing substances or alcohol during any school sponsored athletic activity, whether occurring on or off school property. It shall be the policy of the Board to take positive action through education, counseling, discipline, parental involvement, medical referral, and law enforcement referral, as appropriate, in the handling of incidents by student athletes involving the possession, distribution, sale or use of substances that affect behavior, including performance enhancing substances. This policy applies to all student athletes participating in school sponsored athletics, whether or not such athletes are participating in CIAC controlled activities.

Definitions

- (1) Controlled Drugs: means those drugs which contain any quantity of a substance which has been designated as subject to the federal Controlled Substances Act, 21 U.S.C. § 801 *et seq.*, or which has been designated as a depressant or stimulant drug pursuant to federal food and drug laws, or which has been designated by the Commissioner of Consumer Protection pursuant to Connecticut General Statutes Section 21a-243, as having a stimulant, depressant or hallucinogenic effect upon the higher functions of the central nervous system and as having a tendency to promote abuse or psychological or physiological dependence, or both. Such controlled drugs are classifiable as amphetamine-type, barbiturate-type, cannabis-type, cocaine-type, hallucinogenic, morphine-type and other stimulant and depressant drugs. Connecticut General Statutes Section 21a-240(8).
- (2) Controlled Substances: means a drug, substance or immediate precursor in schedules I to V, inclusive, of the Connecticut controlled substance scheduling regulations adopted pursuant to Connecticut General Statutes Sections 21a-243 and 21a-240(9).
- (3) Drug Paraphernalia: means any equipment, products and materials of any kind which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing or concealing, or injecting, ingesting, inhaling or otherwise

- introducing controlled drugs or controlled substances into the human body, including but not limited to all items specified in Connecticut General Statutes Section 21a-240(20)(A), such as "bongs," pipes, "roach clips," miniature cocaine spoons, crack cocaine vials, tobacco rolling papers, and any object or container used, intended or designed for use in storing, concealing, possessing, distributing or selling controlled drugs or controlled substances. Connecticut General Statutes Section 21a-240(20)(A).
- (4) Performance Enhancing Substances: means any anabolic steroid, hormone or analogue, diuretic or other substance designed to enhance a student's performance in athletic competition, including creatine, androstenedione, ephedrine or other performance enhancing nutritional supplements as defined by the World Anti-Doping Agency (WADA) www.wada-ama.org, except when used under the care and direction of a licensed medical professional and only then in the manner prescribed by the medical professional and manufacturer's recommendations.
 - (5) Professional Communication: means any communication made privately and in confidence by a student to a professional employee of such student's school in the course of the professional employee's employment. Connecticut General Statutes Section 10-154a(a)(4).
 - (6) Professional Employee: means a person employed by a school who (A) holds a certificate from the State Board of Education, (B) is a member of a faculty where certification is not required, (C) is an administration officer of a school, or (D) is a registered nurse employed by or assigned to a school. Connecticut General Statutes Section 10-154a(a)(2).
 - (7) Student Athlete: means any student participating in an extracurricular school-sponsored athletic activity, whether interscholastic or intramural, including but not limited to student athletes who are participating in CIAC controlled activities.

Procedures

(1) Discretionary Nature of Student Athletics.

The Board sponsors athletic programs as part of its extracurricular program. The opportunity to participate in extracurricular activities such as student athletics is a privilege, not a right. The Board may remove students from participation in athletics activities in its discretion.

(2) Emergencies.

If an emergency situation results from the use of drugs, performance enhancing substances or alcohol, the student athlete shall be sent to the school nurse or medical advisor immediately, or emergency medical personnel will be notified. The parent or designated responsible person will also be notified as soon as possible.

(3) Prescribed Medications.

The parent or guardian of any student athlete who is required to take any prescribed medication during student athletic activities shall so inform the school nurse or the person designated to act in the absence of a nurse. Such prescribed medication will then be administered to the student athlete under the supervision of the school nurse or designee in accordance with Connecticut General Statute Section 10-212a and the applicable regulations and in accordance with any Board policies and regulations concerning medication administration, except as provided below.

Student athletes taking improper amounts of a prescribed medication, or taking a prescribed medication without proper notification and supervision of the school nurse or designee, will be subject to the procedures for improper drug or alcohol use outlined in this policy.

Student athletes with a documented medical history demonstrating the need for regular use of performance enhancing substances for therapeutic purposes shall not be considered to be in violation of this policy when such substances are properly prescribed and taken by the student athlete in accordance with Connecticut General Statute Section 10-212a and the applicable regulations and in accordance with any Board policies and regulations concerning medication administration.

Student athletes with a documented medical history demonstrating the need for regular, palliative use of marijuana shall not be considered to be in violation of this policy when such substance is properly prescribed and taken by the student athlete in accordance with Connecticut General Statutes § 21a-408a through 408q. Under no circumstances shall the school nurse or designee administer to the student, or permit the palliative use of marijuana by the student, on a school bus, school grounds or property, in public places or in the presence of persons under the age of eighteen.

(4) Voluntary Disclosure of Drug/Alcohol Problem (Self-Referral).

The following procedures will be followed when a student athlete privately, and in confidence, discloses to a professional employee in a professional communication information concerning the student's use, possession, distribution or sale of a controlled drug, controlled substance or alcohol.

- (a) Professional employees are permitted, in their professional judgment, to disclose any information acquired through a professional communication with a student, when such information concerns alcohol or drug abuse or any alcohol or drug problem of such student athlete. In no event, however, will they be required to do so. Connecticut General Statutes Section 10-154a(b).

- (b) Any physical evidence obtained from such student athlete through a professional communication indicating that a crime has been or is being committed by the student athlete **must** be turned over to school administrators or law enforcement officials as soon as possible, but no later than two calendar days after receipt of such physical evidence, excluding Saturdays, Sundays and holidays. Employees are encouraged to contact the school administrator immediately upon obtaining physical evidence. In no case, however, will such employee be required to disclose the name of the student athlete from whom the evidence was obtained. Connecticut General Statutes Section 10-154a(b).
 - (c) Any professional employee who has received a professional communication from a student athlete may obtain advice and information concerning appropriate resources and refer the student athlete accordingly, subject to the rights of the professional employee as described in paragraph (a) above.
 - (d) If a student athlete consents to disclosure of a professional communication concerning the student athlete's alcohol or drug problem, or if the professional employee deems disclosure to be appropriate, the professional employee should report the student athlete's name and problem to the school's building administrator or designee who shall refer the student athlete to appropriate school staff members for intervention and counseling.
- (5) Involuntary Disclosure or Discovery of Drug/Alcohol Problems.

When any school staff member, or a coach or volunteer responsible for or involved in student athletic programs, obtains information related to a student athlete ***from a source other than the student athlete's confidential disclosure***, that the student athlete, on or off school grounds or at a school sponsored activity, is unlawfully under the influence of, or unlawfully possesses, uses, dispenses, distributes, administers, sells or aids in the procurement of a controlled drug, controlled substance, drug paraphernalia, performance enhancing substances or alcohol, that information is considered to be involuntarily disclosed. In this event, the following procedures will apply.

- (a) The staff member, coach or volunteer will immediately report the information to the building administrator or designee. The building administrator or designee will then refer the student athlete to appropriate school staff members for intervention and counseling.
- (b) Any physical evidence (for example, alcohol, drugs, drug paraphernalia or performance enhancing substances) obtained from a student athlete indicating that a crime has been or is being committed by the student athlete must be turned over to the building administrator or designee or to law enforcement officials as soon as possible, but no later than within two calendar days after receipt of such physical evidence, excluding Saturdays,

Sundays and holidays. Connecticut General Statutes Section 10-154a(b). The name of the student athlete must be disclosed to the building administrator or designee.

- (c) Search and Seizure of Students and/or Possessions: A staff member, coach or volunteer who reasonably suspects that a student athlete is violating a state/federal law, school substance abuse policy or this chemical health policy must **immediately** report his/her suspicion to the building administrator or designee. The building administrator or designee may then search a student athlete's person or possessions connected to that person, in accordance with the Board's policies and regulations if he/she has reasonable suspicion from the inception of the search that the student athlete has violated or is violating either the law, a school substance abuse policy, or this chemical health policy.

Any physical evidence obtained in the search of a student athlete, or a student athlete's possessions, indicating that the student athlete is violating or has violated a state or federal law **must** be turned over to law enforcement officials as soon as possible, but not later than within three calendar days after receipt of such physical evidence, excluding Saturdays, Sundays and holidays. Connecticut General Statutes Section 10-154a(c). All school employees are encouraged to contact the school administration immediately upon obtaining physical evidence.

(6) Consequences for the Use, Sale, Distribution or Possession of Controlled Drugs, Controlled Substances, Drug Paraphernalia, Performance Enhancing Substances or Alcohol.

- (a) Any student athlete in the [] Public Schools using, consuming, possessing, being under the influence of, manufacturing, distributing, selling or aiding in the procurement of controlled drugs, controlled substances, drug paraphernalia, performance enhancing substances or alcohol, either on or off school property, or at a school-sponsored activity, except as such use or possession is in accordance with Connecticut General Statutes § 21a-408a through 408q, is subject to discipline up to and including expulsion pursuant to the Board's student discipline policy.
- (b) Student athletes found to be in violation this policy may be referred by the building administrator to an appropriate agency licensed to assess and treat drug and alcohol involved individuals. In such event, assessment and treatment costs will be the responsibility of the parent or guardian.
- (c) A meeting may be scheduled with appropriate school staff members for the purpose of discussing the school's drug and alcohol policy and this chemical health policy with the student athlete and parent or guardian.
- (d) Law enforcement officials may be contacted by the building administrator in the case of suspected involvement in the use, sale or distribution of

controlled drugs, controlled substances, drug paraphernalia, performance enhancing substances or alcohol.

- (e) A student athlete found by the administration to have violated this policy may, in the discretion of school administrators, be suspended from play for short or long term periods, or may have their student athletic participation privileges revoked.
 - (f) A student athlete found by the administration to have used performance enhancing substances shall receive a minimum penalty of revocation of athletic participation privileges for one hundred eighty (180) days. The Board shall report the violation to the CIAC.
 - (f) The Board recognizes that the CIAC may impose additional sanctions on student athletes participating in CIAC controlled activities who are found to have violated this policy.
- (7) Prohibition on the Promotion or Dispensing of Performance Enhancing Substances by School Staff Members, Coaches or Volunteers.
- (a) No school staff member, coach or volunteer responsible for or involved in student athletic programs shall dispense any drug, medication (prescription or non-prescription), or food supplement to any student athlete except under the supervision of the school nurse or designee in accordance with Connecticut General Statute. Section 10-212a and the applicable regulations, and in accordance with any Board policies and regulations concerning medication administration.
 - (b) No school staff member, coach or volunteer responsible for or involved in student athletic programs shall encourage the use of any drug, medication (prescription or non-prescription), or food supplement in a manner not described by the manufacturer.
 - (c) No school staff member, coach or volunteer responsible for or involved in student athletic programs shall supply, recommend, or knowingly permit student athletes to use any drug, medication (prescription or non-prescription), or food supplement for the specific purpose of enhancing their athletic performance.
 - (d) A school staff member, or coach responsible for or involved in student athletic programs, who violates the terms of this policy shall be subject to discipline, up to and including termination of employment. The Board may also report violations of this policy by employees to parents of student athletes and/or state and local authorities.
 - (e) The Board shall immediately terminate a volunteer responsible for or involved in student athletic programs who violates the terms of this policy.

The Board may also report violations of this policy by volunteers to parents of student athletes and/or state and local authorities.

(8) Publication of Chemical Health Policy to School Staff Members, Coaches, Volunteers and Student Athletes.

- (a) The Board shall publish this chemical health policy to all school staff members, coaches and volunteers responsible for or involved in student athletic programs.
- (b) The Board shall publish this chemical health policy to all student athletes and their parents/guardians.

Legal References:

Connecticut General Statutes:

Section 10-154a
Section 10-212a
Section 10-221
Section 21a-240
Section 21a-243
Section 21a-408a through 408q

Public Act 16-23, “An Act Concerning the Palliative Use of Marijuana”

ADOPTED: _____

REVISED: _____

6/29/2016

**CHILD SEXUAL ABUSE AND ASSAULT
POLICY AND REPORTING PROCEDURE**

The [_____] Board of Education has adopted a uniform child sexual abuse and/or sexual assault response policy and reporting procedure in connection with the implementation of its sexual assault and abuse prevention and awareness program.

I. Procedures for Reporting of Child Sexual Abuse and Sexual Assault

- A. Parents (or guardians) of students may file a written report of suspected child sexual abuse and/or sexual assault pertaining to any student enrolled in the [] Public Schools. The written report of suspected child sexual abuse and/or sexual assault shall be reasonably specific as to the basis for the report, including the time and place of the suspected abuse and/or sexual assault, the number of incidents, the victim of the child sexual abuse and/or sexual assault, and the names of potential witnesses or others with pertinent information. Such written reports may be filed with any building or central office administrator. All reports shall be forwarded to the Safe School Climate Specialist for the school in which the student is enrolled. The Safe School Climate Specialist or designee shall cause such reports to be reviewed and actions taken consistent with this policy.
- B. Any adult affiliated with the school community may file a written report of suspected child sexual abuse and/or sexual assault pertaining to any student enrolled in the [] Public Schools. The written report of suspected child sexual abuse and/or sexual assault shall be reasonably specific as to the basis for the report, including the time and place of the suspected abuse and/or sexual assault, the number of incidents, the victim of the child sexual abuse and/or sexual assault, and the names of potential witnesses or others with pertinent information. Such written reports may be filed with any building or central office administrator. All reports shall be forwarded to the Safe School Climate Specialist for the school in which the student is enrolled. The Safe School Climate Specialist or designee shall cause such reports to be reviewed and actions taken consistent with this policy.
- C. Students may make written or verbal reports of child sexual abuse and/or sexual assault to any school employee. All reports shall be forwarded to the Safe School Climate Specialist for the school in which the student is enrolled. The Safe School Climate Specialist or designee shall cause such reports to be reviewed and actions taken consistent with this policy.

- D. Upon receipt of any report of child sexual abuse and/or sexual assault from any source, a school employee shall report such suspicion to the appropriate authority in accordance with Board Policy [#], pertaining to **REPORTS OF SUSPECTED ABUSE OR NEGLECT OF CHILDREN OR SEXUAL ASSAULT OF STUDENTS BY SCHOOL EMPLOYEES**.

II. Procedures for Review of Reports of Child Sexual Abuse and/or Assault

- A. The Safe School Climate Specialist or designee for the school in which the student is enrolled shall be responsible for reviewing any reports of suspected child sexual abuse and/or sexual assault. In the event that the suspected child sexual abuse and/or sexual assault has not yet been reported to the appropriate authority in accordance with Board Policy [#], pertaining to **REPORTS OF SUSPECTED ABUSE OR NEGLECT OF CHILDREN OR SEXUAL ASSAULT OF STUDENTS BY SCHOOL EMPLOYEES**, the Safe School Climate Specialist or designee shall promptly cause such a report to be made.
- B. If/when such report alleges that an employee of the Board of Education or other individual under the control of the Board is the perpetrator of child sexual abuse and/or sexual assault, the Safe School Climate Specialist or designee shall immediately notify the Superintendent of Schools, who shall cause such report to be investigated in accordance with Board Policy [#], pertaining to **REPORTS OF SUSPECTED ABUSE OR NEGLECT OF CHILDREN OR SEXUAL ASSAULT OF STUDENTS BY SCHOOL EMPLOYEES**.
- C. The Safe School Climate Specialist or designee shall also promptly notify the parents or guardians of the student about whom a report of suspected child sexual abuse and/or sexual assault has been made. The notification requirement shall not apply if a parent or guardian is the individual suspected of perpetrating the child sexual abuse and/or sexual assault. The Safe School Climate Specialist or designee shall offer to meet with the parents or guardians of the student about whom a report of suspected child sexual abuse and/or sexual assault has been made, in order to discuss the district's review and support procedures, including but not limited to: 1) actions that child victims of sexual abuse and/or sexual assault and their families may take to obtain assistance, 2) intervention and counseling options for child victims of sexual abuse and/or assault, and 3) access to educational resources to enable child victims of sexual abuse and/or sexual assault to succeed in school. If either a Department of Children and Families ("DCF") investigation or a police investigation is pending pertaining to the report of suspected child sexual abuse and/or sexual assault, the Safe School Climate Specialist or designee shall obtain the permission of DCF and/or the police department conducting the investigation prior to informing the parents/guardians of the report.

- D. In the event that the report of suspected child sexual abuse and/or sexual assault alleges that another student enrolled in the [] Public Schools is the perpetrator of the sexual abuse and/or sexual assault, the Safe School Climate Specialist or designee shall also take appropriate action to investigate or cause such a report to be investigated, and appropriate remedial actions taken, in accordance with Board Policy [#], pertaining to **REPORTS OF SUSPECTED ABUSE OR NEGLECT OF CHILDREN OR SEXUAL ASSAULT OF STUDENTS BY SCHOOL EMPLOYEES**, Board Policy [#], pertaining to **Bullying Prevention and Intervention**, and Board Policy [#], **Sex Discrimination and Sexual Harassment**.
- E. The Safe School Climate Specialist or designee shall develop a student support plan for any who has been a victim of child sexual abuse and/or sexual assault. The report of suspected sexual abuse and/or assault need not be verified prior to the implementation of a support plan. The elements of the support plan shall be determined in the discretion of the Safe School Climate Specialist or designee, and shall be designed to support the student victim's ability to access the school environment.

III. Support Strategies

- A. Child sexual abuse and/or sexual assault can take many forms and can vary dramatically in the nature of the offense and the impact the behavior may have on the victim and other students. Accordingly, there is no one prescribed response to child sexual abuse and/or sexual assault.
- B. The following sets forth possible interventions and supports which may be utilized to support individual student victims of child sexual abuse and/or sexual assault:
 - 1. Referral to a school counselor, psychologist or other appropriate social or mental health service.
 - 2. Encouragement of the student victim to seek help when feeling overwhelmed or anxious in the school environment.
 - 3. Facilitated peer support groups.
 - 4. Designation of a specific adult in the school setting for the student victim to seek out for assistance.
 - 5. Periodic follow-up by the Safe School Climate Specialist and/or Title IX Coordinator with the victim of sexual abuse and assault.

- C. The following sets forth possible interventions and supports which may be utilized systemically as prevention and intervention strategies pertaining to child sexual abuse and/or sexual assault:
1. School rules prohibiting sexual assault and establishing appropriate consequences for those who engage in such acts.
 2. School-wide training related to prevention and identification of, and response to, child sexual abuse and/or sexual assault.
 3. Age-appropriate educational materials designed for children in grades kindergarten to twelve, inclusive, regarding child sexual abuse and sexual assault awareness and prevention that will include information pertaining to, and support for, disclosures of sexual abuse and sexual assault, including but not limited to:
 - (a) the skills to recognize child sexual abuse and sexual assault, boundary violations and unwanted forms of touching and contact, and the ways offenders groom or desensitize victims; and
 - (b) strategies to promote disclosure, reduce self-blame and mobilize bystanders.
 4. Promotion of parent involvement in child sexual abuse and sexual assault prevention and awareness through individual or team participation in meetings, trainings and individual interventions.
 5. Respectful and supportive responses to disclosures of child sexual abuse and/or sexual assault by students.
 6. Use of peers to help ameliorate the plight of victims and include them in group activities.
 7. Continuing awareness and involvement on the part of students, school employees and parents with regards to prevention and intervention strategies.

IV. Safe School Climate Specialists

The Safe School Climate Specialists for the [] Public Schools are:

[list by name, title, school building and email and telephone contact information]

V. Community Resources

The Board of Education recognizes that prevention of child sexual abuse and sexual assault requires a community approach. Supports for victims and families will include both school and community sources. The national, state and local resources below may be accessed by families at any time, without the need to involve school personnel.

A. National Resources:

National Center for Missing & Exploited Children Resource Center

<http://www.missingkids.com/Publications>

699 Prince Street, Alexandria, Virginia 22314-3175

24-hour call center: 1-800-843-5678

- Online resource center contains publications on child safety and abuse prevention, child sexual exploitation, and missing children.

National Children's Advocacy Center

www.nationalcac.org

210 Pratt Ave., Huntsville, Alabama 35801

Telephone: (256) 533-5437

National Child Traumatic Stress Network

www.nctsn.org

General information on childhood trauma, including information on child sexual abuse.

- NCCTS — Duke University
1121 West Chapel Hill Street Suite 201
Durham, NC 27701
Telephone: (919) 682-1552

National Sexual Violence Resource Center (Includes Multilingual Access)

<http://www.nsvrc.org/projects/multilingual-access/multilingual-access>

123 North Enola Drive

Enola, PA 17025

Toll Free Telephone: 877-739-3895

Darkness to Light

<http://www.d2l.org>

Grassroots national non-profit organization to educate adults to prevent, recognize and react responsibly to child sexual abuse.

1064 Gardner Road, Suite 210

Charleston, SC 29407

National Helpline: (866) FOR-LIGHT

Administrative Office: (843) 965-5444

B. Statewide Resources:

Department of Children and Families

<http://www.ct.gov/dcf/site/default.asp>

Connecticut agency responsible for protecting children who are abused or neglected
505 Hudson Street
Hartford, Connecticut 06106
Child Abuse and Neglect Careline: 1-800-842-2288
Telephone, Central Office: (860) 550-6300

- FAQs About Reporting Suspected Abuse and Neglect:
<http://www.ct.gov/dcf/cwp/view.asp?a=2534&Q=314388&dcfNav=>

The Connecticut Alliance to End Sexual Violence

<http://EndSexualViolenceCT.org/>

Telephone: (860) 282-9881

Statewide coalition of community-based sexual assault crisis service programs working to end sexual violence through victim assistance, public policy advocacy, and prevention education training. Each member center provides free and confidential 24/7 hotline services in English and Spanish, individual crisis counseling, support groups, accompaniment and support in hospitals, police stations, and courts, referral information, and other services to anyone in need.

- *To find a Connecticut Alliance to End Sexual Violence member program please visit: <http://endsexualviolencect.org/who-we-are/our-members/>*

Connecticut Children's Alliance

www.ctchildrensalliance.org

75 Charter Oak Ave Suite 1-309

Hartford, Connecticut 06106

Phone: (860) 610-6041

CCA is a statewide coalition of Child Advocacy Centers and Multidisciplinary Teams.

Connecticut Network of Care

<http://connecticut.networkofcare.org>

Connecticut Network of Care is an online information portal listing programs and support groups for sexual assault and abuse in Connecticut.

C. Local Resources:

[Local resources will vary depending on the district's location; many State-level resources indicate applicable regional offices and programs.]

Legal References:

Conn. Gen. Stat s. 17a-101q, Statewide Sexual Abuse and Assault Awareness and Prevention Program

ADOPTED: _____

REVISED: _____

9/21/2016



Students

Reporting of Child Abuse, Neglect and Sexual Assault

The Board of Education (Board) recognizes its legal and ethical obligations in the reporting of suspected child abuse and neglect. Any person applying for employment with the Board shall submit to a record check of the Department of Children and Families Child Abuse and Neglect Registry before the person may be hired. Mandated reporters include all school employees, specifically Superintendent, administrators, teachers, substitute teachers, guidance counselors, school counselors, paraprofessionals, coaches of intramural and interscholastic athletics, as well as licensed nurses, physicians, psychologists and social workers and licensed behavior analysts either employed by the Board or working in one of the District schools, 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 in District schools. Such individual(s) who 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 are not limited to, observations, allegations, facts by a child, victim or third party. Suspicion or belief does not require certainty or probable cause.

Alternate Language: In furtherance of CGS [17a-101](#) et. seq., and its purpose, it is the policy of the Board of Education to require ALL EMPLOYEES of the Board of Education to report suspected abuse and/or neglect, or imminent risk of serious harm, in accordance with the procedures set forth in this policy.

Furthermore, the Board of Education requires all personnel who have reasonable cause to suspect or believe that a child, under the age of eighteen (18), except in the case of sexual assault by a school employee, has been abused, neglected, has had non-accidental physical injury, or injury which is at variance with the history given of such injury, is placed in imminent danger of serious harm or has been sexually abused by a school employee to report such cases in accordance with the law, Board policy and administrative regulations. The mandatory reporting requirement regarding the sexual assault of a student by a school employee applies based on the person's status as a student, rather than his or her age.

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 not later than twelve (12) hours after the mandated reporter has reasonable cause to suspect or believe that a child has been abused, neglected or placed in imminent risk of serious harm. In addition, the mandated reporter shall inform the building principal or his/her designee that he/she will be making such a report. Not later than forty-eight hours of making the oral report, the mandated reporter shall file a written or electronic report with the Commissioner of Children and Families or his/her designee. (The Department of Children and Families has established a 24-hour Child Abuse and Neglect Hotline, "Careline" at [1-800-842-2288](#) for the purpose of making such oral reports.)

A mandated reporter may make the required oral report electronically in the manner prescribed by the Commissioner of Children and Families. An employee making an electronic report shall respond to further inquiries from the Commissioner of Children and Families or designee made within twenty-four hours. Such employee shall inform the Superintendent or his/her designee as soon as possible as to the nature of the further communication with the Commissioner or designee.

Online reports may be made to the Careline by mandated reporters if the report is of a non-emergent nature. A non-emergent situation is one in which a report is mandated but the child is not in immediate risk. (*Note: Mandated reporters reporting electronically when they reasonably suspect that a child has been abused, neglected or placed at risk of imminent harm in a "non-emergent" situation, can do so without risk that they will be subject to a failure to report finding and subsequent penalties.*)

The oral and written reports shall include, if known: (1) the names and addresses of the child and his/her parents/guardians or other persons responsible for his/her care; (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.

(For purposes of this section pertaining to the required reporting, a child includes any victim under eighteen years of age educated in a technical high school or District school. Any person who intentionally and unreasonably interferes with or prevents the making of the required report or attempts to conspire to do so shall be guilty of a class D felony, unless such individual is under eighteen years of age or educated in the technical high school system or in a District school, other than part of an adult education program.)

If the report of abuse, neglect or sexual assault involves an employee of the District as the perpetrator, the District 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.

The Board recognizes that the Department of Children and Families is required to disclose records to the Superintendent of Schools 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 school employee abused or neglected a student. Not later than five (5) working days after an investigation of child abuse or neglect by a school employee has been completed, DCF is required to notify the school employee and the Superintendent and the Commissioner of Education of the investigation's results. If DCF has reasonable cause, and recommends the employee be placed on DCF's Child Abuse and Neglect Registry, the Superintendent shall suspend such employee.

The Board, recognizing its responsibilities to protect children and in compliance with its statutory obligations, shall provide to each employee in-service training regarding the requirements and obligations of mandated reporters. District employees shall also participate in training offered by the Department of Children and Families. 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 Principal of each school in the district shall annually certify to the Superintendent that each school employee working at such school 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. The Board shall not retaliate against any mandated reporter for his/her compliance with the law and Board policy pertaining to the reporting of suspected child abuse and neglect.

(This paragraph is optional) It is mandated that policy and procedure development include three major components: Education, Intervention and Evaluation. The Education component requires that school personnel be provided with ongoing education (staff development) related to the recognition and reporting of suspected child abuse, neglect and sexual assault. Intervention requires that "at risk" students be identified and that suspected child abuse, neglect and sexual assault be reported. Evaluation is essential in order to determine whether policy and procedures are effective and appropriately updated to incorporate changes in knowledge, personnel, student and family needs, community resources and law. Such evaluation should take place annually, or more frequently as needed.

In accordance with the mandates of the law and consistent with its philosophy, the Board in establishing this policy directs the Superintendent of Schools 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 the required initial and refresher training related to mandated reporting of child abuse and neglect as required by law.

The Board of Education will post the telephone number of the Department of Children and Families' child abuse

hotline, Careline, and the Internet web address that provides information about the Careline in each District school in a conspicuous location frequented by students. Such posting shall be in various languages most appropriate for the students enrolled in the school.

Establishment of the Confidential Rapid Response Team

The Board of Education shall establish a confidential rapid response team to coordinate with DCF to (1) ensure prompt reporting of suspected child abuse or neglect; or 1st, 2nd, 3rd, or 4th degree sexual assault; 1st degree aggravated sexual assault; or 3rd degree sexual assault with a firearm of a student not enrolled in adult education by a school 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) a local teacher and the Superintendent, (2) a local police officer, and (3) any other person the Board of Education 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 in any school.

Hiring Prohibitions

The Board of Education 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 who is not enrolled in adult education.

The Boards of Education 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.

(cf. [4112.6/4212.6](#) – Personnel Records)

(cf. 5141.511 – Sexual Abuse Prevention and Education Program)

Legal Reference: Connecticut General Statutes

[10-220a](#) Inservice training. Professional development committees. Institutes for educators. Cooperating teacher program, regulations (as amended by PA [11-93](#))

[10-221d](#) Criminal history records check of school personnel. Fingerprinting. Termination or dismissal (as amended by PA [11-93](#))

[10-221s](#) Investigations of child abuse and neglect. Disciplinary action. (as amended by PA 16-188)

[17a-28](#) Definitions. Confidentiality of and access to records; exceptions. Procedure for aggrieved persons. Regulations (as amended by PA [11-93](#))

[17a-101](#) Protection of children from abuse. Mandated reporters. Educational and training program. Model mandated reporting policy. (as amended by PA 96-246, PA 00-220, PA 02-106, PA 03-168, PA 09-242, PA [11-93](#) and PA 15-205, PA 18-15 and PA 18-17)

[17a-101a](#) Report of abuse, neglect by or injury of child or imminent risk of serious harm to the child. Penalty for failure to report. Notification of Chief State's Attorney. (as amended by PA 02-106, PA [11-93](#), and PA 15-205, PA 18-15 and PA 18-17) [17a-102](#) Report of danger of abuse. (as amended by PA 02-106)

[17a-101b](#) Report by mandated reporters. Notification of law enforcement agency when allegation of sexual abuse or serious physical abuse. Notification of person in charge of institution, facility or school when a staff member suspected of abuse or neglect.

[17a-101c](#) Written or electronic report by mandated reporter.

[17a-101d](#) Contents of reports.

[17a-101e](#) Employer prohibited from discriminating or retaliating against employee who makes a good faith report or testifies re child abuse or neglect. Immunity from civil or criminal liability.

False report of child abuse. Referral to Office of the Chief State's Attorney. Penalty.

[17a-101g](#) Classification and evaluation of reports. Determination of abuse or neglect of child. Investigation. Notice, entry of recommended finding. Referral to local law enforcement authority. Home visit. Removal of child in imminent risk of harm. Family assessment response program. Development of service plans and plans of care. Monitoring. Disclosure of information to community providers. Annual report.

[17a-101i](#) Abuse or neglect by school employees or staff member of public or private institution or facility providing care for children. Notice. Adoption of policy. Employee training program.

[17a-101o](#) School employee failure or delay in reporting child abuse or neglect. Policy re delayed report by mandated reporters.

[17a-106](#) Cooperation in relation to prevention, identification and treatment of child abuse/neglect.

[10-151](#) Teacher Tenure Act

DCF Policy [22-1-3](#) Mandated Reporter's Failure to Report

Policy adopted:

[SCHOOL DISTRICT LETTERHEAD]

EDUCATIONAL STABILITY PROCEDURES FOR TRANSPORTATION COORDINATION WITH THE DEPARTMENT OF CHILDREN AND FAMILIES

I. APPLICATION OF PROCEDURES

These procedures apply to circumstances when a child who is a resident of the [] Public Schools (the “District”), or is otherwise the responsibility of the District, is placed in foster care, or moved to a new foster care placement by the Department of Children and Families (“DCF”), is placed by DCF pursuant to a 96-hour hold or an order of temporary custody, or is committed to DCF as neglected, abused or uncared for, and DCF has determined that it is in the best interest of the child to remain in the District’s school (“school of origin”) in accordance with 20 U.S.C. § 6312, Every Student Succeeds Act (“ESSA”), and/or Conn. Gen. Stat. § 17a-16a, Educational Stability.

II. COLLABORATION

The District has collaborated with DCF to develop these procedures, as required by 20 U.S.C. § 6312, ESSA.

III. NOTIFICATION

- A. DCF is required to notify the District by phone or email immediately upon learning that a child has had a change in foster care placement, been placed in out-of-home care pursuant to a 96-hour hold or an order of temporary custody, or is committed to DCF as neglected, abused or uncared for and it has been determined that it is in the child’s best interested to remain in the school of origin.
- B. DCF is required to orally notify the District of DCF placement of a child within one (1) business day of such placement, and is further required to provide the District with a Form 603 concerning such DCF placement of a child within two (2) business days of the placement to document this information.
- C. The District shall permit the child to continue to attend his/her school of origin upon receiving such verbal and/or written information from DCF.

IV. TRANSPORTATION OPTIONS

- A. The District and DCF will collaborate to select cost-effective, reliable and safe transportation for children to their schools of origin, in accordance with these procedures.
- B. For children eligible under the Individuals with Disabilities Education Act (“IDEA”) or Section 504 of the Rehabilitation Act (“Section 504”), the District will assess whether the child receives transportation as a related service as documented in the child’s Individualized Education Program (IEP) or Section 504 Plan, and will notify DCF of the result of such assessment. If the child’s IEP or Section 504 includes transportation as a related service, the District shall provide such transportation, albeit from the new home placement determined by DCF.
- C. For students not eligible under the IDEA or Section 504, the District and DCF will examine existing transportation options available for the child, including incorporating the child into an existing bus route, modifying an existing bus route and other no-cost or lost-cost options.
- D. In all cases, District shall not be responsible for any transportation costs over the amount the District would otherwise pay for the child if the child’s home placement had not been changed by DCF.

V. COORDINATION OF TRANSPORTATION

- A. DCF and the District will collaborate regarding the logistics of which agency shall coordinate the school of origin transportation and which agency shall reimburse the other (and how) for either the initial cost (borne by the District) or additional cost (borne by DCF) due to the placement or re-placement made by DCF.
- B. Under no circumstances shall the District be required to fund transportation costs in excess of the transportation costs the District would otherwise fund if the child’s home placement had not been changed by DCF.

VI. TIMELINE

DCF and the District finalize the transportation services for the child within five (5) school days after DCF has informed the District of the best interest determination. In the interim, DCF will ensure that transportation is provided to permit the student to remain in the school of origin.

VII. RESOLUTION

In the event that the District and DCF cannot come to an agreement concerning either the logistics of arranging transportation services or the payment/reimbursement therefore, either agency may seek guidance on the relevant responsibilities under the ESSA and Connecticut law and regulations from the Connecticut State Department of Education.

Legal Resources:

20 U.S.C. § 6312, Every Student Succeeds Act (“ESSA”)

Conn. Gen. Stat. § 17a-16a

Students

Health Assessments and Immunizations

The Board of Education recognizes the importance of periodic health assessments, including oral assessments, according to state health regulations.

To determine health status of students, facilitate the removal of disabilities to learning and find whether some special adaptation of the school program may be necessary, the Board of Education requires that students have health assessments.

The Board of Education adheres to those state laws and regulations that pertain to school immunizations and health assessments, including oral health assessments. It is the policy of the Board of Education to insure that all enrolled students are adequately immunized against communicable diseases. The Board may deny continued attendance in school to any student who fails to obtain the health assessments required under C.G.S. 10-206, as may be periodically amended.

The Superintendent shall designate the school nurse to receive reports of health assessments and immunizations from health care providers.

Parents wishing their children exempted or excused from health assessments, on religious grounds, must request such exemption to the Superintendent of Schools or designee in writing. This request must be signed by the parent/guardian.

Parents/guardians wanting their children excused from immunizations on religious grounds (prior to enrollment and grade 7 entry) must request such exemption in writing, using State of Connecticut Department of Public Health Religious Exemption Statement form, to the school nurse, if such immunization is contrary to the religious beliefs of the child or of the parent/guardian of the child. The request must be officially acknowledged by a notary public or a judge, a clerk or deputy clerk of a court having a seal, a town clerk, a justice of the peace, or a Connecticut-licensed attorney.

It is the responsibility of the Principal to ensure that each student enrolled has been adequately immunized and has fulfilled the required health assessments. The school nurse shall check and document immunizations and health assessments on all students enrolling in school and to report the status to the school principal. The school nurse shall also contact parents or guardians to make them aware if immunizations and/or health assessments are insufficient or not up-to-date. The school nurse will maintain in good order the immunization and health assessment records of each student enrolled.

The school nurse who is required to verify the immunization status for children enrolled in District schools, pre-K to grade 12, inclusive, pursuant to C.G.S. 10-204a, shall be provided with sufficient information on the children living within his/her jurisdiction and is listed on the Department of Public Health's registry of immunization status. The school nurse is authorized to determine which children in their jurisdiction are overdue for scheduled immunizations and provide outreach to help get them vaccinated.

Students born, traveling, and /or residing for at least one month in a country other than the United States, Canada, Australia, New Zealand, or a country in western or northern Europe and entering school in Connecticut for the first time, should receive either TST (tuberculin skin test) or IGRA (interferon-gamma release assay). Any individual found to be positive shall have an appropriate medical management plan developed that includes a chest radiograph.

Students not already known to have a positive test for tuberculosis should be tested if they meet any of the risk factors for TB infection, such as immunosuppression, current or planned or close contact to someone with infectious TB disease.

No record of any student's medical assessment may be open to the public.

As required, the District will report, beginning in October 2017, on a triennial basis, to the Department of Public Health and to the local Health Director the asthma data, pertaining to the total number of students per school and for the district, obtained through the required asthma assessments, including student demographics. Such required asthma diagnosis shall occur at the time of mandated health assessment at the time of enrollment, in grade six or seven, and in grade ten or eleven. Such asthma diagnosis shall be reported whether or not it is recorded on the health assessment form, at the aforementioned intervals. The District, as required, will also participate in annual school surveys conducted by the Department of Public Health pertaining to asthma.

As required, the District will annually report to the Department of Public Health information required on the School Immunization Entry Survey.

The Superintendent of Schools or his/her designee shall give written notice to the parent/guardian of each student who is found to have any defect of vision or disease of the eyes, with a brief statement describing such defect or disease and a recommendation that the student be examined by an appropriately licensed optometrist or ophthalmologist.

Note: PA 18-168 requires boards of education to request that students have an oral health assessment prior to public school enrollment, in grade 6 or 7, and in grade 9 or 10. The legislation establishes related requirements on providers authorized to perform the assessments, parental consent assessment forms, and records access. The specifics are detailed in the administrative regulation pertaining to this policy.

(cf. 5111 - Admission)

(cf. 5125 - Student Records)

(cf. 5135.11 - Health/Medical Records - HIPAA)

Legal Reference: Connecticut General Statutes

10-204a Required immunizations (as amended by P.A. 15-174 and P.A. 15-242)

10-204c Immunity from liability

10-205 Appointment of school medical adviser

10-206 Health assessments (as amended by PA 17-146 and PA 18-168)

10-207 Duties of medical advisors

10-206a Free health assessments

10-208 Exemption from examination or treatment

10-208a Physical activity of student rest cites; board to hone notice

10-209 Records not to be public. Provision of reports to school.

10-212 School nurses

10-214 Vision, audiometric and postural screenings. When required. Notification of parents re defects; record of results (as amended by PA 17-173)

Department of Public Health, Public Health Code, 10-204a-2a, 10-204a-3a, 10-204a-4

Section 4 of PA 14-231

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

P.L. 93-568; codified as 20 U.S.C. 1232g

42 U.S.C. 1320d-1320d-8 P.L. 104-191, Health Insurance Portability and Accountability Act of 1996 (HIPAA)

PA 17-146 "An Act Concerning the Department of Public Health's Various Revisions to the Public Health Statutes," Section 5, effective 10/1/17

PA 18-168 An Act Concerning the Department



Students

Health Assessments and Immunizations

The Board of Education recognizes the importance of periodic health assessments, including oral assessments, according to state health regulations.

To determine health status of students, facilitate the removal of disabilities to learning and find whether some special adaptation of the school program may be necessary, the Board of Education requires that students have health assessments.

The Board of Education adheres to those state laws and regulations that pertain to school immunizations and health assessments, including oral health assessments. It is the policy of the Board of Education to insure that all enrolled students are adequately immunized against communicable diseases. The Board may deny continued attendance in school to any student who fails to obtain the health assessments required under C.G.S. [10-206](#), as may be periodically amended.

The Board of Education shall annually designate a representative to receive reports of health assessments and immunizations from health care providers. (or: The Superintendent shall designate the school nurse to receive reports of health assessments and immunizations from health care providers.)

Parents wishing their children exempted or excused from health assessments, on religious grounds, must request such exemption to the Superintendent of Schools in writing. This request must be signed by the parent/guardian.

Parents/guardians wanting their children excused from immunizations on religious grounds (prior to kindergarten entry and grade 7 entry) must request such exemption in writing to the Superintendent of Schools if such immunization is contrary to the religious beliefs of the child or of the parent/guardian of the child. The request must be officially acknowledged by a notary public or a judge, a clerk or deputy clerk of a court having a seal, a town clerk, a justice of the peace, a Connecticut-licensed attorney or a school nurse.

It is the responsibility of the Principal to insure that each student enrolled has been adequately immunized and has fulfilled the required health assessments. The school nurse shall check and document immunizations and health assessments on all students enrolling in school and to report the status to the school principal. The school nurse shall also contact parents or guardians to make them aware if immunizations and/or health assessments are insufficient or not up-to-date. The school nurse will maintain in good order the immunization and health assessment records of each student enrolled.

Optional: The school nurse who is required to verify the immunization status for children enrolled in District schools, pre-K to grade 12, inclusive, pursuant to C.G.S. [10-204a](#), shall be provided with sufficient information on the children living within his/her jurisdiction and is listed on the Department of Public Health's registry of immunization status. The school nurse is authorized to determine which children in their jurisdiction are overdue for scheduled immunizations and provide outreach to help get them vaccinated.

Students born in high risk countries and entering school in Connecticut for the first time, should receive either TST (tuberculin skin test) or IGRA (interferon-gamma release assay). Any individual found to be positive shall have an appropriate medical management plan developed that includes a chest radiograph.

Students not already known to have a positive test for tuberculosis should be tested if they meet any of the risk factors for TB infection, as described in the administrative regulations accompanying this policy.

No record of any student's medical assessment may be open to the public.

As required, the District will report, beginning in October 2017, on a triennial basis, to the Department of Public Health and to the local Health Director the asthma data, pertaining to the total number of students per school and for the district, obtained through the required asthma assessments, including student demographics. Such required asthma diagnosis shall occur at the time of mandated health assessment at the time of enrollment in either grade

six or seven, and in grade ten or eleven. Such asthma diagnosis shall be reported whether or not it is recorded on the health assessment form, at the aforementioned intervals. The District, as required, will also participate in annual school surveys conducted by the Department of Public Health pertaining to asthma.

As required, the District will annually report to the Department of Public Health information required on the School Immunization Entry Survey.

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Note: PA 18-168 requires boards of education to request that students have an oral health assessment prior to public school enrollment, in grade 6 or 7, and in grade 9 or 10. The legislation establishes related requirements on providers authorized to perform the assessments, parental consent assessment forms, and records access. The specifics are detailed in the administrative regulation pertaining to this policy.

(cf. [5111](#) - Admission)

(cf. 5141.31 - Physical Examinations for School Programs)

(cf. [5125](#) - Student Records)

(cf. 5135.11 - Health/Medical Records - HIPAA)

(cf. [5141](#) - Student Health Services)

Legal Reference: Connecticut General Statutes

[10-204a](#) Required immunizations (as amended by P.A. 15-174 and P.A. 15-242)

[10-204c](#) Immunity from liability

[10-205](#) Appointment of school medical adviser

[10-206](#) Health assessments (as amended by PA 17-146 and PA 18-168)

[10-207](#) Duties of medical advisors

[10-206a](#) Free health assessments(

[10-208](#) Exemption from examination or treatment

[10-208a](#) Physical activity of student restricted; board to honor notice

[10-209](#) Records not to be public. Provision of reports to school.

[10-212](#) School nurses

[10-214](#) Vision, audiometric and postural screenings. When required. Notification of parents re defects; record of results. (as amended by PA 17-173)

Department of Public Health, Public Health Code, 10-204a-2a, 10-204a-3a, 10-204a-4

Section 4 of PA 14-231

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

P.L. 93-568; codified as 20 U.S.C. 1232g

42 U.S.C. 1320d-1320d-8 P.L. 104-191, Health Insurance Portability and Accountability Act of 1996 (HIPAA)

PA 17-146 "An Act Concerning the Department of Public Health's Various Revisions to the Public Health Statutes," Section 5, effective 10/1/17

PA 18-168 An Act Concerning the Department of Public Health's Recommendations Regarding Various Revisions to the Public Health Statutes, Sections 7-9, 539 & 540

Policy adopted:

Instruction

Electronic Resources/Internet Safety

The Board of Education has installed electronic resources including but not limited to computers, a computer network, Internet access, and an e-mail system (referred collectively as “the computer systems”), in order to enhance both the educational opportunities for our students and the business operations of the district. These computer systems are business and educational tools. As such, they are available to students and staff in the district for education related uses. The Administration shall develop regulations setting forth procedures to be used by the Administration in an effort to ensure that such computer systems are used by students and staff solely for education related purposes.

The Board will educate minor students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyber-bullying awareness and response. Additionally, the Board will implement a technology protection measure to block and filter Internet access to visual depictions that contain obscene material, contain child pornography, or are harmful to minors and ensure that such filtering technology is operative during computer use by minor students.

As the owner of the computer systems, the Board reserves the right to monitor the use of the district’s computers and computer systems.

Information about the Board of Education Policy on use of Electronic Resources and Internet Safety will be disseminated annually to students and parents through the distribution of the parent handbook. It will also be posted on the district website.

The principals are responsible for assuring that this policy has been publicized and disseminated to new enrollees during the school year.

Parental and administrative permission is required before students are given the privilege of using electronic information and communication resources including but not limited to websites, databases, interactive media sites, and online collaboration and publishing tools.

Students themselves, as well as parents of students under 18, are required to sign the attached Acceptable Use Agreement.

Principals are responsible for securing permission forms and agreements prior to granting students independent access to electronic resources.

The agreements are to be renewed as students enter grades three, middle school, and high school. The agreements are in effect for use of computers systems and electronic resources provided by the Westport Public Schools and for use of privately owned resources while on school properties.

Electronic resources of all formats including text, images, audio, and video are considered an extension of the classroom, and the same standards of acceptable behavior apply. Student use of

electronic information and communication resources is essential for academic achievement. Abuse of these resources will result in disciplinary action.

Students are prohibited from using the Internet or other electronic technology whether on or off campus, to interfere with educational process in any way. Abuses and violations should be reported to the administration. In accordance with the Board of Education policies and the school's disciplinary procedures, the administrator may invoke consequences, up to and including permanent revocation of electronic resource use, additional disciplinary measures, or legal action.

Policy adopted: 1997
Policy amended: October 5, 2009

WESTPORT PUBLIC SCHOOLS
Westport, Connecticut



Instruction

Telecommunications/Internet - Acceptable Use

The school district believes in the educational value of communications, the Internet, and electronic information services, and recognizes their potential to support its educational program, the curriculum and student learning. Resource sharing, communications, and innovation capabilities for both students and teachers have been increased with access to telecommunications and to the Internet. The district will make every effort to protect students and teachers from any misuses or abuses as a result of experience with an electronic information service. It is therefore imperative that members of the school community conduct themselves in a responsible, decent, ethical, and polite manner while using any network. Further, they must abide by all local, state and federal laws.

Guidelines for General Use

It is important to recognize that with increased access to computers and people all over the world also comes the availability of controversial material that may not be considered of educational value in the context of the school setting. Further, the school district recognizes the importance of each individual's judgment regarding appropriate conduct in maintaining a quality resource system. While this policy does not attempt to articulate all required or proscribed behavior, it does seek to assist in such judgment by providing the following guidelines.

1. All use of the Internet, electronic services or any telecommunications network must be support of educational objectives or research.
2. Any electronic mail accounts shall be used only by the authorized owner of the account. Account owners are ultimately responsible for all activity under their account.
3. All communications and information accessible via a network should be assumed to be private.
4. Any use of the district's computing resources or networks for illegal or inappropriate purposes accessing materials that are objectionable in a public school environment, or supporting such activities, is prohibited. Language that is deemed to be vulgar is also prohibited. Illegal activities shall be defined as a violation of the intended use of the service or network. Inappropriate use shall be defined as a violation of the intended use of the service or network. Objectionable is defined as materials that are identified as such by the rules and policies of the Board of Education that relate to curriculum materials and textbook adoption.
5. Any use of telecommunication opportunities for commercial purposes financial gain, product advertisement, political lobbying, or attempt to disrupt the use of the services by others, is prohibited.
6. The Board of Education has no control of the information on the Internet. Other sites accessible via the Internet may contain material that is illegal, defamatory, inaccurate, or potentially offensive to some people.
7. Violations of the provisions stated in this policy may result in suspension or revocation of access privileges to the Internet, electronic services or district networks.

The Superintendent shall identify one administrator as the "District Internet Administrator" who will have responsibility for implementing this policy, establishing procedures, and supervising access privileges.

Guidelines for Student Use

Student use of electronic services is considered to be a privilege. Students at the elementary level may use telecommunications or the Internet only when supervised by a teacher or teacher aide. Guidelines for the use of these electronic services by elementary students will be developed by the District Internet Administrator.

Students in grades 6-12 who wish to use electronic services and networks that are available to them may do so provided that they:

1. Read and agree to the Acceptable Use Policy;

2. Sign Internet Use Agreement" (contract);
3. Obtain the signature of one parent/guardian (if under the age of 18) on the contract;
4. Have at least one teacher sign the contract form as a sponsor; and
5. Submit the completed contract to the designated person in each building.

Any parent or student who wishes to appeal any decision relative to Acceptable Use Policy should contact the District Internet Administrator.

Legal Reference: Connecticut General Statutes

[51a](#)-182b Harassment in the first degree: Class D Felony (as amended by PA 95-143)

20 U.S.C. Section 6777, No Child Left Behind Act

20 U.S.C. 254 Children's Internet Protection Act of 2000

47 U.S.C. Children's Online Protection Act of 1998

Policy adopted:

PLAN FOR MINORITY EDUCATOR RECRUITMENT

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

1. All recruiting sources will be informed in writing of the Board's non-discrimination policy.
2. The Board will develop contacts with local training and educational institutions, including those with high minority enrollments, to publicize job openings within the school district and to solicit referrals of qualified minority candidates.
3. The Board will develop contacts with local minority community organizations to publicize job openings within the school district and to solicit referrals of qualified minority candidates.
4. The Board will maintain, or expand, as appropriate, its help-wanted advertising to include print and/or broadcast media that is targeted to minorities.
5. The Board will participate in local job fairs, including those that are sponsored by the minority community organizations or otherwise targeted toward minorities.
6. The Board, or its designee, will maintain records documenting all actions taken pursuant to this plan, including correspondence with recruitment agencies and other referral sources, job fair brochures and advertising copy.
7. The Board will review on an annual basis the effectiveness of this plan in increasing minority applicant flow and attracting qualified candidates for employment.

Legal References:

Connecticut General Statutes §10-4a (3)
Connecticut General Statutes §10-220(a)
Public Act 18-34, An Act Concerning Minority Teacher Recruitment and Retention.

ADOPTED:_____

REVISED:_____

7/30/2018

**Personnel — Certified****Minority Recruitment Plan**

The Board of Education (Board) recognizes that fundamental to a quality education is the need to provide students with an opportunity to interact with students and educators from different racial, ethnic and economic backgrounds.

OR

The Board of Education (Board) believes that a skillful and diverse staff contributes significantly to high quality, engaging learning environments, predicated on a climate of inclusion. To this end the Board directs the Superintendent to enact a planning process for the recruitment of a diverse staff.

The Board recognizes the diversity of the people who live in this school district and believes that this diversity should have an important bearing on all aspects of the school system's activities. It is especially important that this diversity of population be recognized in the recruitment, hiring, promotion, and assignment of personnel.

The Board, in accordance with C.G.S. [10-4a\(3\)](#) and C.G.S. [10-220\(a\)](#) will implement an affirmative action plan and a written plan for minority educator recruitment.

For the purposes of the Board's affirmative action policy and the written Minority Recruitment Plan (Plan), the term "minority" shall mean African American, Native American, Asian American, Hispanic, women, and individuals with disabilities.

The Superintendent of Schools shall be responsible for developing specific recruiting procedures and appropriate interviewing and evaluation instruments to implement the Board's policy. All such procedures and instruments shall comply with federal and state requirements.

Any Board employee who conducts interviews or selects professional or paraprofessional employees for any job in the School System will have read and had the Board of Education Affirmative Action Policy and Plan explained to them by the Superintendent of Schools or his/her designee.

The Board shall make appropriate efforts to encourage, recruit, employ, and promote qualified minorities especially where under-utilized in the District's work force. Beginning with the school year commencing July 1, 2020 and each school year thereafter, the Board will utilize the strategies and resources made available to it by the State Department of Education's Minority Teacher Recruitment Policy Oversight Council to assist in meeting Connecticut's annual goal of hiring at least two hundred fifty new minority teachers and administrators, of which at least thirty percent are men.

Every level of supervision shall be held responsible for complying with this policy and plan.

(cf. [4111](#) – Recruitment and Selection)

(cf. [4111.1/4211.12](#) – Affirmative Action: Equal Employment Opportunity)

Legal Reference: Connecticut General Statutes

[10-4a\(3\)](#) Educational interests of state identified.

[10-151](#) Employment of teachers. Notice and hearing on termination of contract.

[10-153](#) Discrimination on account of marital status.

[10-220\(a\)](#) Duties of Boards of Education. (as amended by PA 18-34)

[46a-60](#) Discriminatory employment practices prohibited.

PA 16-41 An Act Concerning the Recommendations of the Minority Teacher Recruitment Task Force.

PA 18-34 An Act Concerning Minority Teacher Recruitment and Retention.

PA 19-74 An Act Concerning Minority Teacher Recruitment and Retention.

Policy adopted: