

**WESTPORT BOARD OF EDUCATION  
POLICY COMMITTEE  
NOTICE OF SPECIAL MEETING  
AGENDA**

(Agenda Subject to Modification in Accordance with Law)

**WORK SESSION:**

8:00 a.m. Westport Town Hall 307

**DISCUSSION/ACTION:**

1. Minutes: October 22, 2019, *pages 1-2*

**DISCUSSION:**

1. Final Reading of:
  - Bylaw 9324, Meeting Conduct, *pages 3-7*
  - Policy 5131.6 Alcohol, Drugs, Tobacco, *pages 9-14*
2. First Reading of the Following Policies:
  - 6161.3, Comparability of Services (Title I), *pages 15-16*
  - 6162.51, Surveys of Students/Student Privacy, *pages 17-18*
  - 6171.2, Preschool Students with Disabilities, *pages 19-20*
  - 6172.4, Title I Parental and Family Engagement Policy, *pages 21-29*
  - 5145.14, On-Campus Recruitment, *pages 31-33*
  - 4115, Evaluation/Supervision, *pages 35-39*
  - 4117.6, Evaluation – Coaches, *pages 41-44*
  - 4112.6, Personnel Records. *pages 45-47*
  - 4116, Probationary/Tenure Status, *page 49*
  - 4118.7, Study/Use of Religious Symbols, Music and Decorations, etc., *pages 51-54*
3. Second Reading of the Following Policies:
  - 5113, Attendance and Excuses, *pages 55-59*
  - 5113.2, Truancy, *pages 61-62*
  - 5141.3, Health Assessments and Immunizations, *pages 63-66*
  - 5141.4, Reporting Child Abuse and Neglect, *pages 67-77*
  - 3542.43, Food Service Charging Policy, *pages 79-82*
  - 3542.22, Food Services Personnel Code of Conduct, *pages 83-85*
4. Any Other Policy Matters

**ADJOURNMENT**



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

**Board Members Present:**

Karen Kleine Committee Chair  
Mark Mathias Board Chair

**Administrators Present**

John Bayers Director of Human Resources  
Suzanne Levasseur Health Services Supervisor (left 9:21 a.m.)

**PUBLIC SESSION:** 8:08 a.m., Westport Town Hall 307

**DISCUSSION**

First reading of the following policies:

- 5141.3, Health Assessments and Immunizations
- 5113, Attendance and Excuses
- 5113.2, Truancy
- 5141.4, Reporting Child Abuse and Neglect

Second Reading of the following policies:

- 3542.43, Food Service Charging Policy
- 3542.22, Food Services Personnel Code of Conduct

Discussion of the following policies was postponed to the next meeting date:

- 6161.3, Comparability of Services (Title I)
- 6162.51, Surveys of Students/Student Privacy
- 6171.2, Preschool Students with Disabilities
- 6172.4, Title I Parental and Family Engagement Policy
- 5145.14, On-Campus Recruitment
- 4115, Evaluation/Supervision, *pages 203-207*
- 4117.6, Evaluation – Coaches, *pages 209-211*
- 4112.6, Personnel Records, *pages 213-215*
- 4116, Probationary/Tenure Status, *page 217*
- 4118.7, Study/Use of Religious Symbols, Music and Decorations, etc.

Discussion of the following policies was postponed to the November 4 meeting date:

- 6159 (or 6171), Individual Education/Special Education
- 6172, Program Adaptions, Alternate Education Programs

- 5125, Student Records, Confidentiality

## **DISCUSSION/ACTION**

**MINUTES:** October 15, 2019

Mark Mathias moved to approve the minutes of October 15, 2019; seconded by Karen Kleine and approved unanimously (2-0-0).

Karen Kleine moved to bring the following policies before the full Board for a first reading at the November 21, 2019 meeting; seconded by Mark Mathias and passed unanimously (2-0-0):

- 0200, Statement of Educational Goals and Student Objectives
- 3541.5, Reporting of Transportation Safety Complaints
- 6115, School Ceremonies and Observances
- 3515, Use of School Facilities

## **ADJOURNMENT**

Meeting adjourned at 10:08 a.m..

Respectfully submitted,

Jennifer Caputo

## MEETING CONDUCT

### 1. Meeting Conduct

- A. Meetings of the Board of Education shall be conducted by the Chairperson in a manner consistent with the provisions of the Freedom of Information Act and the adopted bylaws of the Board.
- B. All Board meetings shall commence at, or as close as practicable to, the stated time, provided there is a quorum.
- C. All regular and special Board meetings shall be guided by an agenda which will have been prepared and delivered in advance to all Board members and other designated persons.
- D. Robert's Rules of Order shall govern the proceedings of the Board except as otherwise provided by these bylaws.

### 2. Smoking, Vaping, and Use of Electronic Nicotine Delivery Systems

- A. ~~Smoking~~ Use of tobacco, electronic nicotine delivery systems (e.g. e-cigarettes), or vapor products will not be permitted in any room in which a meeting of the Board of Education is being conducted, nor during the time immediately prior to the meeting.
- B. A sign notifying the public that no smoking is allowed in the place designated for the meeting will be prominently posted.

### 3. Public Address

- A. The Board may permit any ~~individual or group~~ town resident to address the Board concerning any subject that lies within its jurisdiction during a portion of the Board's regular meetings so designated for such purpose.
- (1) \_\_\_\_\_ minutes may be allotted to each speaker and a maximum of \_\_\_\_\_ minutes to each subject matter. The Board may modify these

limitations at the beginning of a meeting if the number of persons wishing to speak makes it advisable to do so.

(2) A Board of Education member shall be appointed by the Chairperson prior to the meeting to act as timekeeper for the meeting, if deemed necessary by the Chairperson.

(3) No boisterous conduct shall be permitted at any Board of Education meeting. Persistence in boisterous conduct shall be grounds for summary termination, by the Chairperson, of that person's privilege of address.

(4) All speakers must identify themselves by name and address.

#### Legal References:

##### Connecticut General Statutes

1-200 Definitions

1-206 Denial of access of public records or meeting. Notice. Appeal.

1-225 Meetings of government agencies to be public.

1-232 Conduct of meetings. (re: disturbances)

Freedom of Information Commission Advisory Opinion #41 (April 9, 1980)

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

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

2/25/08

10/15/2018

## **Bylaws of the Board**

### **Agenda Preparation and Dissemination**

~~Agendas are prepared primarily to enable Board members to participate effectively in discussion and to make well informed judgments concerning the school issues before them. These agendas also enable members of the public to follow the discussion of the Board and to understand the basis for decisions reached.~~

#### **Preparation**

~~The Superintendent of Schools shall prepare the agenda for each Board meeting in consultation with the Chair. Board members wishing to place items on the agenda should notify the Superintendent sufficiently in advance of the meeting to enable him/her to obtain the information needed for effective discussion.~~

~~Members of the public wishing to have an item placed on the agenda should make a written request to the Superintendent. Oral requests may also be made at Board meetings for future consideration, but the Chair may ask for a written statement of the problem if circumstances warrant~~

#### **Announcement**

~~A list of items to be included on the agenda will normally be made available to the local news media no later than Friday prior to the meeting. A legal notice of regular meetings will be placed in a newspaper serving the Westport area as required by the Westport Town Charter permitted by State law, the Board may add an item to the agenda at the meeting by a 2/3 vote.~~

#### **Distribution**

~~Agendas, together with the necessary supporting information, will normally be distributed to members of the Board at least forty eight hours before each regularly scheduled meeting.~~

~~Bylaw adopted by the Board: June 10, 2002~~

~~9325.3~~

## ~~Parliamentary Procedures~~

### ~~Rules of Order~~

~~Regular and special meetings of the Board of Education are held in public, but they are not public hearings unless so designated. Comments from those citizens present will be welcomed at times indicated by the Chair, but such participation shall not be allowed to interfere with the conduct of business by the Board.~~

~~Procedure will normally be informal for the sake of simplicity and to minimize diversion of discussion to procedural questions. Board members may, however, involve Robert's Rules of Order, Revised.~~

~~A majority of the Board members present is required to approve a motion.~~

~~When comments from the public would be particularly helpful to the Board in reaching a decision on an item, the Board may schedule a public hearing devoted exclusively to that item. In any case, final action, on a change in Board policy will not normally be taken at the time of its first discussion or at a public hearing unless postponement until the next Board meeting would hinder the intent of such action.~~

~~Upon a 2/3 vote of the members of the Board, new business, not listed on the agenda, may be considered and acted upon at a regular meeting of the Board.~~

~~No new topic will be started after 10:30 p.m. except by a 2/3 vote of the members present and voting.~~

~~If a person or group of persons is so disruptive that the meeting cannot proceed in an orderly fashion, the meeting may be cleared, except for representatives of the news media not involved in the disturbance. A meeting may be adjourned or continued to a time and place specified in the adjournment or continuance.~~

~~Legal Reference: Connecticut General Statutes~~

### ~~1-200 Definitions~~

### ~~1-206 Denial of access of public records or meetings. Notice. Appeal~~

### ~~1-210 Access to public records~~

### ~~1-226 Recording, broadcasting or photographing meetings~~



~~19a-342 Smoking prohibited in certain places. Signed required. Penalty~~

~~1-231 Executive sessions~~

~~1-232 Conduct of meetings (re disturbances)~~

~~10-224 Duties of the Secretary~~

~~Bylaw adopted by the Board: June 10, 2002~~



## **Students**

### **Alcohol Use, Drugs, and Tobacco (Including Performance Enhancing Substances)**

#### **Drugs and Alcohol**

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.

#### **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)**

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.

### **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.

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 or on the grounds of any preschool, elementary school, 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.

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.

### 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).
- (6) 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](http://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.

- (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.
- (8) 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.
- (9) 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.
- (10) 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.

#### Legal References:

#### 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.

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 10-220b Policy statement on drugs

Section 10-221

Sections 10-233a through 10-233f

Section 21a-240

[Section 21a-243](#)

[Section 21a-408a through 408q](#)

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

[Public Act 11-73 An Act Regulating the Sale and Possession of Synthetic Marijuana and Salvia Divinorum.](#)

[Public Act 16-23, An Act Concerning the Palliative Use of Marijuana](#)

[Public Act 12-55 An Act Concerning the Palliative Use of Marijuana.](#)

[Public Act 14-76 An Act Concerning the Governor's Recommendations Regarding Electronic Nicotine Delivery Systems and Youth Smoking Prevention.](#)

[Public Act 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. \(2002\).](#)

Policy adopted:

WESTPORT PUBLIC SCHOOLS  
Westport, Connecticut



## Instruction

### Comparability of Services

The Superintendent or his/her designee shall pursue funding under Title I of the Academic Achievement of the Disadvantaged, as amended by the Every Student Succeeds Act (ESSA) to supplement instructional services and activities in order to improve the educational opportunities of educationally disadvantaged or deprived children.

All District schools, regardless of whether they receive Title I funds, shall provide services that, taken as a whole, are substantially comparable. Teachers, administrators and other staff shall be assigned to schools in a manner that ensures equivalency among the District's schools. Curriculum materials and instructional supplies shall be provided in a manner that ensures equivalency among the District's schools.

Comparability, is defined, for purposes of this policy, that the District uses state and local funds to provide services to Title I schools that are comparable to those offered in non-Title I schools in order to get federal funding under ESSA.

The Board of Education believes that at all times its schools should be equally as well equipped and maintained as may be possible within existing financial limitations.

It shall be the policy of the Board of Education to insure comparability of services funded by state and local sources in both Title I project schools and non-project schools. The Board of Education will therefore:

1. Maintain a district-wide salary schedule.
2. Provide services with federal, state and local funds in schools serving Title I project areas that are at least comparable to services in non project areas.
3. Use federal, state and local funds to provide for an equivalence among all schools in all schools with the same grade levels in teachers, administrators, auxiliary personnel.
4. Use federal, state and local funds to provide for an equivalence among all schools with the same grade levels in the provision of curriculum and instructional materials, books and supplies.

The District shall maintain records that are updated biannually documenting its compliance with this ESSA requirement.

Nothing in this policy will prohibit the administration from addressing identified problems at individual schools.

*Note: The comparability requirements of 20 U.S.C. Section 6321(c) shall not apply to a district that does not have more than one building from each grade span. (20 U.S.C. Section 6321(c)(4))*

Legal Reference: Title I Improving Basic Programs Operated by State and Local Educational Agencies, Improving Every Student Succeeds Act, P.L. 114-95

20 U.S.C. Section 6321 (c)

Agostini v. Felton 521 U.S. 103 (1997)

### Policy adopted:

## Instruction

### Research: Testing

#### Testing Program

A plan of system-wide testing in addition to mandated statewide assessments, shall be developed and implemented as one indication of the success and quality of the district's total educational program. In the case of individual students, standardized achievement tests, in combination with other criteria, can provide an indication of student achievement. When appropriate, students may also be tested for mental ability, aptitude and interest.

The purposes of the district-wide testing program are to facilitate and provide information for the following:

1. **Student Achievement** - To produce information about relative student achievement so that parents/guardians, students and teachers have a baseline against which to monitor academic progress. Within the limitations of group testing instruments, the information should be useful to serve as a validation device for other measures of student progress.
2. **Student Counseling** - To serve as a tool in the counseling and guidance of students for further direction and for specific academic placement.

**3. Instructional Change** - To provide data which will assist in the preparation of recommendations for instructional program changes to:

- a. Help teachers with instructional decisions, plans and changes regarding classroom objectives and program implementation;
- b. Help the professional staff formulate and recommend instructional policy; and
- c. Help the Board of Education adopt instructional policies.

**4. School and District Assessment** - To provide additional indicators of the progress of the district toward established goals.

The testing program is an integral part of the district's needs assessment and evaluation programs. The program should be developed primarily for furnishing needed information to decision makers, including the Board, administrators, teachers, parents/guardians and students.

The needs of these various groups shall be clearly identified, and the testing program shall be limited to obtaining that information which is needed and useful.

In planning, every effort will be made to see that testing contributes to the learning process rather than detracts from it. Efforts shall be made to incorporate necessary culture-free and culture-fair tests to assure reasonably accurate measurements.

The district shall not discriminate in the methods, practices and materials used for testing, evaluating and counseling students on the basis of sex, race, national origin, creed, sexual orientation or physical, mental, emotional or learning disability. Discrimination complaints shall be processed in accordance with established procedures.

Parents shall be notified prior to any individual student testing, beyond that which is part of the regular classroom routine. Parental notification shall include the reason for the testing and an explanation of the test to be used. All such tests results shall be shared with parents.

Staff will receive in-service education in the use of designated tests, confidentiality issues and interpretation of test results.

A periodic review and evaluation of the district's testing program will be conducted.

Policy adopted:

## Instruction

### Survey of Students

Surveys can be a valuable resource for schools and communities in determining student needs for educational services. When a survey is used, every effort should be made to ask questions in a neutral manner to ensure the accuracy of the survey.

Administrators, teachers, other staff members and the Board of Education may use surveys for many purposes. Such purposes may include, but are not limited to, the need for student services, the determination of prevailing views pertaining to proposed policies and/or practices, or the determination of student knowledge and/or attitudes related, to a specific subject or units. These are examples of surveys and not intended to be an all-inclusive listing. Administrative approval is required for surveys. Responses will not be used in any identifying manner.

Surveys used in any experimental program or research project will be subject to the requirements of Policy 6141.11. Parents shall have the right to inspect all instructional material that will be used for a survey, analysis, or evaluation as part of a federal program.

Prior to administering a survey, the Board of Education must approve all that are received by the Superintendent that include reference to any of the factors listed below. In addition, no student may, without parental consent, take part in a survey, analysis, or evaluation that reveals information concerning:

1. political affiliations or beliefs of the student or the student's parents;
2. mental or psychological problems of the student or the student's family;
3. sex behavior or attitudes;
4. illegal, anti-social, self-incriminating and demeaning behavior;
5. critical appraisals of other individuals with whom respondents have close family relationships;
6. legally recognized privileged or analogous relationships, such as those of lawyers, physicians and ministers;
7. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program); or
8. religious practices, affiliations or beliefs of the student or the student's parent/guardian.

Surveys conducted for other agencies, organizations or individuals must have the recommendation of the Superintendent of Schools and the approval of the Board of Education as to content and purpose. The results of such approved surveys must be shared with the Board of Education.

Parents/guardians shall have the right to inspect, upon their request, a survey created by a third party before the survey is administered or distributed by a school to a student. Such requests shall be made in writing with a response to be at least two weeks in advance of any survey to be given.

For surveys not funded in any part by the federal government, parents/guardians need not give written consent, but must instead be given prior notice of the survey with the opportunity to opt their child out of participation if the survey elicits information concerning any of the eight protected areas listed above

Overall survey results following decisions must be shared with all parties who request such information.

Parents/guardians shall be notified at least annually, at the beginning of the school year, of this policy and when enrolling students for the first time in district schools. This notification must explain that parent/guardians, or students 18 or older, have the right to "opt the student out of participation," in writing, in the following activities;

1. The collection, disclosure and use of personal information gathered from students for the purpose of marketing or selling that information. This does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to students, such as:
  - a. College or other post-secondary education recruitment, or military recruitment;
  - b. Book clubs, magazines and programs providing access to low-cost literary products;
  - c. Curriculum and instructional materials used in schools;
  - d. Tests and assessments;
  - e. Student recognition programs; and
  - f. The sale by students of products or services to raise funds for school-related activities;

2. The administration of any survey that delves into the restricted sensitive subject areas identified and listed above, or
3. The administration of any non-emergency, invasive physical examination or screening that is required as a condition of attendance, administered by the school not necessary to protect the immediate health or safety of the student or other students and not otherwise permitted or required by state law.

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

The term "personal information" means individually identifiable information including a student's or parent's name, address, telephone number, or social security number.

Parents/guardians of a student shall also have the right to inspect, upon request, any instructional material used as part of the educational curriculum. The District shall grant reasonable access to instructional material within a reasonable period of time after a parental request is received.

*Note: The term "instructional material" means instructional content that is provided to a student, regardless of format. It does not include tests or academic assessments.*

(cf. 6141.11 - Curriculum Research/Experimental Projects)

(cf. [6161](#) - Equipment, Books and Materials: Provision/Selection)

(cf. [6161.1](#) - Evaluation/Selection of Instructional Materials)

(cf. 6161.12 - Reconsideration of Materials)

Legal Reference: Elementary and Secondary Education Act of 1965, 20 U.S.C. §1232h Protection of Pupil Rights Amendment, as amended by the Every Student Succeeds Act, Pub. L. 114-95

Regulation 34 CFR Part 98 (PPRA Regulations)

**Policy adopted:**

## **Instruction**

### **Special Education**

#### **Pre-School Special Education**

The Board of Education (Board) recognizes the value of special education and its responsibility in ensuring that all resident preschool children with disabilities have the opportunity to participate in special programs and services from which they may benefit. The Board shall maintain an early intervention program for preschool-aged children identified through the "Birth to Age Three" screening process under regulations imposed by the Individuals with Disabilities Act (IDEA) which identifies children with special education needs or developmental delays.

The District's program shall be based upon the "reverse mainstreaming model" which maintains a significant number of non-disabled (regular education) students who serve as role models for the students with identified special needs. The Director/Supervisor of Special Education is responsible to coordinate and evaluate the program annually to make recommendation to the Superintendent of Schools or his/her designee.

The Board authorizes the Superintendent of Schools to establish administrative practices and procedures to carry out this responsibility. Such administrative practices and procedures shall include:

1. Locating and identifying all preschool children, between the ages of three and five, with disabilities pursuant to the relevant provisions of the Individuals with Disabilities Act (IDEA). The register of children eligible to receive preschool special education services is to be maintained and revised annually by the Director/Supervisor of Special Education;
2. Ensuring that the parents of preschool age children with disabilities have received and understand the request for consent for evaluation of their child;
3. Developing an individualized education program (IEP) for each preschool age child with a disability requiring services;
4. Appointing and training appropriately qualified personnel;
5. Providing transportation to students enrolled in the program;
6. Maintaining lists as required by the State Education Department pertaining to the number of children with disabilities who are being served, as well as those identified disabled students not served; and
7. Reporting as required to the State Education Department; and
8. Ensuring the smooth transition from infant to preschool programs.

The Planning and Placement Team's responsibilities will include the evaluation and recommendation for placement in appropriate approved programs and the provision of appropriate special education programs and services for each preschool child with a disability. Children recommended for an educational program may enter at various points throughout the school year.

It is ultimately the responsibility of the Board to provide the appropriate approved preschool program and services for the District children. Should the PPT's determination and recommendations differ from parent or guardian preference, placement may be appealed by a parent or guardian through the procedures outlined in IDEA.

The Board directs the Superintendent or his/her designee to ensure that the District considers that adequate and appropriate space and personnel are made available for such programs and services.

#### **Tuition**

Non-disabled (regular education) students enrolled in the "reverse mainstreaming" preschool program will be required to pay tuition for the program. Identified students or students who qualify for free or reduced lunch will not be charged for tuition. The Board will annually establish the tuition rate for the following school year. The Board, through the Superintendent or his/her designee, will establish a monthly payment plan. Failure to make such tuition payment may result in discontinuation of enrollment in the program.

Legal Reference: Connecticut General Statutes

[10](#) 76a Definitions.

[10](#) 76b State supervision of special education programs and services.

[10](#) 76c Receipt and use of money and personal property.

[10](#) 76d Duties and powers of boards of education to provide special education programs and services. (as amended by PA 97-114)

[10](#) 76e School construction grant for cooperative regional special education facilities.

[10 76f](#) Definition of terms used in formula for state aid for special education.

[10 76g](#) State aid for special education.

[10 76h](#) Special education hearing and review procedure. Mediation of disputes.

[10 76i](#) Advisory council for special education.

[10 76j](#) Five year plan for special education.

[10 76k](#) Development of experimental educational programs.

State Board of Education Regulations.

[10 76m](#) Auditing claims for special education assistance.

[10 76a 1](#) et seq. Definitions.

[10 76b 1](#) through [10 76b 4](#) Supervision and administration.

[10 76d 1](#) through [10 76d 19](#) Conditions of instruction.

[10 76h 1](#) through [10 76h 2](#) Due process.

[10 76l 1](#) Program Evaluation.

[10 145a 24](#) through [10 145a 31](#) Special Education (re teacher certification).

34 C.F.R. 3000 Assistance to States for Education for Handicapped Children.

American with Disabilities Act, 42 U.S.C. §12101 et seq.

Individuals with Disabilities Education Act, 20 U.S.C. §1400 et seq. as amended by P.L. 105-17.

Rehabilitation Act of 1973, Section 504, 29 U.S.C. §794.

**Policy adopted:**

## Instruction

### Title I Parent Involvement

The Board of Education endorses the parent involvement goals of Title I and encourages the regular participation by parents of Title I eligible children in all aspects of the program. The education of children is viewed as a cooperative effort among the parents, school and community. In this policy, the word "parent" also includes guardians and other family members involved in supervising the child's schooling.

Pursuant to federal law, the District will develop jointly with, agree on with and distribute to parents of children participating in the Title I program a written parent involvement policy.

At the required annual meeting of Title I parents, parents will have opportunities to participate in the design, development, operation and evaluation of the program for the next school year. Proposed activities shall be presented to fulfill the requirements necessary to address the requirements of parental involvement.

In addition to the required annual meeting, at least three additional meetings shall be held, at various times of the day and/or evenings, for parents of children participating in the Title I program. These meetings shall be used to provide parents with:

1. Information about programs provided under Title I;
2. A description and explanation of the curriculum in use, the forms of academic assessment used to measure student progress, and the proficiency levels students are expected to meet;
3. Opportunities to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children; and
4. The opportunity to bring parent comments, if they are dissatisfied with the school's Title I program, to the district level.

Title I funding, if sufficient, may be used to facilitate parent attendance at meetings through payment of transportation and childcare costs.

The parents of children identified to participate in Title I programs shall receive from the school Principal and Title I staff an explanation of the reasons supporting each child's selection for the program, a set of objectives to be addressed, and a description of the services to be provided. Opportunities will be provided for the parents to meet with the classroom and Title I teachers to discuss their child's progress. Parents will also receive guidance as to how they can assist in the education of their children at home.

Each school in the District receiving Title I funds shall jointly develop with parents of children served in the program a "School-Parent Compact" outlining the manner in which parents, school staff and students share the responsibility for improved student academic achievement in meeting State standards.

The "School-Parent Compact" shall:

1. Describe the school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment enabling children in the Title I program to meet the State's academic achievement standards;
2. Indicate the ways in which each parent will be responsible for supporting their children's learning, such as monitoring attendance, homework completion, monitoring television watching, volunteering in the classroom, and participating, as appropriate, in decisions related to their child's education and positive use of extra-curricular time; and
3. Address the importance of parent-teacher communication on an on-going basis, with at a minimum, parent-teacher conferences, frequent reports to parents, and reasonable access to staff.

Note: Districts with more than one school participating in a Title I program may wish to consider the establishment of a district wide parent advisory council.

(cf. [1110.1](#) - Parent Involvement)

(cf. [6161.3](#) - Comparability of Services)

Legal Reference: Improving America's Schools Act, P.L. No. 103-382, Sec. 1112 Local Educational Agency Plans.

Improving America's School Act (IASA), P.L. 103-382.

PL 107-110, "No Child Left Behind Act of 2001," Title I - Improving the Academic Achievement of the Disadvantaged, Sec. 1118

Policy adopted:





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**Series 6000  
Instruction**

**PARENT AND FAMILY ENGAGEMENT POLICY  
FOR TITLE I STUDENTS**

**[Note: This policy must be developed jointly with, and agreed upon by, parents and family members of children participating in Title I programs.]**

In accordance with Section 1010 of the Every Student Succeeds Act (“ESSA”), Public Law 1114-95, it is the policy of the [ ] Board of Education to provide parents and family members of students participating in the district’s Title I programs meaningful opportunities to participate in the education of their children within these programs. To facilitate parental and family participation, the Board encourages parents and family members of Title I eligible students to be involved in regular meetings, communications, and activities that will inform them about the district’s Title I programs, to participate in the improvement of such programs and to help improve their child’s progress within these programs.

This policy has been developed jointly with, and agreed upon by, parents and family members of children participating in Title I programs. The district shall distribute this written Parent and Family Engagement Policy to parents and family members of participating students in an understandable and uniform format and, to the extent practicable, in a language the parents can understand. The policy shall be made available to the public and updated periodically, as necessary to carry out the requirements of the parent and family engagement portion of Section 1010 of ESSA.

The Board shall conduct, with the meaningful involvement of Title I parents and family members, an annual evaluation of the content and effectiveness of this policy in improving the academic quality of the schools receiving Title I funds. The Board shall use the findings of such evaluation to design evidence-based strategies for more effective parental involvement, and to revise, if necessary, the policy. Such annual evaluation shall include identifying:

1. barriers to greater participation by parents in activities authorized by 20 U.S.C. § 6318 (with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background);
2. the needs of parent and family members to assist with the learning of their children, including engaging with school personnel and teachers; and

3. strategies to support successful school and family interactions.

Each year, each school within the district that is involved in Title I programs shall conduct a meeting, at a convenient time, to involve parents in the planning, review and improvement of programs funded by Title I. All parents of participating children must be invited and encouraged to attend. At this meeting, parents shall be given a description and explanation of the Title I programs, the curriculum in use at the school, the forms of academic assessment used to measure student progress, the achievement levels of the challenging State academic standards, and information regarding the importance of parental involvement and their right to be involved.

In addition to the required annual meeting, and if requested by parents, schools within the district that are involved in Title I programs shall offer opportunities for regular meetings at flexible times of the day in order to allow parents to formulate suggestions for the Board's Title I programs and their application to their child(ren)'s programs; and to participate, as appropriate, in decisions related to the education of their children. Parents will be given opportunities to participate in the joint development of the district's Title I plan, as required by Section 1006 of ESSA, and in the process of any school review and improvement in accordance with the State's plan, as required by Section 1111 of ESSA. At any time, if a parent is dissatisfied with a school's Title I program, he/she shall have the opportunity to submit comments for review at the district level.

The Board will provide the coordination, technical assistance and other support necessary to assist and build capacity of Title I schools in planning and implementing effective parent and family involvement activities to improve student academic achievement and school performance. Parental and family engagement in Title I programs shall be coordinated and integrated with parental and family engagement strategies, to the extent feasible, under other federal, state, local and district programs.

In order to build the schools' and parents' capacity for strong parental involvement, the Board shall:

1. provide assistance to parents of students participating in Title I programs in understanding topics such as the challenging state academic standards, state and local academic assessments, the requirements under Title I, and how to monitor their child's progress and work with educators to improve the achievement of their children;
2. provide materials and training to help parents to work with their children, such as literacy training and using technology (including education about the harms of copyright piracy);

3. educate teachers, specialized instructional support personnel, staff and administrators, with the assistance of parents, about how to better communicate and work with parents;
4. to the extent feasible and appropriate, coordinate and integrate parent involvement programs and activities with other federal, state and local programs, including public preschool programs, conduct other activities that encourage and support parent participation;
5. ensure that information related to school and parent programs, meetings and other activities is sent to participating parents in a format and, to the extent practicable, in a language the parents can understand;
6. provide such other reasonable support for parental involvement activities as parents may request; and
7. inform parents and parental organizations of the existence and purpose of parent resource centers within the State.

### **School-Parent Compact**

This policy further requires that each school involved in Title I programs shall jointly develop with parents of participating children a school-parent compact that outlines how parents, staff, and students will share the responsibility for improved student academic achievement and the means by which the school and parents will build and develop a partnership to help children achieve the State's high standards. The school-parent compact shall:

1. describe the school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment that enables Title I students to meet the challenging State academic standards;
2. indicate the ways in which each parent will be responsible for supporting their child's learning; volunteering in their child's classroom; and participating, as appropriate, in decisions related their child's education and positive use of extracurricular time;
3. address the importance of ongoing teacher-parent communication through parent-teacher conferences, frequent reports to parents, reasonable access to school staff, and opportunities to volunteer, participate in, and observe their child's classroom activities; and
4. ensure regular, two-way, meaningful communication between family members and school staff, and, to the extent practicable, in a language that family members can understand.

The Board authorizes the Superintendent, or his/her designee, to develop a school-parent compact and other procedures such as those relating to meetings, parent communication and parental involvement activities, as he/she deems necessary in order to ensure compliance with this policy.

The Superintendent is required to include information about parental involvement and actions taken to improve parental involvement in the strategic school profile he or she submits annually to the Board of Education and Commissioner of Education. Such actions to improve parental involvement may include methods to engage parents in the planning and improvement of school programs and to increase support to parents working at home with their children on learning activities.

Connecticut General Statutes:

10-220(c) Duties of Boards of Education

Federal Law:

20 U.S.C. § 6318, as amended by Every Student Succeeds Act, Pub. L. No.  
114-95, § 1010 (2015).  
20 U.S.C. § 7801. Definitions

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

7/5/2016

## SAMPLE LETTER FOR PARENTS

[Insert School Letterhead]

[Parents Name]  
[Parents Address]

[Date]

Re:

[Insert School Letterhead]

[Parents Name]  
[Parents Address]

[Date]

Re: **Meeting for Parents of Students Participating in Title I Programs**

Dear [insert parent name]:

Each year, [insert name of school] must conduct a meeting to involve parents of students participating in programs conducted under Title I of the Every Student Succeeds Act of 2015 in the planning, review and improvement of programs funded by Title I. This year, the meeting will be held on [insert date, time] at [insert location of meeting].

At this meeting, parents will be provided with a description and explanation of the Title I programs available in the district, the curriculum in use at the school, the forms of academic assessment used, the challenging State academic standards, and information regarding the importance of parental involvement. We welcome this opportunity to speak with parents of participating students and to inform you of the important work being done within our school. All parents of students participating in Title I programs are encouraged to attend and participate in the discussion.

For your convenience and information, enclosed with this letter is a copy of the [insert town] Board of Education's Parent and Family Engagement Policy for Title I Students. We look forward to seeing you on [insert date and time].

Sincerely,

[insert name of building principal]

Enclosure

Cc: [insert name of Superintendent], Superintendent of Schools  
Revised 7/5/2016

## SAMPLE

**[Note: This compact must be developed jointly with parents of students participating in Title I programs. Districts must work jointly with parents to develop more specific strategies to foster a strong alliance among parents, teachers and students in order to improve academic achievement.]**

### Parent-School Compact

Parents, students and staff involved in Title I programs within the [ ] School District agree to share responsibility for improving student academic achievement. In furtherance of this agreement, these parties agree to the following:

The [ ] school [ or school district] shall be responsible for:

- *providing high-quality curriculum and instruction in a supportive and effective learning environment that enables students in the [name of school] Title I program to meet the challenging state academic standards;*
- *communicating with parents regarding their child's progress and providing timely information about Title I programs and assessment tools;*
- *encouraging ongoing communication between teachers and parents;*
- *educating staff about the importance of parental involvement;*
- *providing, at minimum, annual parent-teacher conferences during which the school-parent compact will be discussed as it related to the individual child's achievement;*
- *providing frequent reports to parents on their child's progress;*
- *providing reasonable access to school staff;*
- *providing opportunities for parents to volunteer, participate in and observe their child's classroom activities; and*
- *ensuring regular, two-way, meaningful communication between family members and school staff, and, to the extent practicable, in a language that family members can understand.*

Teachers participating in Title I programs shall be responsible for:

- *communicating with parents on an ongoing basis;*
- *participating in parent-teacher conferences, at least annually, during which the school-parent compact will be discussed as it relates to the individual child's achievement;*
- *providing frequent reports to parents on their child's progress; and*
- *providing opportunities for parents to volunteer, participate and observe their child's classroom activities.*

Parents shall be responsible for supporting their child's learning in the following ways:

- *volunteering in their child's classroom;*
- *encouraging positive use of their child's extracurricular time; and*
- *participating, as appropriate, in decisions relating to their child's education.*

7/5/16  
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**Students****On-Campus Recruitment**

Subject to the provisions of Subdivision (11) of Subsection (b) of Section [1-210](#) of the Connecticut General Statutes, the high schools of the school district shall provide the same directory information and on campus recruiting opportunities to representatives of the armed forces of the United States of America and State Armed Services as are offered to nonmilitary recruiters, recruiters for commercial concerns and recruiters representing institutions of higher education.

The Board of Education (Board) will inform, at the middle and high school level, students and parents/guardians of the availability of (1) vocational, technical and technological education and training at technical high schools, and (2) agricultural sciences and technology education at regional agricultural science and technology education centers.

The Board shall also provide full access for the recruitment of students by technical high schools, regional agricultural science and technology education centers, inter-district magnet schools, charter schools and inter-district student attendance programs, provided such recruitment is not for the purpose of interscholastic athletic competition. The Board shall also post information about these school options on its website.

Directory information or class lists of student names and/or addresses shall not be distributed without the consent of the parent or legal guardian of the student or by the student who has attained majority status.

Military recruiters or institutions of higher learning shall have access to secondary school students' names, addresses, and telephone listings unless the parent/guardian of such student submits a written request that such information not be released without their prior written consent. A student, eighteen years of age or older, rather than his/her parent/guardian, may request in writing that such information not be released without his/her prior written permission. The Board of Education shall notify parents/guardians and students of the option to make such request and shall comply with any request received.

*ESSA requires the release of the student's name, address and telephone listing unless, after giving appropriate notice to parents/guardians and students 18 years of age or older, of their right to opt-out and to require, after such opt-out, written permission to release the information.*

The school administrator may make the determination of when the recruitment meetings are to take place and reserves the right to deny such meeting where the holding of such meeting will materially and substantially interfere with the proper and orderly operation of the school.

Any person or organization denied the rights accorded under this policy shall have the right to request a review of the decision by the Board of Education by filing a written request with the Superintendent of Schools.

(cf. [5125](#) Student Records; Confidentiality)

Legal Reference: Connecticut General Statutes

[1-210](#) (11) Access to public records. Exempt records.

[10-220d](#) Student recruitment by a regional and interdistrict specialized schools and programs. Recruitment of athletes prohibited (as amended by P.A. 12-116, An Act Concerning Educational Reform)

[10-221b](#) Boards of education to establish written uniform policy re treatment of recruiters.(as amended by PA 98-252)

P.L. 106-398, 2000 H.R. 4205: The National Defense Authorization Act for Fiscal Year 2001

Section 8025 of Public Law 114-95, "The Every Student Succeeds Act of 2015"

**Policy adopted:**



**Students****On-Campus Recruitment**

All recruiters, military, non-military, commercial and educational providing information to high school students about post high-school educational and/or career opportunities shall be afforded substantially equal opportunity, with respect to the conduct of on-campus student recruitment. Recruiters will be afforded the opportunity to conduct meetings during the school day, at a time, and in place designated by the high school administration, with those students who are voluntarily interested. The administration may limit the number of such opportunities to be granted to each organization and agency to avoid undue interference with the educational process.

Follow up visits to the high school by recruiters (in all categories specified above) in order to meet with individual students will be permitted, provided that the student is a voluntary participant in the follow up and that the appointment is scheduled on the request of the student.

(cf. [5145.15](#) – Disclosure of Directory Information Regarding Students to Commercial, Military and College Recruiters and Others)

Legal Reference: Connecticut General Statutes

[1-19\(b\)\(11\)](#) Access to public records. Exempt records.

[10-221b](#) Boards of education to establish written uniform policy re treatment of recruiters.(as amended by PA 98-252)

Public Law 107-110, No Child Left Behind Act

**Policy adopted: November 19, 1984**



## Personnel - Certified

### Evaluation and Support Program

It is universally accepted that good teaching is the most important element in a sound educational program. Student learning is directly affected by teacher competence; therefore, teacher evaluation shall be accomplished using a teacher evaluation plan which demonstrates a clear link between teacher evaluation, professional development and improved student learning. (The educator evaluation and support plan or revisions must be approved annually by the State Department of Education prior to District implementation.)

The submission of the District's evaluation plans for SDE review and approval, including flexibility requests, shall take place no later than the annual deadline set by the State Department of Education.

*Note: "Teacher" or "Administrator" for purposes of evaluation shall include each professional employee of the Board, below the rank of Superintendent, who holds a certificate or permit issued by the State Board of Education.*

Appraisal of teaching performance should serve three purposes:

1. To raise the quality of instruction and educational services to the children of our community resulting in improved student learning.
2. To raise the standards of the teaching profession as a whole.
3. To aid the individual teacher to grow professionally, linking district-wide teacher evaluation and professional development plans.

Evaluation of teacher performance must be a cooperative, continuing process designed to improve student learning and the quality of instruction. The Superintendent shall annually evaluate or cause to be evaluated all certified employees in accordance with the teacher evaluation and support program, developed through mutual agreement with the Professional Development and Evaluation committee for the District. The required union representation on such committee shall include at least one representative from each of the teachers' and administrators' unions. The teacher shares with those who work with the teacher the responsibility for developing effective evaluation procedures and instruments and for the development and maintenance of professional standards and attitudes regarding the evaluation process.

The Board of Education shall adopt and implement a teacher evaluation and support program. Such teacher evaluation and support program shall be developed through mutual agreement with the District's Professional Development and Evaluation Committee. If unable to attain mutual agreement, the Board and the Professional Development and Evaluation Committee shall consider adopting by mutual agreement the State Board of Education (SBE) adopted model teacher evaluation and support program without any modification. Further, if the Board and the Professional Development and Evaluation Committee fail to agree on the SBE model, the Board, will use its statutory authority to adopt and implement a teacher evaluation program of its choice, provided such program is consistent with the SBE adopted guidelines.

The system-wide program for evaluating the instructional process and all certified personnel is viewed as one means to improve student learning and insure the quality of instruction. The evaluation plan shall include, but need not be limited to, strengths, areas needing improvement, strategies for improvement and multiple indicators of student academic growth. \*Further, claims of failure to follow the established procedures of such teacher evaluation and support program shall be subject to the grievance procedure in collective bargaining agreements negotiated subsequent to July 1, 2004.

*Note: The district's evaluation plan, submitted to the State Department of Education for approval, may be the district's selection of the state model evaluation plan, SEED (Connecticut's System for Educator Evaluation and Development), or a hybrid of SEED, or a district proposed alternative evaluation and support plan which fulfills the state guidelines.*

The Superintendent and all employees whose administrative and supervisory duties equal at least 50% of their time shall include a minimum of fifteen hours of training in the evaluation of teachers pursuant to Section 10-151b, as part of the required professional development activity during each five year period for reissuance of their professional educator certificate.

*The State Board of Education as required has adopted guidelines for a model teacher and administrator evaluation and support program which is to provide guidance on the use of multiple indicators of student academic growth in teacher evaluations. The guidelines include, but are not limited to:*

1. The use of four performance evaluations designators: exemplary, proficient, developing and below standards;
2. The use of multiple indicators of student academic growth and development in teacher and administrative evaluations;
3. Methods for assessing student academic growth and development;
4. A consideration of control factors, tracked by the state-wide public school information system that may influence teacher performance ratings, including, but not limited to, student characteristics, student attendance and student mobility;
5. Minimum requirements for teacher evaluation instruments and procedures, including scoring systems to determine exemplary, proficient, developing and below standard ratings;
6. The development and implementation of periodic-training programs regarding the teacher evaluation and support program to be offered by the local or regional board of education or RESC to teachers whose performance is being evaluated and to administrators who are conducting the performance evaluations;
7. The provision of professional development services based on individual or group needs identified through the evaluation process;
8. The creation of individual teacher improvement and remediation plans for teachers who are rated "developing" or "below standard" in

performance, designed in consultation with such teacher and his/her exclusive bargaining representative chosen pursuant to CGS [10-1536](#);  
9. Opportunities for career development and professional growth; and  
10. A validation procedure to audit evaluation ratings of "exemplary" or "below standard" evaluation ratings by the SDE or third-party entity approved by the SDE.

The Superintendent shall annually evaluate or cause to be evaluated each teacher and administrator in accordance with the teacher evaluation and support program and may conduct additional formative evaluations toward producing an annual summative evaluation.

In the event that a teacher or an administrator does not receive a summative evaluation during the school year, such individual shall receive a rating of "not rated" for that year.

*Note: The SBE may waive the requirement of consistency with SBE's model guidelines for any district that, before the model guidelines are validated, (after the pilots 2012-2013), developed a teacher evaluation program that is determined by the SBE to substantially comply with the guidelines.*

The Superintendent shall report to the Board by September 15th annually on the status of the evaluations. In addition, annually, by dates determined by the State Department of Education, the Superintendent shall report to the Commissioner of Education on the implementation of the teacher evaluation and support program, including the frequency of evaluations, aggregate evaluation ratings, the number of teachers and administrators not evaluated, and other requirements as determined by the State Department of Education.

### **Improvement and Remediation Plans**

Teachers rated "below standard" or "developing" shall have a well-articulated improvement and remediation plan that:

1. is developed in consultation with the teacher and his/her union representative and is differentiated by the level of identified need and/or stage of development;
2. identifies resources, support, and other strategies to be provided by the Board to address documented deficiencies;
3. contains a timeline for implementing such measures in the same school year as the plan is issued; and
4. provides success indicators that include a minimum overall rating of "proficient" at the end of the improvement and remediation plan.

### **Evaluation Training**

The Board, prior to any evaluation conducted under the teacher evaluation and support program, shall conduct training programs for all evaluators and orientation for all District teachers regarding the District's teacher evaluation and support program. Such training shall provide instruction to evaluators regarding how to conduct proper performance evaluations prior to conducting an evaluation under the teacher evaluation and support program. The orientation for each teacher shall be completed before a teacher receives an evaluation under the teacher evaluation and support program.

*Note: "Teacher" includes all certified employees below the rank of Superintendent.*

### **Implementation Plan**

The Board of Education recognizes that the State Board of Education (SBE) utilizes a flexible plan for the implementation of Connecticut's Educator Evaluation and Support System.

*Note: Districts intending to renew or request waivers shall do so in conformity with the process and timelines established by the State Department of Education.*

### **Options: The District will:**

- ☐ Implement the SEED state model in its entirety and implement all components as written within the Handbook.
- ☐ Use the State Department of Education approved plan with adopted flexibilities.
- ☐ Use a District developed plan. (Such plan must have at least one variation from any of the elements/components of the SEED model.)

Beginning with the 2014-15 school year and all subsequent years, the submission of the District's evaluation plans for State Department of Education's review and approval, including flexibility requests, shall take place by annual deadlines set by the State Department of Education.

### **Complementary Observers**

The primary evaluator for most teachers will be the school principal or assistant principal who will be responsible for the overall evaluation process, including assigning summative ratings. The District may also decide to use complementary observers to assist the primary evaluator. Complementary observers are certified educators, who may have specific content knowledge, such as department heads or curriculum coordinators. Complementary observers shall be fully trained as evaluators in order to be authorized to serve in this role.

Complementary observers may assist primary evaluators by conducting observations, including pre- and post-conferences, collecting additional evidence, reviewing student learning objectives (SLOs) and providing additional feedback. A complementary observer shall share his/her

feedback with the primary evaluator as it is collected and shared with teachers.

Primary evaluators will have sole responsibility for assigning final summative ratings. Both primary evaluators and complementary observers must demonstrate proficiency in conducting standards-based observations.

### **Dispute-Resolution Process**

In accordance with the requirement in the "Connecticut Guidelines for Teacher Evaluation and Professional Development," in establishing or amending the local teacher evaluation plan, the Board of Education shall include a process for resolving disputes in cases where the evaluator and teacher cannot agree on goals/objectives, the evaluation period, feedback or the professional development plan.

When such agreement cannot be reached, the issue in dispute may be referred for resolution to a subcommittee of the Professional Development and Evaluation Committee (PDEC). The Superintendent and the collective bargaining unit for the District shall each select one representative from the PDEC to constitute this subcommittee, as well as a neutral party as mutually agreed upon between the Superintendent and the collective bargaining unit. In the event the designated committee does not reach a unanimous decision, the issue shall be considered by the Superintendent whose decision shall be binding. This provision is to be utilized in accordance with the specified processes and parameters regarding goals/objectives, evaluation period, feedback, and professional development contained in this document entitled "Connecticut Guidelines for Educator Evaluation." Should the process not result in resolution of a given issue, the determination regarding that issue shall be made by the Superintendent. An example will be provided within the State model.

*Note: The above is an illustrative example of such a process provided by the State Board of Education.*

### **Data Management**

Annually prior to September 15, the District's Professional Development and Evaluation Committee will review and report to the Board the user experiences and efficiency of the District's data management system/platform to be used by teachers and administrators to manage the evaluation plans.

Annually, data management systems/platform to be used by teacher and administrators to manage evaluation plans shall be selected by the Board with considerations given to functional requirements/needs and efficiencies identified by the Professional Development and Evaluation Committee.

Such plans shall consider guidance pertaining to the entry of data into the District's data management system/platform needed to manage the evaluation plan. Such guidance shall address items to be entered, prohibitions pertaining to the sharing and transference of individual teacher data to another district or entity without consent of the teacher or administrator, limits on the access to teacher and administrator data and a process for recording authorized individuals' access to information.

### **Audit**

The Board, if selected, will participate as required, in an audit of its evaluation program, conducted by the State Department of Education.

All teachers teaching in public schools at the elementary, middle and high school levels (including special education teachers) must be determined to be an "effective educator," as defined in the Every Student Succeeds Act. To be determined an "effective educator," a teacher must meet state certification and licensure criteria.

The reauthorized Individuals with Disabilities Act (IDEA) identifies special education teachers as teachers who must demonstrate competency in the core academic subjects that they teach.

The District evaluates a teacher's subject-matter competency in the core academic content areas, based on the Common Core of Teaching (CCT), using both of the following:

- A. foundational skills and competencies; and
- B. the discipline-based professional standards.

(cf. [2400](#) - Evaluation of Administrators and Administration)

(cf. [4111/4211](#) - Recruitment and Selection)

(cf. [4131](#) - Staff Development)

Legal Reference: Connecticut General Statutes

[10-145b](#) Teaching certificates.

[10-151a](#) Access of teacher to supervisory records and reports in personnel file.

[10-151b](#) Evaluation by superintendent of certain educational personnel. (amended by PA 04-137, P.A.

[10-111](#), P.A. 12-116, PA 12-2 (June Special Session), PA 13-245, PA 15-5 (June Special Session)

[10-151c](#) Records of teacher performance and evaluation not public records.

[10-220a\(b\)](#) In-service training. Professional development. Institutes for educators. Cooperative and beginning teacher programs, regulations.

PA 11-135 An Act Concerning Implementation Dates for Secondary School Reform.

PA 12-116 An Act Concerning Education Reform (as amended by PA 13-145 An Act Concerning Revisions to the Reform Act of 2012.)

Connecticut Guidelines for Educator Evaluation, adopted by the State Board of Education, June 27, 2012.

Connecticut's System for Educator Evaluation and Development (SEED) state model evaluation system.

"Flexibility to Guidelines for Educator Evaluation" adopted by Connecticut State Board of Education, February 6, 2014

34 C.F.R. 200.55 Federal Regulations.

PL 114-95 Every Student Succeeds Act, §9213

**Policy adopted:**



**Personnel --Certified****Evaluation**

The Professional Development and Evaluation Program (PDEP) is the system used in Westport for evaluating teachers' performance and fostering professional improvement. The ultimate goal of PDEP is the improvement of instruction, resulting in improved student learning.

The evaluation component of PDEP serves three basic purposes: the first is to improve student learning, the second to help teachers improve; the third is to establish the basis for decisions about a teacher's employment status. PDEP employs a constructive approach to evaluation that has improvement of performance and high student achievement as its objective.

The basic assumption underlying Westport's system of staff evaluation is that staff members are capable of increasing their skills and willing to make efforts to do so. The PDEP evaluation process provides teachers with the feedback and support necessary for them to develop their professional skills. The Plan complies with State mandates.

**Basic Performance Expectation**

Performance expectations for Westport teachers, administrators and school psychologists, guidance counselor, social workers and speech/language pathologists are enumerated in the evaluation document. These are the standards by which the performance of staff members is assessed. The standards are used by the supervisor in making employment status recommendations for staff.

The evaluation document references the "Connecticut Teaching and Administrative Competencies".

(cf. [4131](#) - Staff Development)

Legal Reference: Connecticut General Statutes

[10-145b](#) Teaching certificates

[10-151b](#) Evaluation by superintendent of certain educational personnel. (as modified by Public Act [95-58](#) An Act Concerning, Teacher Evaluations, Tenure and Dismissal)

[10-220a](#) In-service training. Professional development. Institutes for educators. Cooperative and beginning teacher programs, regulations.

**Policy adopted: May 16, 1988**

**Policy revised: 2004**



**Personnel - Certified****Evaluation****Coaches**

There shall be an annual evaluation of all coaches, to be conducted by the athletic director or the coach's immediate supervisor. Each coach shall receive a written copy of the evaluation.

The purposes of evaluation are:

1. To provide a systematic process whereby coaches may increase the effectiveness of their services to the athletic program utilizing the available professional resources.
2. To provide an opportunity for coaches to analyze their strengths and weaknesses, and to discuss objectively the contributions they have made to the athletic program.
3. To provide an opportunity for the administrative staff to analyze the strengths and weaknesses of individual coaches, and to utilize this knowledge to develop supervisory service to assist individuals in developing their competence.
4. To provide an effective means by which administrators may make recommendations concerning the continued employment of personnel, the granting of increments, and/or other recommendations to the Board of Education.

It is the responsibility of all administrators, coaches and other professional staff members to recognize that the district schools intend to seek and maintain the best qualified staff to provide quality coaching for student athletes. In keeping with this goal, all personnel are expected to participate fully in the appraisal process.

An integral part of this process is self appraisal. The self and administrative appraisals include: knowledge of sports area, coaching skills and techniques, attitudes, behavior patterns, values and ethics.

Any coach that has held the same coaching position for three or more years, for which the Board terminates or non-renews the contract shall be informed of the Board's decision within ninety (90) days of the completion of the sport season covered by the contract. The coach may request a written statement from the Board specifying the reason(s) for the Board's action. The statement shall be provided within thirty (30) days of the request. The decision to terminate or non-renew the coach's contract may be appealed by the coach in a manner prescribed by the Board.

The Board may terminate the contract of any coach at any time for reasons of moral misconduct, insubordination or a violation of the rules of the Board or because a sport has been cancelled by the Board.

Legal Reference: Connecticut General Statutes

[10-149](#) Qualifications for coaches of intramural and interscholastic athletic coaches (as amended by P.A. 13-41)

[10-151b](#) Evaluation by superintendent of certain educational personnel

[10-220a](#) In-service training

[10-222e](#) Policy on evaluation and termination of athletic coaches (as amended by P.A. 13-41)

P.A. 13-41 An Act Concerning Hiring Standards for Athletic Directors

P.A. 02-243 An Act Concerning Notification in Cases of Termination of Coaches

Policy adopted:



**Personnel – Certified****Employment of Athletic Coaches**

It is the policy of the Board of Education of the Town of Westport (the “Board”) that an athletic coach employed by the Board shall:

1. adhere to all Board policies, rules and regulations;
2. conduct himself or herself in a professional manner;
3. serve as a role model for students; and
4. demonstrate competence and proficiency in his or her role as an athletic coach of a particular sport.

For purposes of this policy, the term “athletic coach” means any person holding a coaching permit who is hired by a local or regional board of education to act as a coach for a sport season. This term “coach” under this policy shall include coaches who have direct responsibility for one or more teams [assistant coaches who serve as coach to a team (e.g., JV)] and other assistant coaches.

**I. Evaluations**

Pursuant to state law, the Board requires that an athletic coach employed by the Board be evaluated on an annual basis by the coach's immediate supervisor. An athletic coach shall be provided with a copy of any such evaluation.

**II. Employment of an Athletic Coach**

Athletic coaches serve at the discretion of the Superintendent, and their employment in their specific coaching positions (e.g., basketball, golf) may be non-renewed or terminated at any time except as follows.

If the athletic coach has served in the same coaching position for two or more consecutive school years, the following procedures shall apply. The Athletic Director may non-renew the employment of any such athletic coach by providing written notification of that action within ninety (90) calendar days of the end of the season. The Athletic Director or the Superintendent may terminate the employment of any such athletic coach at any time for 1) for reasons of moral misconduct, insubordination, failure to comply with the Board's policies, rules and regulations; or 2) because the sport has been canceled. If a decision to terminate a coach's employment is made during the athletic season, the Superintendent shall remove the coach from duty during the pendency of any hearing conducted pursuant to this policy.

**III. Hearing Procedures**

An athletic coach who has served in the same coaching position for two or more consecutive years may appeal any such non-renewal or termination decision (except if such decision was due to cancellation of the sport) as follows:

First, within seven school days of the written notification of non-renewal or termination, the coach may file a written request to the Superintendent for review of that decision. Failure to submit a timely request for review shall constitute a waiver of said opportunity for review. The Superintendent shall meet with the coach, the evaluator and other appropriate personnel, and shall render a written decision on the matter within seven school days of such meeting.

If the coach is not satisfied with the decision of the Superintendent, the coach may appeal to the Board of Education in accordance with the following procedures:

- A. The athletic coach must file a written appeal with the Board within ten (10) calendar days of the Superintendent's written decision. Such appeal shall set forth the basis on which the athletic coach seeks review of that decision, and a copy of said appeal shall be sent to the Superintendent. Failure to submit a timely written appeal shall constitute a waiver of said appeal opportunity.
- B. Within a reasonable period of time of its receipt of a written appeal of the Superintendent's decision, a subcommittee of the Board that consists of no more than four (4) members, shall conduct a hearing to consider such appeal. Reasonable notice of the time and place for such hearing shall be issued to the athletic coach prior to the commencement of the hearing.
- C. At the hearing, the athletic coach shall have an opportunity to present facts and evidence in support of renewal and/or reinstatement, and the Superintendent shall have the opportunity (but shall not be obligated) to present facts and evidence in support of the decision of non-renewal and/or termination. For good cause shown, the athletic coach may call a limited number of witnesses to testify if there is a clear need for witnesses to present factual information (rather than simply expressing an opinion on the skill or competence of the athletic coach). In any event, cumulative or redundant testimony shall not be allowed.
- D. The decision of non-renewal or termination shall be affirmed unless the Board determines that the decision is arbitrary and capricious. The coach shall bear the burden of proof on this point.
- E. Within a reasonable period of time following the hearing (generally within fourteen (14) school days), the Board shall evaluate the findings of its subcommittee and shall determine whether the Superintendent acted in an arbitrary and capricious manner in making his/her decision not to renew and/or to terminate, and shall provide a written decision to the coach. The decision of the Board shall be final.

Legal References: Public Act 04-243

**Policy adopted: May 2, 2005**

**Personnel - Certified and Non Certified****Personnel Records**

Personnel records shall be maintained securely and confidentially in the central office for all current employees and shall include information customarily kept in personnel files. Files also shall be maintained for past employees, including years of employment, salaries, and such other basic and essential information as the Superintendent of Schools shall require.

There shall be only one personnel file for each employee, and Principals shall not maintain employee files separate from the official employee file in the Central Office.

Requests for access to personnel files, except from an employee to see his or her own file, shall be referred to the Superintendent who shall determine whether disclosure of such records would legally constitute invasion of employee privacy. If the Superintendent believes disclosure is not an invasion of privacy, requested information shall be disclosed, but professional courtesy suggests the employee should be notified of such disclosure.

If the Superintendent determines disclosure would invade employee privacy, the employee/s and collective bargaining representatives if any, shall be notified in writing of the request. If the Superintendent does not receive a written objection, from the employee or bargaining representative, within seven business days from receipt of their notification, or if there is no evidence of receipt not later than nine business days from the date the notice was mailed, sent, posted, or otherwise given, requested records shall be disclosed. However, if an objection is received in a timely manner on the form prescribed, the Superintendent shall not disclose requested information unless directed to do so by the Freedom of Information Commission. Notwithstanding an objection filed by an employee's bargaining representative, the employee may subsequently approve disclosure of records by filing a written notice with the Superintendent.

Employee or bargaining representative objections to disclosure of records shall be made in writing on a form developed by the Superintendent including a signed statement by the employee or bargaining representative, under penalties of false statement, that to the best of respondent's knowledge, information, and belief, there is good grounds to support the objection and that the objection is not interposed for delay.

The records may be disclosed when the Superintendent does not believe such disclosure would legally constitute an invasion of privacy. The records, in such a situation, shall first be disclosed to the requestor, followed within a reasonable time after disclosure, with the sending of a written or electronic copy or brief description of such request to the employee and any applicable collective bargaining representative. Disclosure shall only be considered an invasion of privacy where (1) such records do not pertain to a legitimate matter of public interest and (2) disclosure of such records would be highly offensive to a reasonable person.

Records maintained or kept on file by the State Department of Education or the Board which are records of a teacher's personal misconduct shall be deemed to be public records, and subject to disclosure under the Freedom of Information Act. Disclosure of such records of a teacher's personal misconduct shall not require the consent of the teacher.

Notwithstanding earlier provisions of this policy, personnel evaluations of certified employees, except the Superintendent, are not public records subject to disclosure - unless the employee consents in writing to the release of such records.

Each employee's own file shall be available for his or her inspection at reasonable times, and, upon request, employees will be provided a copy of information contained in his or her file.

In accordance with federal law, (ESSA), the District shall notify parents at the beginning of each school year of their right to request information regarding the professional qualifications and degrees of teachers and the qualifications of paraprofessionals for any teacher or paraprofessional who is employed by a school receiving Title I funds and who provides instruction to their child at that school. The District will provide such information on request in a timely manner. The District shall also provide notification to the parent/guardian of a child who has been assigned or has been taught for four or more consecutive weeks by a teacher not meeting applicable state certification at the grade level and subject area in which the teacher has been assigned.

Files containing medical information regarding an employee will be kept separate from other personnel files.

Legal Reference: Connecticut General Statutes

[1-213](#) Agency administration. Disclosure of personnel, birth and tax records.

[1-214](#) Objection to disclosure of personnel or medical files (as amended by PA 18-93)

[1-215](#) Record of arrest as public record.

[1-206](#) Denial of access to public records or meetings.

[10-151a](#) Access of teacher to supervisory records and reports in personnel file.

[10-151c](#) Records of teacher performance and evaluation not public records. (as amended by PA 02-138 and PA 13-122)

Perkins v. Freedom of Information Commission, 228 Conn. 158 (1993)

The Americans with Disabilities Act

Section 1112(c)(6) The Every Student Succeeds Act (ESSA)

Section 1112(e)(1)(B) The Every Student Succeeds Act (ESSA)

**Policy adopted:**



**Personnel --Certified/Non-Certified****Personnel Records: Regulation**

Personnel records shall be kept on all current employees and shall include information usually expected in good personnel administration.

A file shall be kept for all resigned or retired employees, including such essential information as shall seem appropriate to the administration as specified by state and federal laws.

The Superintendent or designee, on behalf of the Board, shall notify an employee and a collective bargaining representative, if any, in writing when a request is made for disclosure of the employee's personnel, medical or similar files, if the Superintendent reasonably believes disclosure would invade the employee's privacy.

The records will be disclosed unless written objection is received from the teacher or employee's collective bargaining representative, within seven business days from the receipt by employee or collective bargaining representative.

Records of a teacher's performance and evaluation shall not be released without the written consent of the teacher.

All written materials shall be made available for inspection by the employee and a collective bargaining representative, if any, involved at an off-duty time in the presence of an administrator. Upon request, in accordance with state law, a professional employee will be provided a copy of supervisory records and reports maintained in said employee's personal file as a guide to evaluation of performance.

Legal Reference: Connecticut General Statutes

[1-19b](#) Agency administration. Disclosure of personnel, birth and tax records.

[1-20a](#) Objection to disclosure of personnel or medical files.

[1-21i\(b\)](#) Denial of access to public records or meetings.

[10-151a](#) Access of teacher to supervisory records and reports in personnel file.

[10-151c](#) Records of teacher performance and evaluation not public records.

**Regulation approved: 2006**



**Personnel -- Certified****Probationary/Tenure Status****Teacher Tenure Interpretations**

A. Teachers with less than forty consecutive school months of Westport service go on tenure at the time forty consecutive school months of Westport service is completed on the recommendation of the Superintendent of Schools and offered a contract to return for the following year. During this probationary period, the Board of Education may notify the teacher prior to April 1 that his/her contract will not be renewed for the following year. Upon a teacher's written request, such notice shall be supplemented within seven days by a statement of the reason or reasons for such failure to renew. Within twenty days of receipt of non-renewal notice, the teacher may request in writing a hearing before the Board of Education, unless the reason for the non-renewal is elimination of position or loss of position to another teacher, to be held within fifteen days of such request, and at such hearing the teacher has a right to appear with counsel of his choice.

B. When a teacher who has attained tenure status in another Connecticut town moves to Westport, he/she becomes covered by the tenure provisions of the law after twenty consecutive school months unless April 1 non-renewal notice is given him/her prior to the completion of twenty months service.

C. Westport "service" includes only that teaching experience in Westport for teachers holding certificates issued by the State Board of Education.

D. Tenure includes all certified staff members below the rank of Superintendent. When a person moves from a Westport teaching assignment to an administrative position he/she retains his/her tenure rights as a teacher, but must serve a three (3) year probationary period in administrative work.

E. A tenure teacher who is granted a leave of absence by the Board does not forfeit tenure rights. However, a tenure teacher who interrupts continuity of service by resignation or transfer to another system, must serve the probationary period of 20 months upon reemployment.

Teachers who leave the Westport schools prior to attaining tenure must serve the full probationary period of forty consecutive months after re-employment.

Legal Reference: Connecticut General Statutes

[10-151](#) - Employment of Teachers. Definitions.

Notice and hearing on failure to renew or termination

of contract. Appeal.

**Policy adopted: July 1964**

**Policy revised: 2006**



*A sample policy to consider.*

## **Personnel – Certified/Non-Certified**

### **Freedom of Speech**

### **Display of Religious Symbols and Decorations**

This policy applies to office, administrative, and other spaces where the instruction of students or the provision of services to students is not intended to occur and where students are not typically found.

It is the policy of the Board that it shall neither promote nor discourage any religious belief or non-belief. Instead, the Board encourages all students and employees to have an appreciation for and tolerance of the many points of view which they may encounter among the District's many students and employees.

Consistent with this policy the Board recognizes and respects the right of all of its employees to engage in private and quiet religious activities, so long as that conduct is not disruptive and does not interfere with the rights of others to not participate in those activities or to have those activities imposed upon them. Employees whose religious beliefs require religious activity during the work day are to request of their supervisor a non-disruptive place for such practice. Time for such practice will be during break periods or non-paid time.

In some religious traditions there is an expectation that specific apparel will be worn in the workplace. Moreover, many employees occasionally, choose to wear to work clothing that suggests or implies the observance of a religious holiday. The District's policy is to balance the rights of employees to express their religious beliefs with the right of their co-employees to not have religious beliefs, customs, or practices imposed upon them. At the same time, the District requires all employees to maintain a professional appearance and to respect the integrity of the workplace. Restraint, tolerance, and respect for the traditions of other employees is both expected and required.

The use of District resources, including office supplies and equipment, including word processors, copying machines and fax machines, in connection with or in support of the personal observance of religious beliefs, is no more appropriate than the use of District resources and equipment for any non-religious personal purpose, and will not be tolerated.

Any and all decoration of work spaces by employees is expected to be done in a manner which is not disruptive and which does not interfere with work performance. Employees are expected to be sensitive to the rights and views of others. The visibility of decorations to other employees and their resulting impact upon the workplace should be considered by employees who place them in the workplace, and will be considered by the Administration in monitoring adherence to this policy.

Policy adopted:

cps 9/03



## Personnel - Certified

## Study/Use of Religious Symbols, Music, etc.

**Study/Display:** On a developmentally appropriate basis, the school system should encourage students to learn about the customs, practices and holiday celebrations of many different religions and cultures. Studies of the religious histories, arts, symbols, and tenets, must be for educational purposes, and must neither advocate nor disparage the practice of religion or the beliefs of any particular religion.

1. **Religious Holidays:** May be noted at appropriate times; their historical origins, contemporary significance and symbols may be studied. Teachers should be sensitive to children of different religions and provide balance in assignments.
2. **Religious Symbols:** These include Buddha, Crèche, Cross, Star of David, and symbols of other religions that may be studied within the curriculum. These are sacred to particular faiths and belong primarily in a place of worship or a home. School use must be for educational purposes only, on a brief, temporary basis.
3. **Holiday Symbols:** Symbols such as Santa Claus, menorah, dreidels, shofar, Easter eggs, Christmas wreaths and trees, etc., while they may have no religious significance or liturgical applications, have unquestionably become associated with religious celebrations. Therefore, to avoid having students or visitors to the schools feel uncomfortable or left out, staff should be sensitive when displaying holiday symbols. If used in classrooms or hall bulletin boards, they are to be used in an educational context, and are to reflect cultural and religious diversity.

Decorations in public areas should be minimal. They should not use the holiday symbols of one religion exclusively or dominantly, or display them in such a way as to suggest that the school is celebrating a particular religious holiday.

4. **Art, Literature, Music:** Some of the world's greatest art, music and literature were developed in connection with religion. They may be studied if presented in an objective and neutral manner as the cultural heritage of religious holiday.

**Performances: Follow these guidelines for winter holiday programs:**

1. Material for performances near religious holidays must be chosen on the basis of educational merit.
2. Material associated with one religion should not dominate a program.
3. Sacred music should **not** be included in elementary schools, as there is a wide selection of non-sacred music appropriate for this age group.
4. Sacred music may be used at the middle schools and Staples. We rely on the sensitivity of our staff to plan a mixture of secular and sacred music, to seek balance so that sacred music of one religion does not dominate, and to convey that study and/or performance of such music will not be construed as a religious holiday observance.

## Scheduling

**Normal School/Extra Curricular Activities:** No school events (including rehearsals, games and athletic practices) are to be scheduled on major religious holidays that are also school holidays, i.e., Good Friday, Easter, Christmas, Rosh Hashanah, Yom Kippur. Normal school activities may proceed on religious holidays that are not school holidays but ***students are not to be required to attend or to be penalized for missing practices, rehearsals, etc., because of religious observance.*** Jewish holidays run from sundown the evening before the holiday to just after sundown on the day of the holiday. Therefore, avoid evenings before the holidays.

**Special Programs:** On religious holidays that are *not* school holidays, some observant children may miss school or be involved in family observances the night before. Therefore, although normal school activities may be scheduled, *whenever possible* do not schedule special programs, assemblies, one-time performances, field trips, proms, or other activities that are *unique or hard to duplicate* on days or evenings when some students may be unable to attend. The same sensitivity should be shown in planning programs for parents such as Back-to-School Nights, curriculum nights, and special informational meetings, so that those involved in religious obligations do not miss important events.

**Exceptions:** There may be times when such scheduling is unavoidable because of the involvement of other districts, athletic leagues, etc., or because a particular site or speaker is available only at that time. Similarly, in developing the system-wide calendar, avoidance of scheduling on a religious holiday may be difficult or may not be possible because of conflicts with other school or school system events, staff members' own schedules, etc.

**Homework and Tests:** Students involved in religious observance or family celebrations on some holidays may not have the time to do schoolwork assigned specifically over the holiday period, or to study for a test scheduled for the very next day. Teachers may find it least complicated not to assign homework to be due on, or schedule tests for, those days. If assignments are unavoidable, students observing the holidays are to be given the opportunity to make up tests or homework. *All students should be required to do all assigned work but no student should be penalized for religious observances.*

**Note:** *The homework caveat need not apply to assignments given many weeks in advance.* During any lengthy period, many students encounter diversions due to family obligations, temporary illness, extra-curricular activities, and after school jobs, as well as religious observances. It is appropriate to expect students to plan ahead, so that they can complete their work on time despite those other demands.

**New Material:** Teachers should avoid introducing new material, or work that would be difficult to repeat or make up, on days when some students may be absent for religious observance.

**Regulation approved: 1996**



## Students

### Attendance and /Excuses/~~Dismissal~~

Connecticut state law requires parents to cause their children, ages five through eighteen inclusive, to attend school regularly during the hours and terms the public school is in session. Parents or persons having control of a child five years of age have the option of not sending the child to school until ages six or seven. Mandatory attendance terminates upon graduation or withdrawal with written parent/guardian consent at age seventeen.

A student is considered to be "in attendance" if present at his/her assigned school, or an activity sponsored by the school (e.g., field trip), for at least half of the regular school day. A student who is serving an out-of-school suspension or expulsion should always be considered absent. A student not meeting the definition of "in attendance" shall be considered absent.

Classroom learning experiences are the basis for public school education. Time lost from class is lost instructional opportunity. The Board of Education requires that accurate records be kept of the attendance of each child, and students should not be absent from school without parental knowledge and consent.

### Definitions (related to chronic absenteeism)

**Chronically absent child:** An enrolled student whose total number of absences at any time during a school year is equal to or greater than ten percent of the total number of days that such student has been enrolled at such school during such school year.

**Absence:** An excused absence, unexcused absence or disciplinary absence, as those terms are defined by the State Board of Education pursuant to C.G.S. 10-198b.

**District chronic absenteeism rate:** The total number of chronically absent children in the previous school year divided by the total number of children under the jurisdiction of the Board of Education for such school year.

**School chronic absenteeism rate:** The total number of chronically absent children for a school in the previous school year divided by the total number of children enrolled in such school for such school year.

### Excuses

*Note: The use of the state approved definitions of "excused" and "unexcused" absences are for state purposes for the reporting of truancy. Districts are not precluded from using separate definitions of such absences for their internal uses such as involving decisions on areas such as promotion and grading.*

A student's absence from school shall be considered "excused" if written documentation of the reason for such absence has been submitted within ten (10) school days of the student's return to school and meets the following criteria:

A. For absences one through nine, a student's absences from school are considered "excused" when the student's parent/guardian approves such absence and notifies school officials.

B. For the tenth absence and all absences thereafter, a student's absences from school are considered excused for the following reasons:

1. Student illness (must be verified by a licensed medical professional to be deemed excused, regardless of the length of the absence);

2. Student's observance of a religious holiday;

3. Death in the student's family or other emergency beyond the control of the student's family;

4. Mandated court appearances (documentation required);

5. The lack of transportation that is normally provided by a district other than the one the student attends (no parental documentation required);

6. Extraordinary educational opportunities pre-approved by District administration and to be in accordance with Connecticut State Department of Education guidance.

C. A student's absence from school shall be considered unexcused unless:

1. The absence meets the definition of an excused absence and meets the documentation requirements; or

2. The absence meets the definition of a disciplinary absence, which is the result of school or District disciplinary action and are excluded from these State Board of Education approved definitions.

When the school in which a child is enrolled receives no notification from a parent or other person having control of the child is aware of the child's absence, a reasonable effort shall be made by school personnel or volunteers under the direction of school personnel to notify by telephone and other means such parent or other person having control of the child.

### **Excused Absences for Children of Service Members**

An enrolled student, age five to eighteen, inclusive, whose parent or legal guardian is an active duty member of the armed forces, as defined in section 27-103, and has been called to duty for, is on leave from, or has immediately returned from deployment to a combat zone or combat support posting, shall be granted ten days of excused absences in any school year and, at the discretion of the Board of Education, additional excused absences to visit such child's parent or legal guardian with respect to such leave or deployment of the parent or legal guardian. In the case of such excused absences such child and parent or legal guardian shall be responsible to obtaining assignments from the student's teacher prior to any period of excused absence, and for ensuring that such assignments are completed by such child prior to his or her return to school from such period of excused absence.

## Chronic Absenteeism

The Board of Education, in compliance with statute, requires the establishment of attendance review teams when chronic absenteeism rates in the District or at individual schools in the District meet the following circumstances:

1. A team for the District must be established when the District chronic absenteeism rate is 10 percent or higher.
2. A team for the school must be established when the school chronic absenteeism rate is 15 percent or higher.
3. A team for either the District or each school must be established when (a) more than one school in the District has a school chronic absenteeism rate of 15 percent or higher or (b) a District has a District chronic absenteeism rate of 10 percent or higher and one or more schools in the District have a school chronic absenteeism rate of 15 percent or higher.

The membership of attendance review teams may consist of school administrators, guidance counselors, school social workers, teachers, chronically absent children, parents or guardians of chronically absent children, and representatives from community-based programs who address issues related to student attendance by providing programs and services to truants.

Each attendance review team shall be responsible for reviewing the cases of truants and chronically absent children, discussing school interventions and community referrals for such truants and chronically absent children and making any additional recommendations for such truants and chronically absent children and their parents or guardians. Each established attendance review team shall meet at least monthly.

The District shall utilize the chronic absenteeism prevention and intervention plan developed by the State Department of Education. Such plan must include the means for collecting and analyzing data relating to student attendance, truancy and chronic absenteeism. The data must be disaggregated by school district, school grades and subgroups such as race, ethnicity, gender, eligibility for free and reduced priced lunches, students whose primary language is not English, and students with disabilities.

The District shall annually include in information for the strategic school profile report for each school and the District that is submitted to the Commissioner of Education, data pertaining to truancy and chronically absent children.

The Principal or his/her designee of any elementary or middle school located in a town/city designated as an alliance district may refer to the children's truancy clinic established by the Probate Court serving the town/city, a parent/guardian with a child defined as a truant or who is at risk of becoming a truant. (An attendance officer or a police officer shall deliver the citation and summons and a copy of the referral to the parent/guardian.)

## Dismissal

No school, grade, or class may be dismissed before the regularly scheduled dismissal time without the approval of the Superintendent or his/her designee.

No student may be permitted to leave school at any time other than at regular dismissal without the approval of the student's parent/guardian. If a court official with legal permission to take custody of a child, or if a police officer arrests a student, the parent/guardian should be notified of these situations by the administration.

(cf. 5142 - Student Safety)

(cf. 5113.2 - Truancy)

(cf. 6113 - Released Time)

~~The Board of Education and the Administration believe that regular attendance is important because:~~

- ~~● It assures that students will receive the necessary formal instruction from teachers, and the appropriate services of other professional staff.~~
- ~~● It makes it possible for teachers to get to know students well.~~
- ~~● It provides opportunities for class discussion, laboratory work and other exploratory activities, work on group projects, interaction with teachers and classmates, library work, and other experience that contribute to educational growth.~~
- ~~● It permits the student to enter fully into the life of the school to participate in sports, or other extra-curricular activities and school cultural and social events.~~

~~Therefore, in compliance with State law, the Board of Education:~~

- ~~1. Requires students to attend school regularly.~~
- ~~2. Discourages parents from taking children on vacations when school is in session.~~
- ~~3. Discourages parents from keeping children out of school for a day or requesting early dismissals for any but important health related reasons.~~
- ~~4. Directs school staff members, through their work with parents and students, to foster the value of regular school attendance and to establish procedures to assure that each student (including those beyond the compulsory school age) attend school regularly.~~
- ~~5. Directs the administration, in cases of truancy to pursue any and all courses of action necessary, including working with other appropriate agencies, to insure that students of compulsory school age, are in compliance with the law.~~
- ~~6. Encourages students beyond compulsory school age to remain in school through graduation, or, if they have left school, to return to school or to explore other alternatives for continuing their high school education.~~
- ~~7. Directs administrators and other staff members to facilitate the return of drop-outs, and/or to help students explore alternative ways of earning their high school diplomas.~~

## **Students**

### **Attendance/Excuses/Dismissal**

Legal Reference: Connecticut General Statutes

10-184 Duties of parents (as amended by PA 98-243, ~~and~~ PA 00-157, and PA 18-15)

10-185 Penalty

10-198a Policies and procedures concerning truants (as amended by P.A.11-136, An Act Concerning Minor Revisions to the Education Statutes and PA 14-198, An Act Concerning Excused Absences from School for Children of Service Members, and PA 16-147, An Act Concerning the Recommendations of the Juvenile Justice Policy and Oversight Committee)

10-198b State Board of Education to define "excused absence," "unexcused absence," and "disciplinary absence"

10-198d Chronic absenteeism (as amended by PA 17-14 and PA 18-182)

45a-8c Truancy clinic. Administration. Policies and procedures. Report. (as amended by PA 15-25)

10-199 through 10-202 Attendance, truancy - in general

Action taken by State Board of Education on January 2, 2008, to define "attendance."

Action taken by State Board of Education on June 27, 2012, to define "excused" and "unexcused" absences.

PA 17-14 An Act Implementing the Recommendations of the Department of Education



## Students

### Attendance, ~~T~~Truancy, and Chronic Absenteeism

Regular and punctual student attendance in school is essential to the educational process. Connecticut state law places responsibility for assuring that students attend school with the parent or other person having control of the child. To assist parents and other persons in meeting this responsibility, the Board of Education (the “Board”), through its Superintendent, will adopt and maintain procedures to implement this policy.

In addition, the Board takes seriously the issue of chronic absenteeism. To address this issue, the Board, through its Superintendent, will adopt and maintain procedures regarding chronic absenteeism in accordance with state law.

Legal References: Connecticut General Statutes §10-220

Connecticut General Statutes §10-184

Connecticut General Statutes §10-186

Connecticut General Statutes §10-198a`

Connecticut General Statutes § 10-198b

Connecticut General Statutes § 10-198c

Connecticut General Statutes § 10-198d

Connecticut General Statutes § 10-198e

~~Public Act 11-136, An Act Concerning Minor Revisions to the Education Statutes~~

Guidelines for Reporting Student Attendance in the Public School Information —System (Connecticut State Department of Education, January 2008)

~~Connecticut State Department of Education Circular Letter C-2, Utilizing Local Support Resources Prior to Referral of Students for Family with Service Needs (August 4, 2009)~~

Connecticut State Board of Education Memorandum, Definitions of Excused and Unexcused Absences (June 27, 2012)

Connecticut State Department of Education, *Guidelines for Implementation of the Definitions of Excused and Unexcused Absences and Best Practices for Absence Prevention and Intervention* (April 2013)

Connecticut State Department of Education, *Reducing Chronic Absence in Connecticut's Schools: A Prevention and Intervention Guide for Schools and Districts* (April 2017)

Connecticut State Department of Education Memorandum, *Youth Service Bureau Referral for Truancy and Defiance of School Rules* (February 22, 2018)

Connecticut State Department of Education, *Youth Service Bureau Referral Guide* (February 2018)

Policy adopted: ~~\_\_\_\_\_~~ October 22, 2007

Amended: \_\_\_\_\_ WESTPORT PUBLIC SCHOOLS  
Westport, Connecticut



## Students

### ~~Immunization of School Children~~ Health Assessments and Immunizations

- ~~A. It is the policy of the Westport Board of Education to conform with Connecticut General Statutes 10-204a, as currently written, and as they may be changed in the future, with respect to immunization requirements for school admission.~~
- ~~B. 1. For the purpose of this Policy and Procedures, the State Department of Health Services defines “legally qualified physician” to be a doctor of medicine (M.D.) or an osteopathic physician (D.O.), licensed to practice medicine in this or another state.~~
- ~~2. The definitions of “adequate immunization,” as developed by the State Commissioner of Health, are enumerated in the Procedures section and are to be updated if and when State requirements are revised.~~
- ~~C. In accordance with State law, a child may be exempted from the requirements of this policy under the following conditions:~~
- ~~1. A certificate is presented signed by a legally qualified physician stating that, in the opinion of the physician, such immunization is medically contraindicated because of the physical condition of the child; or~~
- ~~2. A certificate is presented from a legally qualified physician, indicating that initial immunizations have been given to such child (including the dates of such initial immunizations) and that additional immunizations are in process under guidelines and schedules specified by the Commissioner of Health Services; or~~
- ~~3. A written statement is presented to the Principal by the parent/legal guardian (or the student over 18 or an emancipated minor), stating that such immunizations are contrary to the religious beliefs of the parent, guardian or student.~~

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 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 ~~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, or a Connecticut-licensed attorney.

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.

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 or travel and /or reside 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 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, such as immunosuppression, current or planned or close contact to someone with infectious TB disease, ~~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 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. 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

#### ~~10-204 Vaccination~~

10-204a Required immunizations ~~as amended by PA 96-244.~~ (as amended by P.A. 15-174 and P.A. 15-242)

10-204c Immunity from liability

10-205 Appointment of school medical adviser

**~~P-5141.3(b)~~**

## **Students**

### **Immunization of School Children**

Legal Reference: ~~—————(continued)~~

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

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

10-212 School nurses

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

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[Department of Public Health, Public Health Code, 10-204a-2a, 10-204a-3a, 10-204a-4](#)

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[Section 4 of PA 14-231](#)

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[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.](#)

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[P.L. 93-568; codified as 20 U.S.C. 1232g](#)

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

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[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](#)

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[PA 18-168 An Act Concerning the Department](#)

Policy adopted:  
[Amended:](#)

June 29, 1992

WESTPORT PUBLIC SCHOOLS  
Westport, Connecticut

## Personnel

### Reportings of Suspected Child Abuse, ~~or Neglect, of Children~~ or Sexual Assault

Conn. Gen. Stat. Section 17a-101 et seq. requires school employees ~~certain educational personnel (school teachers, school administrators, school superintendents, school guidance counselors, school coaches and paraprofessionals) as well as registered and licensed practical nurses, psychologists, social workers, mental health professionals, and certain professional counselors~~ who have reasonable cause to suspect or believe (1) that any child under eighteen has been abused or neglected, has had a nonaccidental physical injury, or injury which is at variance with the history given of such injury, or has been placed at imminent risk of serious harm, or (2) that any person who is being educated by the technical high school system or a local or regional board of education, other than as part of an adult education program, is a victim of sexual assault, and the perpetrator is a school employee, to report such suspicions to the appropriate authority ~~abuse and/or neglect~~. In furtherance of this statute and its purpose, it is the policy of the Westport Board of Education ("Board") to require ALL EMPLOYEES of the Board of Education to report suspected abuse and/or neglect, nonaccidental physical injury, imminent risk of serious harm, or sexual assault of a student by a school employee, in accordance with the procedures set forth below. ~~For purposes of this policy, school employees also include any person who, under a contract with the Board, and in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in a public elementary, middle or high school.~~

#### 1. Scope of Policy

This policy applies not only to employees who are required by law to report suspected child abuse and/or neglect, nonaccidental physical injury, imminent risk of serious harm, or sexual assault of a student by a school employee, but to ALL EMPLOYEES of the Board of Education.

#### 2. Definitions

For the purposes of this policy:

"Abused" means that a child (a) has had physical injury or injuries inflicted upon him or her other than by accidental means, or (b) has injuries which are at variance with the history given of them, or (c) is in a condition which is the result of maltreatment, such as, but not limited to, malnutrition, sexual molestation or exploitation, deprivation of necessities, emotional maltreatment or cruel punishment.

"Neglected" means that a child (a) has been abandoned, or (b) is being denied proper care and attention, physically, educationally, emotionally or morally, or (c) is being permitted to live under conditions, circumstances or associations injurious to his well-being, or (d) has been abused.

"School employee" means (a) a teacher, substitute teacher, school administrator, school superintendent, guidance counselor, school counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by the Board or who is working in a Board elementary, middle or high school; or (b) 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 the Westport Public Schools ("District"), pursuant to a contract with the Board.

"Sexual assault" means, for the purposes of the mandatory reporting laws and this policy, a violation of Sections 53a-70, 53a-70a, 53a-71, 53a-72a, 53a-72b or 53a-73a of the Connecticut General Statutes. Please see Appendix A of this policy for the relevant statutory definitions of sexual assault laws and related terms covered by the mandatory reporting laws and this policy.

"Statutory mandated reporter" means an individual required by Conn. Gen. Stat. Section 17a-101 to report suspected abuse and/or neglect of children or the sexual assault of a student by a school employee. In the public school context, the term "statutory mandated reporter" includes all school employees, as defined above, any person who is a licensed behavior analyst, and any person who holds or is issued a coaching permit by the State Board of Education, is a coach of intramural or interscholastic athletics, and is eighteen years of age or older. teachers, school administrators, school superintendents, school guidance counselors, school coaches, paraprofessionals, registered and licensed practical nurses, psychologists, social workers, mental health professionals, certified alcohol and drug counselors and any other licensed professional counselor.

**P 4118.25(b)**  
**5141.4**

## **Personnel**

### **Reports of Suspected Abuse or Neglect of Children**

#### 3. What Must Be Reported

a) A report must be made when any employee of the Board of Education in the ordinary course of such person's employment or profession has reasonable cause to suspect or believe that a child under the age of eighteen years:

a i) has been abused or neglected;

b ii) has had nonaccidental physical injury, or injury which is at variance with the history given for such injury, inflicted upon him/her; or

e iii) is placed at imminent risk of serious harm.

b) A report must be made when any employee of the Board of Education in the ordinary course of such person's employment or profession has reasonable cause to suspect or believe that any person, regardless of age, who is being educated by the technical high school system or a local or regional board of education, other than as part of an adult education program, is a victim of the following sexual assault crimes, and the perpetrator is a school employee:

i) sexual assault in first degree;

ii) aggravated sexual assault in the first degree;

iii) sexual assault in the second degree;

iv) sexual assault in the third degree;

v) sexual assault in the third degree with a firearm; or

vi) sexual assault in the fourth degree.

Please see Appendix A of this policy for the relevant statutory definitions of sexual assault laws and related terms covered by the mandatory reporting laws and this policy.

c) The suspicion or belief of a Board employee may be based on factors including, but not limited to, observations, allegations, facts or statements by a child or victim, as described above, or a third party. Such suspicion or belief does not require certainty or probable cause.

#### 4. Reporting Procedures for Statutory Mandated Reporters

The following procedures apply only to statutory mandated reporters, as defined above.

When an employee of the Board of Education who is a statutory mandated reporter and who, in the ordinary course of the person's employment, has reasonable cause to suspect or believe that a child has been abused or neglected or placed at imminent risk of serious harm, or is a victim of sexual assault by a school employee, as described in Paragraph 3, above, the following steps shall be taken.

(1) ~~(1)~~ — The employee shall make an oral report as soon as practicable, but not later than twelve(12) hours after having reasonable cause to suspect or believe that a child has been abused or neglected or placed at imminent risk of serious harm, or is a victim of sexual assault by a school employee. ~~Such oral report shall be made by telephone or in person to the Commissioner of Children and Families or the local law enforcement agency.~~

(a) An oral report shall be made by telephone or in person to the Commissioner of the Department of Children and Families (“DCF”) or the local law enforcement agency. DCF has established a 24 hour Child Abuse and Neglect Careline at 1-800-842-2288 for the purpose of making such oral reports.

(b) An electronic report shall be made in the manner prescribed by the Commissioner of DCF. An employee making an electronic report shall respond to further inquiries from the Commissioner of DCF or designee made within twenty-four (24) 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.

(2) The employee shall also make an oral report as soon as practicable to the Building Principal or his/her designee, and/or Superintendent or the Superintendent's designee. If the Building Principal is the alleged perpetrator of the abuse/neglect or sexual assault of a student, then the employee shall notify the Superintendent or his/her designee directly.



- (3) In cases involving suspected or believed abuse, ~~or~~ neglect, or sexual assault of a student by a school employee, the Superintendent or his/her designee shall immediately notify the child's parent or guardian that such a report has been made.
- (4) Not later than forty-eight ~~Within~~ (48) hours of making an oral report the employee shall submit a written or electronic report to the Commissioner of ~~Children and Families~~ DCF or the Commissioner's designee containing all of the required information. The written or electronic report should be submitted in the manner prescribed by the Commissioner of DCF. When such report is submitted electronically, the employee shall respond to further inquiries from the Commissioner of DCF or designee made within twenty-four (24) 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. ~~or his/her representative containing all of the required information.~~
- (4) (5) The employee shall immediately submit a copy of the written or electronic report to the Building Principal or his/her designee and the Superintendent or the Superintendent's designee.

**P 4118.25(e)**

**5141.4**

## **Personnel**

### **~~Reports of Suspected Abuse or Neglect of Children~~**

- (6) If the report concerns suspected abuse ~~or~~ neglect, or sexual assault of a student by a school employee holding a certificate, authorization or permit issued by the State Department of Education, the the Commissioner of DCF (or his/her designee) ~~Superintendent~~ shall submit a copy of the written report to the Commissioner of Education (or his/her representative designee).

## **Reporting Procedures for Employees Other Than Statutory Mandated Reporters**

The following procedures apply only to employees who are not statutory mandated reporters, as defined above.

- a) When an employee who is not a statutory mandated reporter and who, in the ordinary course of the person's employment or profession, has reasonable cause to suspect or believe that a child has been abused or neglected or placed at imminent risk of serious harm, or is a victim of sexual assault by a school employee, as described in Paragraph 3, above, the following steps shall be taken.



- (1) The employee shall make an oral report as soon as practicable, but not later than twelve (12) hours after the employee has reasonable cause to suspect or believe that a child has been abused or neglected, ~~or~~ placed at imminent risk of serious harm or is a victim of sexual assault by a school employee. Such oral report shall be made by telephone or in person to the Superintendent of Schools or his/her designee, to be followed by an immediate written report to the Superintendent or his/her designee.
  - (2) If the Superintendent or his/her designee determines that there is reasonable cause to suspect or believe that a child has been abused or neglected or placed at imminent risk of serious harm or is a victim of sexual assault by school employee, he/she shall cause reports to be made in accordance with the procedures set forth for statutory mandated reporters, ~~set forth above~~.
- b) Nothing in this policy shall be construed to preclude an employee reporting suspected child abuse and/or neglect from reporting the same directly to the Commissioner of ~~Children and Families~~ DCF.

## 6. Contents of Reports

Any ~~oral or written~~ report made pursuant to this policy shall contain the following information, if known:

**P-4118.25(d)**  
**5141.4**

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## **Personnel**

### **~~Reports of Suspected Abuse or Neglect of Children~~**

- a) The names and addresses of the child\* and his/her parents or other person responsible for his/her care;
- b) the age of the child;
- c) the gender of the child;
- d) the nature and extent of the child's injury or injuries, maltreatment or neglect;
- e) the approximate date and time the injury or injuries, maltreatment or neglect occurred;
- f) information concerning any previous injury or injuries to, or maltreatment or neglect of the child or his/her siblings;
- g) the circumstances in which the injury or injuries, maltreatment or neglect came to be known to the reporter;
- h) the name of the person or persons suspected to be responsible for causing such injury or injuries, maltreatment or neglect; and

- i) the reasons such person or persons are suspected of causing such injury or injuries, maltreatment or neglect;
- j) 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
- k) whatever action, if any, was taken to treat, provide shelter or otherwise assist the child.

7. Investigation of the Report

- a) ~~—If the suspected abuser is a school employee, the~~ The Superintendent or his/her designee shall thoroughly investigate the reports of suspected abuse, neglect or sexual assault if/when such report involves an employee of the Board of Education or other individual under the control of the Board, provided the procedures in subparagraph (b), below are followed. In all other cases, DCF shall be responsible for conducting the investigation with the cooperation and collaboration of the Board, as appropriate.
- b) ~~—Recognizing that the fact that the Department of Children and Families (“DCF”) is the lead agency for the investigation of child abuse and neglect reports and reports of a student’s sexual assault by school employees, the Superintendent’s investigation shall permit and give priority to any investigation conducted by the Commissioner of be coordinated with DCF and/ the appropriate local law enforcement agency or the police in order to minimize the number of interviews of any child and to share information with other persons authorized to conduct an investigation of child abuse and neglect. The Superintendent shall conduct the District’s investigation and take any disciplinary action, consistent with state law, upon notice from the Commissioner of DCF or the appropriate local law enforcement agency that the District’s investigation will not When investigating a report, the Superintendent shall endeavor to obtain, when possible, the consent of parents or guardians or other persons responsible for the care of the child to an interview with a child, except in those cases in which there is reason to believe that the parents or guardians or other persons responsible for the care of such child are the perpetrators of the alleged abuse, or where DCF has indicated that obtaining such consent will interfere with its the investigation the Commissioner of DCF or the local law enforcement agency.~~
- c) The Superintendent shall coordinate investigatory activities in order to minimize the number of interviews of any child or student victim of sexual assault and share information with other persons authorized to conduct an investigation of child abuse or neglect, as appropriate.
- d) Any person reporting child abuse or neglect or the sexual assault of a student by a school employee, or having any information relevant to alleged abuse or neglect or of the sexual assault of a student by a school employee, shall provide the Superintendent with all information related to the investigation that is in the possession or control of such person, except as expressly prohibited by state or federal law.
- e) When the school district is conducting an investigation involving suspected abuse or neglect or sexual assault of a student by an employee of the Board or other individual under the control of the Board, the Superintendent’s investigation shall include an opportunity for the individual suspected of abuse, neglect or sexual assault to be heard with respect to the allegations contained within the report. During the course of such investigation, the Superintendent may suspend a Board employee who

may place the employee on administrative leave with pay, pending the outcome of the investigation. If the individual is one who provides services to or on behalf of students enrolled in the District, pursuant to a contract with the Board of Education, the Superintendent may suspend the provision of such services, and direct the individual to refrain from any contact with students enrolled in the District, pending the outcome of the investigation.

**P-4118.25(e)**

**5141.4**

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## **Personnel**

### **Reports of Suspected Abuse or Neglect of Children**

~~The investigation shall include an opportunity for the suspected abuser to be heard with respect to the allegations contained within the report. During the course of an investigation of suspected abuse by a school employee, the Superintendent may suspend the employee with pay or may place the employee on administrative leave with pay, pending the outcome of the investigation.~~

#### 8. Evidence of Abuse, Neglect or Sexual Assault by a School Employee

##### ~~a) Evidence of Abuse by a School Employee Holding a Certificate, Authorization or Permit Issued by the State Department of Education~~

a) If, upon completion of the investigation by the Commissioner of Children and Families ("Commissioner"), the Superintendent has received a report from the Commissioner that he or she has reasonable cause to believe that (1) a child has been abused by a school employee, as defined above who holds a certificate, permit, or authorization issued by the State Department of Education, and that the Commissioner has recommended that such employee be placed on the child abuse and neglect registry, or (2) a student is a victim of sexual assault by a school employee, the Superintendent shall ~~make a written request (and the law provides) that DCF notify the Superintendent not later than five (5) working days after such finding, and provide the Superintendent with records, whether or not created by DCF, concerning such investigation. to the Commissioner that he or she provide all records, whether or not created by DCF, concerning such investigation to the Superintendent.~~ In addition, the Superintendent shall suspend ~~the such school employee,~~ Such suspension shall be with if not previously suspended, with pay and without diminution or termination of benefits to such employee.

b) ~~Within~~ Not later than seventy-two (72) hours after such suspension the Superintendent shall notify the Board of Education and the Commissioner of Education, or the Commissioner of Education's or his or her representative, of the reasons for and the conditions of the suspension. The Superintendent shall disclose records received from DCF to the Commissioner of Education and the Board of Education or its attorney for purposes of review of employment status or the status of such employee's certificate, permit or authorization. ~~For certified personnel, such suspension shall remain in effect until the Board of Education acts pursuant to the provisions of Conn. Gen. Stat. Section 10-151, if any.~~

- c) The suspension of a school employee employed in a position requiring a certificate shall remain in effect until the Superintendent and/or Board of Education acts pursuant to the provisions of Conn. Gen. Stat. §10-151. If the contract of employment of such certified school employee is terminated, or such certified school employee resigns such employment, the Superintendent shall notify the Commissioner of Education, or the Commissioner of Education's representative, within seventy-two (72) hours after such termination or resignation.
- d) The suspension of a school employee employed in a position requiring an authorization or permit shall remain in effect until the Superintendent and/or Board of Education acts pursuant to any applicable termination provisions. If the contract of employment of a school employee holding an authorization or permit from the State Department of Education is terminated, or such school employee resigns such employment, the Superintendent shall notify the Commissioner of Education, or the Commissioner of Education's representative, within seventy-two (72) hours after such termination or resignation.
- e) Regardless of the outcome of any investigation by the Commissioner of DCF and/or the police, the Superintendent and/or the Board, as appropriate, may take disciplinary action, up to and including termination of employment, in accordance with the provisions of any applicable statute, if the Superintendent's investigation produces evidence that a child has been abused or neglected by a school ~~staff member who holds a certificate, permit or authorization issued by the State Department of Education~~ employee or that a student has been a victim of sexual assault by a school employee.
- f) The District shall not employ a person whose employment contract is terminated or who resigned from employment following a suspension pursuant to Paragraph 8(a) of this policy and Conn. Gen. Stat. § 17a-101i, if such person is convicted of a crime involving an act of child abuse or neglect or an act of sexual assault of a student, as described in Paragraph 2 of this policy.

**P-4118.25(f)**  
**5141.4**

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## **Personnel**

### **Reports of Suspected Abuse or Neglect of Children**

~~If the contract of employment of such certified school employee is terminated as a result of an investigation into reports of child abuse and neglect, the Superintendent shall notify the Commissioner of Education, or his or her representative, within seventy two (72) hours after such termination.~~

#### 9. Evidence of Abuse, Neglect or Sexual Assault by An Independent Contractor of the Board of Education

##### ~~b) Evidence of Abuse by Other School Staff~~

If the investigation by the Superintendent and/or the Commissioner of ~~Children and Families~~ DCF produces evidence that a child has been abused or neglected, or a student has been sexually assaulted, by any individual who provides services to or on behalf of students enrolled in the District, pursuant to a contract with the Board, the Superintendent shall permanently suspend the provision of such services, and direct the individual to refrain from any contact with students enrolled in the District.

~~by a non-certified school staff member, the Superintendent and/or the Board, as appropriate, may take disciplinary action, up to and including termination of employment.~~

#### 810. Delegation of Authority by Superintendent

The Superintendent may appoint a designee for the purposes of receiving and making reports, notifying and receiving notification, or investigating reports pursuant to this policy.

#### 911. Disciplinary Action for Failure to Follow Policy

Except as provided in Section ~~10-13~~ below, any employee who fails to comply with the requirements of this policy shall be subject to discipline, up to and including termination of employment.

#### 12. The District shall not hire any person whose employment contract was previously terminated by a board of education or who resigned from such employment, if such person has been convicted of a violation of Section 17a-101a of the Connecticut General Statutes, as amended, relating to mandatory reporting, when an allegation of abuse or neglect or sexual assault has been substantiated.

#### ~~10~~13. Non-Discrimination Policy/Prohibition Against Retaliation

The Board of Education expressly prohibits retaliation against individuals reporting child abuse or neglect or the sexual assault of a student by a school employee and shall not discharge or in any manner discriminate or retaliate against any employee who, in good faith makes a report pursuant to this policy, or testifies or is about to testify in any proceeding involving abuse or neglect or sexual assault by a school employee. The Board of Education also prohibits any employee from hindering or preventing or attempting to hinder or prevent any employee from making a report pursuant to this policy or state law concerning suspected child abuse or neglect or the sexual assault of a student by a school employee or testifying in any proceeding involving child abuse or neglect or the sexual assault of a student by a school employee.

~~The Board of Education shall not discharge or in any manner discriminate or retaliate against any employee who, in good faith makes, or in good faith does not make, a report pursuant to this policy, or testifies or is about to testify in any proceeding involving abuse or neglect.~~

#### 15. Distribution of Policy and Posting of Careline Information

This policy shall be distributed annually to all school employees employed by the Board. The Board shall document that all such school employees have received this written policy and completed the training and refresher training programs required by in Section 16, below. The Board shall post the Internet web site address and telephone number for the DCF Child Abuse and Neglect Careline in a conspicuous location frequented by students in each school under the jurisdiction of the Board.

## 16. Training

- a) All new school employees, as defined above, shall be required to complete an educational training program for the accurate and prompt identification and reporting of child abuse and neglect. Such training program shall be developed and approved by the Commissioner of DCF.
- b) All school employees, as defined above, shall take a refresher training course developed and approved by the Commissioner of DCF at least once every three years.
- c) The principal for each school shall annually certify to the Superintendent that each school employee, as defined above, working at such school, is in compliance with the training provisions in this policy and as required by state law. The Superintendent shall certify such compliance to the State Board of Education.

## 17. Records

- a) The Board shall maintain in a central location all records of allegations, investigations, and reports that a child has been abused or neglected by a school employee employed by the Board or that a student has been a victim of sexual assault by a school employee employed by the Board, as defined above, and conducted in accordance with this policy. Such records shall include any reports made to the DCF. The State Department of Education shall have access to such records upon request.
- b) Notwithstanding the provisions of Conn. Gen. Stat. §10-151c, the Board shall provide the Commissioner of DCF, upon request and for the purposes of an investigation by the Commissioner of DCF of suspected child abuse or neglect by a teacher employed by the Board, any records maintained or kept on file by the Board. Such records shall include, but not be limited to, supervisory records, reports of competence, personal character and efficiency maintained in such teacher's personnel file with reference to evaluation of performance as a professional employee of the Board, and records of the personal misconduct of such teacher. For purposes of this section, "teacher" includes each certified professional employee below the rank of superintendent employed by the Board in a position requiring a certificate issued by the State Board of Education.

## 18. Child Sexual Abuse and/or Sexual Assault Response Policy and Reporting Procedure

The Board 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, as outlined in Board Policy [#]. **Child Sexual Abuse and/or Sexual Assault Response Policy and Reporting Procedure.** 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 Safe School Climate Coordinator in addition to complying with his/her obligations under this Policy and the law regarding mandatory reporting of abuse, neglect and sexual assault.

Legal References:

Connecticut General Statutes:

Section 10-151

[Section 10-221s](#)

Section 17a-101 et seq.

[—Section 17a-101q, Statewide Sexual Abuse and Assault Awareness and Prevention Program](#)

Section 17a-103

[Section 46b-120](#)

[Section 53a-65](#)

~~Public Act 09-242, “An Act Concerning Sexual Activity between School Workers and Students and Including School Superintendents as Mandated Reporters of Child Abuse or Neglect”~~

Policy Adopted: March 22, 2010

[Amended:](#)

WESTPORT PUBLIC SCHOOLS

Westport, Connecticut





## **Business and Non-Instructional Operations**

### **Food Service**

#### **Charging Policy**

The goal of the food service program is to provide students with nutritious and healthy foods, through the District's food services program, that will enhance learning. The school nutrition program is an essential part of the education system and by providing good-tasting, nutritious meals in pleasant surroundings; we are helping to teach students the value of good nutrition.

Connecticut's school Child Nutrition Programs consist of the National School Lunch, School Breakfast, Special Milk, After School Snack and Fresh Fruit and Vegetable Programs. It is a local decision as to in which programs the District selects to participate. These programs are federally funded and are administered by the United States Department of Agriculture's Food and Nutrition Service. At the State level, the school Child Nutrition Programs are administered by the Connecticut State Department of Education, which operates the program through agreements with the local school food authorities.

The school nutrition program is an extension of the school's educational programs and it is the District's vision to have a partnership among students, staff, school family and the community in offering access to and providing nutritious meals, which are attractively presented at an affordable price.

The Board realizes that funds from the non-profit school food service account, according to federal regulations, cannot be used to cover the cost of charged meals that have not been paid.

In order to sustain the District's food services program, the District cannot permit the excessive charging of student meals. Therefore, any charging of meals must be consistent with this policy and any accompanying regulations. The Superintendent or his/her designee shall develop regulations designed to effectively and respectfully address family responsibility for unpaid meals.

Any parent/guardian who anticipates a problem with paying for meals is encouraged to contact the Food Services Manager/Director and/or the applicable school Principal for assistance. The Board encourages all families who may have a child eligible for free or reduced price lunch to apply.

#### **Definitions**

"**Alternate Meals**" are not clearly defined in federal and state regulations. The use of alternate meals refers to any meal served to a student that is different from the day's advertised reimbursable meal. Alternate meals are most often provided to those students who have forgotten their meal payment(s) or medium of exchange.

"**Delinquent Debt**" are unpaid meal charges, like any other money owed to the nonprofit school food service account when payment is overdue, as defined by state or local policies.

"Bad Debt" are when unpaid meal charges are not collected and are considered a loss. Such debt must be written off as an operating loss, which cannot be absorbed by the nonprofit school food service account, but must be restored using nonfederal funds.

### **Elementary and Secondary Students**

1. The District uses My School Bucks, an automated prepayment system, which allows parents/guardians to view their child's meal account balance and purchases, receive low-balance notifications, as well as, make deposits, to their child's school meal account. Any student whose account has insufficient funds (i.e., is at the charging limit) and does not bring a meal from home may charge any combination of meals up to a negative balance of \$10.00. When the charge limit is reached, the student will be given the same reimbursable meal that other children are provided. No snacks or a-la-carte items may be charged. Parents of students who charge shall be notified by phone, after their child has received the meal, until the charges are paid in full. Negative balance status can be avoided by making a payment in the form of cash or check payable to "Westport School Lunch", or by credit card to the My School Bucks website.

4. No student shall be deprived a reimbursable meal due to forgotten or lost meal money. The school Principal will be responsible for maintaining a fund of money to loan to students without meal money. The pool of money may be established from school or PTA/PTO funds. The Principal or his/her designee is responsible for collecting money that has been loaned to students. Students will be responsible for repaying all loaned money before the distribution of graduation robes. A note shall be mailed to the student's home to inform parents of the loan obligation. In situations in which a student is consistently without meal money, the Principal or his/her designee should encourage the parent/guardian to apply for free or reduced price meals.

6. Students shall be allowed to charge up to five meals. The student will be given the same reimbursable meal that other children are provided. Parents of students who charge shall be notified by phone, after their child has received the meal. After charging four meals, the parents shall receive written notification that the child will then be given an alternate meal consisting of one or more of the choices listed above. If a pattern of charging continues, attempts will be made to discuss the issue with the parents/guardians and encourage them to complete a free and reduced meal application.

### **District-Wide**

1. Parents are responsible for providing meals or meal money for their student(s). Borrowing or charging is for one meal only in an emergency. Repayment is expected without delay. Snack and a-la-carte purchases are cash only.

2. Although not required by law, because of the District's participation in the school Child Nutrition Programs, the Board of Education approves the establishment of a system to allow a student to charge a meal. The Board authorizes the Superintendent to develop rules which address:

a. What can be charged;

b. The limit on the number of charges per student;

c. The system used for identifying and recording charged meals;

d. The system used for collection of repayments; and

e. Ongoing communication of the policy to parents/guardians and students.

### **Delinquent Debt and Bad Debt**

The District's efforts to recover from households money owed due to the charging of meals must not have a negative impact on the children involved and shall focus primarily on the adults in the household responsible for providing funds for meal purchases. The school food authority is encouraged to consider whether the benefits of potential collections outweigh the costs which would be incurred to achieve those collections.

Money owed because of unpaid meal charges shall be considered "delinquent debt," as defined, as long as it is considered collectable and reasonable efforts are being made to collect it.

After reasonable attempts are made to collect the delinquent debt, and it is determined that further collection efforts are useless or too costly, the debt must be reclassified as "bad debt." Such debt shall be written off as an operating loss not to be absorbed by the nonprofit school food service account but must be restored using non-federal funds.

### **Dissemination of Policy**

This policy shall be provided in writing to all households at the start of each school year and to households transferring to the school or school district during the school year.

This policy shall be included in student/parent handbooks, on online portals that households use to access student accounts, placed on the District's website, on the website of each school, and published at the beginning of each school year at the time information is distributed regarding free and reduced price meals and again to the household the first time the policy is applied to a specific child.

This policy shall be provided to all school staff and/or school food authority staff responsible for its enforcement. In addition, school social workers, nurses, the homeless liaison, and other staff members assisting children in need or who may be contacted by families with unpaid meal charges also should be informed of this policy.

The District's school food authority shall maintain, as required, documentation of the methods used to communicate this policy to households and school or school food authority-level staff responsible for policy enforcement.

(cf. 3542 - Food Service)

(cf. 3542.31 - Free or Reduced Price Lunch Program)

Legal Reference: Connecticut General Statutes

10-215 Lunches, breakfasts and other feeding programs for public school children and employees.

10-215a Nonpublic school and nonprofit agency participation in feeding programs.

10-215b Duties of State Board of Education re feeding programs.

State Board of Education Regulations

State of Connecticut, Bureau of Health/Nutrition, Family Services and Adult Education  
Operational Memorandum No. 4-17, "Guidance on Unpaid Meal Charges and Collection of  
Delinquent Meal Payments," Nov. 2, 2016

Operational Memorandum #19-10, State of Connecticut, Bureau of Health/Nutrition, Family  
Services and Adult Education "Unallowable Charges to No-profit School Food Service Accounts  
and the Serving of Meals to No-paying Full and Reduced Price Students"

National School Lunch Program and School Breakfast Program; Competitive Foods. (7 CFR  
Parts 210 and 220, Federal Register, Vol 45 No. 20, Tuesday, January 29, 1980, pp 6758-6772

USDA Guidance:

- SP 46-2016, "Unpaid Meal Charges: Local Meal Charge Policies"
- SP 47-2016, "Unpaid Meal Charges: Clarification on Collection of Delinquent Meal  
Payment"
- SP 57-2016 "Unpaid Meal Charges: Guidance and Q and A"
- SP 58-2016 "2016 Edition: Overcoming the Unpaid Meal Challenge: Proven Strategies  
from Our Nation's Schools"

Policy adopted:

WESTPORT PUBLIC SCHOOLS  
Westport, Connecticut

**Business and Non-Instructional Operations**

**Food Service**

**Food Service Personnel - Code of Conduct**

The following conduct is expected of all persons who are engaged in the award and administration of contracts supported by the Child Nutrition Program (CNP) funds. These programs include the National School Lunch Program, School Breakfast Program, Child and Adult Care Food Program, and Summer Food Service Program.

No employee, officer or agent of the Westport School District shall participate in selection or in the award or administration of a contract supported by program funds if a conflict of interest, real or apparent, would be involved.

To ensure objective contractor performance and eliminate unfair competitive advantage, a person that develops or drafts specifications, requirements, statements of work, invitations, for bids, requests for proposals, contract terms and conditions of other documents for use by the child nutrition program in conducting procurement shall be excluded from competing for such procurements. Such persons are ineligible for such procurements regardless of the procurement method used.

Conflicts of interest arise when a school district employee:

1. Has a financial or other interest in the firm selected for the award;
2. Is an employee, officer, or agent of the firm selected for the award;
3. Has a member of the immediate family who is an employee, officer or agent of the firm selected for the award;
4. Is about to be employed by the firm selected for the award; or
5. Has a member of the immediate family who is about to be employed by the firm selected for the award.

The Westport School District employees, officers or agents shall neither solicit nor accept gratuities, favors, or anything of material monetary value from contractors, potential contractors or parties to sub-agreements.

The purchase during the school day of any food or service from a contractor for individual use is prohibited.

Westport Board of Education employees, officers and agents shall be governed by the following rules:

1. The purchase during the school day of any food or service from a contractor for individual use is prohibited.

2. The removal of any food, supplies, equipment or school property, such as official records, recipe books, and the like is prohibited unless express permission of the Food Service Coordinator/Business Manager/Cafeteria Supervisor has been granted.

3. Individual sales by any school person to an outside agency or other school person are prohibited.

Failure of any employee to abide by this Code of Conduct could result in a fine, suspension or dismissal.

(cf. 3326 - Ordering Goods and Services, Paying for Goods and Services)

(cf. 3542 - School Lunch Service)

(cf. 3542.31 - Participation in the Nutritional School Lunch Program)

(cf. 3542.33 - Food Sales Other Than National School Lunch Program)

(cf. 3542.34 - Nutrition Program)

(cf. 4118.13/4218.13 - Conflict of Interest)

(cf. 6142.101 - Student Nutrition and Physical Wellness, School Wellness)

Legal Reference: Connecticut General Statutes

10-215 Lunches, breakfasts and other feeding programs for public school children and employees.

10-215a Nonpublic school and nonprofit agency participation in feeding programs.

10-215b Duties of State Board of Education re feeding programs.

10-216 Payment of expenses.

State Board of Education Regulations

10-215b-1 School lunch and nutrition programs.

10-215b-11 Requirement for meals.

10-215b-12 Reimbursement payments. (including free and reduced price meals)

Child Nutrition and WIC Reauthorization Act of 2004, 42 U.S.C. Section 1751.

School Lunch and Breakfast Programs 42 U.S.C. Section 1751 et seq.

National Food Service Programs, Title 7 Code of Federal Regulations, 7 CFR Part 210, Part 220, Part 215, Part 245.

42 U.S.C. Sec. 1758(h)/7 CFR Sect 210.13, 220.7 (School Food Safety Inspections).

Federal Register (74 Fed. Reg. 66213) amending federal regulations (7 CFR Part 210 and 220).

P.L. 111-296 Healthy, Hunger-Free Kids Act of 2010 (HHFKA), 42 U.S.C. 1751

7 CFR Parts 210 & 220 - Nutrition Standards in the National School Lunch & School Breakfast Programs.

Nondiscrimination on the Basis of Handicap in Programs or Activities

Title 7 Chapter 11 of the Code of Federal Regulation Federal Management Circular A- 102, Attachment 0 FNS Instruction 796-1 Revision 2.

2 CFR 200.318 General Procurement Standards

Policy adopted:

WESTPORT PUBLIC SCHOOLS  
Westport, Connecticut