

PLYMOUTH PUBLIC SCHOOLS

STUDENTS

SERIES 5000

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PLYMOUTH PUBLIC SCHOOLS

STUDENTS

SERIES 5000

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Students

Concepts and Roles in Student Policies

The focus of the school system is on the student learner. The student's educational development toward the school's goals is the central concern of the Board of Education's policies and the administrators' regulations.

Each child of each parent in the community shall be given equal educational opportunity. But since children vary widely in capacities, interests, social and economic background, no two can be treated exactly alike if the fullest development of each is to be achieved.

The Board of Education will attempt to eliminate limitations of facilities and programs that stand in the way of our school system's availability to all who wish to learn in this school system.

Discrimination among students applying for admission to or attending our schools with respect to race, color, religious creed, age, marital status, national origin, sex, sexual orientation, gender identity or expression or physical disability is prohibited.

Legal Reference: Connecticut General Statutes

10-15 Towns to maintain schools

10-15c Discrimination in public schools prohibited. School attendance by five-year olds (as amended by PA 11-55).

10-184 Duties of parents (re mandatory schooling of children seven and older and under eighteen)

10-186 Duties of towns and regional school districts re school attendance. Hearings. Appeals to state board. Establishment of hearing board (re schooling for persons five and over and under twenty-one)

10-226a Pupils of racial minorities

Title IX of the Education Amendments of 1972 (42 U.S.C. 1134n et seq.)
Sec. 504, U.S. Rehabilitation Act 1973 U.S.C. @794.

Policy adopted: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

Students

Goals and Objectives

Students are the first concern of the school system and must receive the primary attention of the Board of Education and all staff members. To fulfill its obligation to students, the Board will strive to spend most of its time in formulating policy and considering other matters related to students. A similar commitment is expected of all staff members.

In pursuing this primary goal, it is imperative that the good of the individual student be kept paramount. Each student shall be considered and treated with respect as an individual. One of the major tasks of the educational program shall be to assist each student in becoming self-sufficient in utilization of decision-making processes and techniques, eventually becoming responsible for determining his/her own learning purposes and the means for achieving them. Staff members shall seek to be wise counselors of children and youth and skillful facilitators of learning. To this end, the Board and staff shall work together to establish an environment conducive to the very best learning achievement for each student through meeting the following goals regarding students:

1. To individualize the learning program in order to provide appropriately for each student according to his/her specific background, capabilities, learning styles, interest and aspirations.
2. To protect and observe the legal rights of students.
3. To enhance the self-image of each student through helping him or her feel respected and worthy, and through a learning environment which provides positive encouragement through frequent success.
4. To provide an environment in which students can learn and practice personal and civic responsibility for their actions.
5. To deal with students in matters of discipline in a just and constructive manner.
6. To provide in every way feasible for the safety, health, and welfare of students.
7. To promote consistent attendance and good work.

Students

Admission

Because chronological age is the best single indicator of maturity, children will routinely be admitted to kindergarten or first grade who have attained minimum ages specified in the law. Exceptions from routine admission may be made by the administration on the basis of supporting evidence from physical and psychological examinations.

Children who apply for initial admission to the school system's schools by transfer from non-public schools or from schools outside the school system will be placed at the grade they would have reached elsewhere pending observation and evaluation by school personnel. After such observations and evaluations have been completed, the Principal will determine the final grade placement of the children, subject to approval by the Superintendent of Schools.

Students

Admission

To be eligible to attend the public schools in the Town of Plymouth, a student must reside within the legal boundaries of that town with parent(s) or legal guardian(s). They also may reside with relatives or non-relatives when it is the intention of such relatives or non-relatives and of the children or their parents or guardians that such residence is to be permanent, provided without pay and not for the sole purpose of obtaining an education.

A parent or legal guardian living outside the Town of Plymouth and wishing his/her child to attend a school in Plymouth may make application to the Superintendent of Schools, stating the reason for the request. In considering the request to enter, and as a consideration to continuing, the academic standing, disciplinary record, attendance record and extenuating circumstances will be considered. If the application is approved, the parent or guardian will be required to pay the established tuition fee and must provide his/her own transportation. The fee may be waived by the Superintendent, upon consideration of the financial means of the family.

Seniors who have successfully completed their junior year and whose parents moved out of the district, may request continuing in the district. The request should be in writing by the parent or the student, if of the age of majority, and submitted to the Superintendent stating that there is a desire to continue, tuition free. The approval will be contingent upon being of good academic standing, having a good disciplinary record and having a good attendance record.

Students who are of the age of majority and who do not live with their parents may attend the public schools if they show written evidence of legal residency in the district in the Town of Plymouth. A certification of residence must be received before the date of entrance of the student.

All students, from pre-kindergarten through grade eleven, are required to live in the Town of Plymouth. If a student moves out of the community after June 1st, a written request may be made of the Superintendent of Schools for that student to complete the school year in Plymouth. If the request is denied by the Superintendent, the parent(s), or guardian then may appeal that decision to the Plymouth Board of Education.

Legal Reference: Connecticut General Statutes

10-253 Children placed by commissioner of children and youth services to other agency. Provisions of school accommodations for nonresidents, requirements

Regulation approved: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

**ACKNOWLEDGEMENT OF OPTION TO EXEMPT ATTENDANCE
OF CHILD FIVE OR SIX YEARS OF AGE FROM SCHOOL**

Pursuant to Section 10-184 of the Connecticut General Statutes

I, _____, of _____,
Name of Parent, Guardian or Other **Address**

the parent, guardian or other person charged with the care of the following minor child

_____, of _____ who was
Name of Child **Address**

born on _____ do hereby choose not to send my child to public
Date

school during the _____.
School Year

Furthermore, before signing this form, a representative of the _____
Name of District

school district met with me and provided me with information concerning the
educational opportunities and school accommodations available in the school system.

ACKNOWLEDGED BY:

Signature of Parent, Guardian or Other

Date

**ACKNOWLEDGEMENT OF OPTION TO EXEMPT ATTENDANCE
OF CHILD SEVENTEEN YEARS OF AGE FROM SCHOOL**

Pursuant to Section 10-184 of the Connecticut General Statutes

I, _____, of _____,
Name of Parent, Guardian or Other **Address**

the parent, guardian or other person charged with the care of the following minor child

_____, of _____ who was
Name of Child **Address**

born on _____ do hereby elect to with draw my child from public
school. Furthermore, before signing this form, a representative of the _____
Name of District

school district met with me and provided me with information concerning the
educational opportunities and school accommodations available in the school system.

ACKNOWLEDGED BY:

Signature of Parent, Guardian or Other

Date

Students

Ages of Attendance

In accordance with Connecticut General Statute 10-186, the Board of Education shall provide education for all persons five years of age and older, having attained age five on or before the first day of January of any school year, and under twenty-one years of age who is not a graduate of a high school or vocational school, except as provided in Connecticut General Statutes 10-233c and 10-233d. Additionally, according to Connecticut General Statute 10-76d (b2), special education will be provided for children who have attained the age of three and who have been identified as being in need of special education, and whose educational potential will be irreparably diminished without special education.

Parents and those who have the control of children five years of age and over and under eighteen years of age, are obligated by Connecticut law to require their children to attend public day school or its equivalent in the district in which such child resides, unless such child is a high school graduate or the parent or person having control of such child is able to show that the child is elsewhere receiving equivalent instruction in the studies taught in the public schools. The parent or person having control of a child sixteen or seventeen years of age must consent to such child's withdrawal from school. For the school year commencing July 1, 2011 and each school year thereafter, the parent or person having control of a child seventeen years of age may consent to such child's withdrawal from school. The parent or person shall exercise this option by personally appearing at the school district office to sign a withdrawal form. Such withdrawal form shall include an attestation from a guidance counselor or school administrator of the school that this district has provided the parent or person with information on the educational opportunities options available in the school system and in the community.

The parent or person having control of a child five years of age shall have the option of not sending the child to school until the child is six years of age. The parent or person having control of a child six years of age shall have the option of not sending the child to school until the child is seven years of age.

The above requirements are not to serve as barriers to immediate enrollment of students, designated as homeless or foster children as required by the Every Student Succeeds Act (ESSA) and the McKinney-Vento Act as amended by the ESSA. The District shall work with the local child welfare agency, the school last attended, or other relevant agencies to obtain necessary enrollment documentation.

The parent or person shall exercise such option by personally appearing at the school district office and signing an option form. The district shall provide the parent or person with information on the educational opportunities available in the school system.

Students

Ages of Attendance (continued)

A child who has attained the age of seventeen and who has voluntarily terminated enrollment with parental consent in the district's schools and subsequently seeks readmission may be denied readmission for up to ninety school days from the date of such termination unless such child seeks readmission to the District not later than ten (10) school days after such termination in which case the Board shall provide school accommodations to such child not later than three school days after such child seeks readmission.

A child who has attained the age of nineteen or older may be placed in an alternative school program or other suitable educational program if he/she cannot acquire a sufficient number of credits for graduation by age twenty-one.

(cf. 5111 - Admission/Placement)

(cf. 5118.1 – Homeless Students)

(cf. 5118.3 – Children in Foster Care)

(cf. 5112 - Ages of Attendance)

(cf. 6146 - Graduation Requirements)

Legal Reference: Connecticut General Statutes
 10-15 Towns to maintain schools
 10-15c Discrimination in public schools prohibited. School attendance by
 five-year-olds
 10-76a - 10-76g re special education
 10-184 Duties of parents (re mandatory schooling for children ages five to
 sixteen, inclusive) as amended by PA-98-243, PA 00-157 and PA 09-6
 (September Special Session)
 10-186 Duties of local and regional boards of education re school
 attendance. Hearings. (Amended by PA 96-26 An Act Concerning
 Graduation Requirements and Readmission and Placement of Older
 Students)
 Appeals to State Board. Establishment of hearing board
 10-233a - 10-233f Inclusive; re: suspend, expel, removal of pupils
 10-233c Suspension of pupils
 10-233d Expulsion of pupils
 State Board of Education Regulations
 10-76a-1 General definitions (c) (d) (q) (t)
 McKinney-Vento Homeless Assistance Act (PL 107-110 Sec. 1032) 42
 U.S.C. §11431-11435, as amended by the ESSA, P.L. 114-95
 Federal Register: McKinney-Vento Education for Homeless Children &
 Youths Program, Vol. 81 No. 52, 3/17/2016

Policy adopted: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut 06786

ACKNOWLEDGMENT OF OPTION TO EXEMPT ATTENDANCE OF
CHILD FIVE OR SIX YEARS OF AGE FROM SCHOOL

Pursuant to Section 10-184 of the Connecticut General Statutes,

I _____, of _____
Name of Parent, Guardian or Other *Address*

the parent, guardian or other person charged with the care of the following minor child

_____, of _____ who was
Name of Child *Address*

born on _____ do hereby choose not to send my child to public
Date

school during the _____.
School Year

Furthermore, before signing this form, a representative of the _____
Name of District

school district met with me and provided me with information concerning the educational
opportunities and school accommodations available in the school system.

ACKNOWLEDGED BY:

Signature of Parent, Guardian or Other

Date

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut 06786

ACKNOWLEDGMENT OF OPTION TO WITHDRAW CHILD
SEVENTEEN YEARS OF AGE FROM SCHOOL

Pursuant to Section 10-184 of the Connecticut General Statutes,

I _____, of _____
Name of Parent, Guardian or Other *Address*

the parent, guardian or other person charged with the care of the following minor child

_____, of _____
Name Child *Address*

born on _____ do hereby elect to withdraw from public school.
Date of birth

Furthermore, before signing this form, a representative of the _____
Name of District

school district met with me and provided me with information concerning the educational
options available in the school system and the community.

ATTESTMENT BY:

Signature of School Counselor *Date*

OR

Signature of School Administrator *Date*

ACKNOWLEDGED BY:

Signature of Parent, Guardian or Other *Date*

A child seventeen years of age or older who voluntarily terminates enrollment in a school district and subsequently seeks readmission, the local or regional board of education for the school district may deny school accommodations to the child for up to ninety school days from the date of such termination. Unless the child seeks readmission to the school district not later than ten school days after the termination in which case the board shall provide school accommodations to the child not later than three school days after the child seeks readmission.

Students

Attendance/Excuses/Dismissal

Attendance

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.

Students

Attendance/Excuses/Dismissal

Excuses (continued)

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 submits appropriate documentation to school officials.

Such documentation includes a signed note from the student's parent/guardian, a signed note from a school official that spoke in person with the parent/guardian regarding the absence, or a note confirming the absence by the school nurse or by a licensed medical professional, as appropriate. Documentation should explain the nature of and the reason for the absence as well as the length of the absence. Separate documentation must be submitted for each incidence of absenteeism.

- 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.

Students

Attendance/Excuses/Dismissal

Excuses (continued)

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 by mail such parent or other person having control of the child.

Responsibility for completion of missed classwork lies with the student, not the teacher. Unless a student has an extended illness, all make-up work will be complete within five days after the student returns to school.

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.

Students

Attendance/Excuses/Dismissal

Chronic Absenteeism (continued)

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 when it becomes available. *(SDE to develop by 1/1/16.)*

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 teacher may permit any individual student to leave school prior to the regular hour of dismissal without the permission of the Principal.

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)

Students

Attendance/Excuses/Dismissal (continued)

Legal Reference	Connecticut General Statutes
	10-220(c) Duties of boards of education (as amended by PA 15-225)
	10-184 Duties of parents (as amended by PA 98-243 and PA 00-157)
	10-185 Penalty
	10-198a Policies and procedures concerning truants (as amended by PA 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”
	10-198c Attendance review teams.
	10-198d Chronic absenteeism (as amended by PA 17-14)
	45a-8c Truancy clinic. Administration. Policies and procedures. Report. (as amended by PA 15-225)
	10-199 through 10-202 Attendance, truancy - in general
	<i>Action taken by State Board of Education on January 2, 2008, to define “attendance.”</i>
	<i>Action taken by State Board of Education on June 27, 2012, to define “excused” and “unexcused” absences.</i>
	PA 17-14 An Act Implementing the Recommendations of the Department of Education

Policy adopted: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

Students

Work Permits

Student In-School Employment. Part-time school jobs shall be open to students ages fifteen and over in keeping with their abilities and needs of the school for student help.

Student After-School Employment. If students need to work while attending school, guidance personnel shall make efforts to help them obtain employment. However, they shall be cautioned against assuming work commitments that will interfere with their studies and achievements in school. Students must be sixteen years of age or older to work in any "manufacturing mechanical, or barber shop." Students must be fifteen years of age or older to work in any "mercantile-establishment."

Working Papers for Minors. Minors (15-18) receive employment certificates from the Superintendent of Schools or his designated agent in the town or city in which they live. The High School Principal is the designated agent in the district. The high school issues working papers only to resident students in the town. If a Connecticut resident secures employment in another state, that state issues the papers. If a resident of another state works in Connecticut, that person may obtain the Connecticut certificate with the "promise to work" paper and proof of residency.

Evidence of Age. Applicants must appear in person, have evidence of age, and a written promise of employment. Satisfactory evidence of age can be shown by: Birth Certificates, Driver's Licenses, Baptismal Certificates, Service I.D.'s and (as a last resort) Information on School District Cumulative Records.

Written Promise of Employment. The written promise of employment is issued by the employer and must state exactly and specifically what the job is and must be signed by an officer of the employer. This form should be examined very carefully and if any changes or alterations appear, they should be verified with the employer. A state "promise of employment" form is generally used, but a written promise of employment on letterhead paper or regular stationery from an employer is acceptable.

Working Papers. Working papers are made out in triplicate. One copy for the minor, one copy for the employer, and the original for school files. It should be signed, not typed, in the appropriate place by issuing officer. Records may be destroyed when the minor reaches 18 years of age.

Legal Reference: Connecticut General Statutes
 10-193 Certificate of age of minors in certain occupations
 10-194 Penalty
 10-195 Evidence of age
 10-197 Penalty for employment under fourteen
 10-198 False statement as to age

Policy adopted: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

Students

Truancy

Introduction and Definitions

The District's policy on student truancy shall stress early prevention and inquiry leading to remediation of absences rather than imposition of punitive measures for students. Referral to legal authorities normally shall be made only when local resources are exhausted. For purposes of implementing this policy and for reporting purposes regarding truancy, the District will utilize the State Board of Education approved definitions of "excused," "unexcused," and "disciplinary" absences.

"Truant" shall mean a student age five to eighteen, inclusive, who has four unexcused absences in any one month, or ten unexcused absences in one school year.

"In attendance" shall mean a student 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.

"Chronically absent child" is 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" means 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" means 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" means 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.

Remediation of Truancy

School personnel shall seek cooperation from parents or other persons having control of such child and assist them in remedying and preventing truancy. The Superintendent of Schools shall develop regulations which will detail the following school district obligations under the district's truancy policy.

Students

Truancy

Remediation of Truancy (continued)

1. Notify parents annually of their obligations under the attendance policy.
2. Obtain telephone numbers for emergency record cards or other means of contacting parents or other persons having control of the child during the school day.
3. Establish a system to monitor student attendance.
4. Make a reasonable effort by telephone and by mail to notify parents or other persons having control of the child, enrolled in grades one through eight, inclusive, when a child does not arrive at school and there has been no previously approval or other indication which indicates parents are aware of the absence. *(Note: Persons who in good faith give or fail to give notice pursuant to this section shall be immune from any liability, civil or criminal, which might otherwise be incurred or imposed and shall have immunity with respect to any judicial proceeding which results from such notice or failure to give notice.)*
5. Identify a student as “truant” when the student accumulates four unexcused absences in any month or ten in a school year.
6. Identify a student as “chronically absent” when the student accumulates a total number of absences at any time during a school year that is equal to or greater than ten percent of the total number of days that such student has been enrolled at the school during the school year.
7. Appropriate school staff meet with parents of a child identified as truant or chronically absent to review and evaluate the situation, within ten days of such designation. Such meeting may involve the school or District Attendance Team.

Students so identified may be subject to:

- (a) retention in the same grade to acquire necessary skills for promotion or retention.
- (b) a requirement to complete a summer school program successfully before being promoted to the next grade.

Students

Truancy (continued)

Remediation of Truancy (continued)

8. When a petition is filed, an educational evaluation of the truant student shall be done by appropriate school personnel if no such evaluation has been performed within the preceding year.
9. Provide coordination of services and refer “truants” to community agencies which provide child and family services.
10. If in existence, refer the child to the children’s probate court truancy clinic.

The Board, on or before 8/15/18, shall implement a truancy intervention model identified by the Connecticut State Department of Education (SDE) for any school within the District that has a disproportionately high rate of truancy, as identified by the Commissioner of Education. Parents or other persons having control of each child shall be notified of such truancy model. (Note: The SDE is required to identify these effective truancy intervention models by 8/15/17.)

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 District team must be established when the District’s chronic absenteeism rate is 10 percent or higher.
2. A school team 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 attendance review team shall meet at least monthly.

Students

Truancy

Chronic Absenteeism (continued)

The District shall utilize the chronic absenteeism prevention and intervention plan developed by the State Department of Education when it becomes available.

The District shall annually include in information for the strategic school profile report for each school and the District that 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.)

Legal Reference: Connecticut General Statutes
 10-184 Duties of parents. (as amended by PA 98-243 and PA 00-157)
 10-198a Policies and procedures concerning truants (as amended by PA 00-157, PA 11-136 and PA 16-147)
 10-198b State Board of Education to define "excused absence",
 "unexcused absence", and "disciplinary absences"
 10-198c Attendance review teams (as amended by PA 17-14)
 10-198d Chronic absenteeism
 10-199 through 10-202 Attendance, truancy in general. (Revised, 1995,
 PA 95-304)
 45a-8c Truancy clinic. Administration. Policies and procedures. Report.
 (as amended by PA 15-225)
 10-220(c) Duties of boards of education (as amended by PA 15-225)
 10-202e-f Policy on dropout prevention and grant program.
 10-221(b) Board of education to prescribe rules.
 Campbell v New Milford, 193 Conn 93 (1984).
 Action taken by the State Board of Education on January 2, 2008, to
 define "attendance."
 Action taken by the State Board of Education on June 27, 2012, to define
 "excused and "unexcused" absences.

Policy adopted: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

ANNUAL NOTIFICATION OF OBLIGATIONS UNDER C.G.S. 10-184

Dear Parents,

Connecticut law requires that the Plymouth Public Schools provide you with this written notice of your obligations under Connecticut General Statute 10-184. This law provides that each parent or other person having control of a child five years of age and older and under eighteen years of age is obligated to cause the child to attend school regularly during the hours and terms school is in session, unless such parent or other person shows that the child is elsewhere receiving equivalent instruction, or that the child has graduated from high school or that the child ages sixteen or seventeen has withdrawn from school with the written permission of the parent or person having control of such child. Connecticut General Statute 10-185 provides that each day's failure to comply with these requirements is a separate offense, punishable by a \$25.00 fine.

Regular student attendance is essential to the educational process. So that we may seek to inform you if your child is absent without explanation, the law also requires that we obtain from you a telephone number or other means of contacting you during the school day. Please meet this obligation by filling out and promptly returning the form below.

Thank you for your cooperation.

Sincerely,

Students

Removal/Suspension/Expulsion

I. Definitions

- A.** **“Exclusion”** is defined as any denial of public school privileges to a student for disciplinary purposes.
- B.** **“Removal”** is defined as an exclusion from a classroom for all or part of a single class period, provided such exclusion shall not extend beyond 90 minutes.
- C.** **“Suspension”** is defined as an exclusion from school privileges and/or from transportation services for not more than ten (10) consecutive school days, provided such exclusion shall not extend beyond the end of the school year in which such suspension was imposed. All suspensions shall be in-school suspensions unless the administration determines for any student in grades three through twelve, inclusive, that (1) the student being suspended poses such a danger to persons or property or such a disruption of the educational process that the student shall be excluded from school during the period of suspension, or (2) that an out-of-school suspension is appropriate based on evidence of previous disciplinary problems that have led to suspensions or expulsion of the student and efforts by the administration to address such disciplinary problems through means other than out-of-school suspension or expulsion, including positive support strategies.

A student in grades preschool to two, inclusive, may be given an out-of-school suspension if it is determined by the administration that such suspension is appropriate based on evidence that the student’s conduct on school grounds is of a violent or sexual nature that endangers persons. In addition, a person’s duty as a mandated reporter to report suspected child abuse or neglect is not limited by this provision.

- D.** **“In-school suspension”** is defined as an exclusion from regular classroom activity for not more than ten consecutive school days, but not an exclusion from school, provided such exclusion shall not extend beyond the end of the school year in which such in-school suspension was imposed. An in-school suspension may include reassignment to a regular classroom. Program in a different school in the school district; such reassignment shall not constitute a “suspension” or “expulsion” under this policy. In-school suspensions may be served in any school building under the jurisdiction of the Board.
- E.** **“Expulsion”** is defined as an exclusion from school privileges for any student in grades three through twelve, inclusive for more than ten (10) consecutive school days and shall be deemed to include, but not be limited to, exclusion from the school to which such student was assigned at the time such disciplinary action was taken, provided such exclusion shall not extend beyond a period of one (1) calendar year. Such period of exclusion may extend to the school year following the school year in which such exclusion was imposed.

Students

Removal/Suspension/Expulsion

I. Definitions (continued)

- F. **“Emergency”** is defined as a situation under which the continued presence of the student in the school imposes such a danger to persons or property or such a disruption of the educational process that a hearing may be delayed until a time as soon after the exclusion of such student as possible.
- G. **“Days”** is defined as days when school is in session.
- H. **“School sponsored activity”** including school sponsored transportation is defined as any activity sponsored, recognized or authorized by the Board of Education and includes activities conducted on or off school property.
- I. **“Possess”** means to have physical possession or otherwise to exercise dominion or control over tangible property.
- J. **“Deadly weapon”** means any weapon, whether loaded or unloaded, from which a shot may be discharged, or a switchblade knife, gravity knife, billy, blackjack, bludgeon, or metal knuckles. It may also include pellet guns and/or air soft pistols.
- K. **“Dangerous instrument”** means any instrument, article or substance which, under the circumstances in which it is used or attempted or threatened to be used, is capable of causing death or serious physical injury, and includes a motor vehicle and a dog that has been commanded to attack.
- L. **“Firearm”** means 1) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; 2) the frame or receiver of any such weapon; 3) any firearm muffler or firearm silencer; or 4) any destructive device. Firearm does not include any antique firearm. For purposes of this definition “destructive device” means any explosive, incendiary, or poison gas, bomb, grenade, rocket having a propellant charge of more than 4 ounces, missile having an explosive or incendiary charge of more than 1/4 ounce, mine, or device similar to any of the weapons described herein.
- M. **“Vehicle”** means any aircraft, or any vessel equipped for propulsion by mechanical means or sail.
- N. **“Martial arts weapon”** means a nunchaku, kama, kasari-fundo, octagon sai, tonfa or chinese star.
- O. **“Alternative education”** means a school or program maintained and operated by a school board that is offered to students in a non-traditional setting and addresses their social, emotional, behavioral, and academic needs.

Students

Removal/Suspension/Expulsion (continued)

II. Removal From Class

- A. Each teacher shall have the authority to remove a student from class when such student deliberately causes a serious disruption of the educational process within the classroom, provided that no student shall be removed from class more than six times in any year, nor more than twice in one week unless such student is referred to the building principal, or his/her designee, and granted an informal hearing as set forth in section IV C of this policy.
- B. Whenever any teacher removes a student from the classroom, such teacher shall send the student to a designated area and shall immediately inform the building principal or his/her designee as to the name of the student against whom such disciplinary action was taken and the reason therefor.

III. Standards Governing Suspensions and Expulsion

- A. Conduct on school grounds or at a school sponsored activity as set forth in Section C, herein, or that is otherwise prohibited by Board policy or by any code of student Conduct in effect in the schools that is:
 - 1. Violative of a publicized policy of the Board, and
 - 2. Is seriously disruptive of the educational process, or
 - 3. Endangers persons or property will be cause for suspension and/or expulsion.
- B. Conduct off school grounds as described in paragraph A, above, that is:
 - 1. Violative of a publicized policy of the Board, and
 - 2. Seriously disruptive of the educational process will be cause for suspension and/or expulsion.
- C. The following exemplified student conduct that is prohibited and that will be considered cause for suspension and/or expulsion:
 - 1. Threatening in any manner, including orally, in writing, or via electric communication, a member of the school community, including any teacher, member of the school administration or any other employee, or a fellow student;
 - 2. Use of physical force, against another person which is not reasonably necessary for self-defense;
 - 3. Theft of personal or school property, or taking or attempting to take personal property or money from another person, or from his/her presence, by means of force or fear;

Students

Removal/Suspension/Expulsion

III. Standards Governing Suspension and Expulsion (continued)

4. Willfully causing, or attempting to cause, damage to school property;
5. Participation in an unauthorized occupancy of any part of any school or school premises or other building owned by any school district, and failure to leave such school premises or other facility promptly after having been directed to do so by the principal or other person then in charge of such building or facility;
6. Intentional incitement which results in an unauthorized occupation of any part of a school or other facility owned by any school district;
7. Possession, use, transmission or being under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, or intoxicant of any kind;
8. Possession or transmission of a facsimile of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, or marijuana;
9. Knowingly being in the presence of those who are in possession of, using, transmitting, or being under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, or intoxicant of any kind;
10. Possession or transmission of any firearm, deadly weapon, dangerous instrument, martial arts weapon, or knife, or facsimile of any weapon or instrument;
11. Using or copying the academic work of another and presenting it as his/her own without proper attribution;
12. Possessing or consuming tobacco products including e-cigarettes, vaping products, etc.;
13. Open defiance of the authority of any teacher or person having authority over the student, including verbal abuse;
14. Intentional and successful incitement of truancy by other students;
15. Bullying, which includes any overt acts by a student or a group of students directed against another student with the intent to ridicule, humiliate or intimidate the other student while on school grounds or at a school-sponsored activity which acts are repeated against the same student over time;
16. Violation of any federal or state law which would indicate that the violator presents a danger to any person in the school community or to school property, and;

Students

Removal/Suspension/Expulsion

III. Standards Governing Suspension and Expulsion (continued)

17. Violation of any other Board policy, rule, agreement, or directive dealing with student conduct, including that dealing with conduct on school buses and the use of school district equipment.
- D. Expulsion proceedings pursuant to section V, shall be, required whenever there is reason to believe that any student 1) was in possession of a firearm, deadly weapon, dangerous instrument or martial arts weapon, on school grounds or at a school-sponsored activity; 2) off school grounds, did possess a firearm or did possess and use such a firearm, dangerous instrument, deadly weapon or martial arts weapon in the commission of a crime; or 3) on or off school grounds, offered for sale or distribution a controlled substance as defined in Connecticut General Statutes, §21a-240(9), whose manufacture, distribution, sale, prescription, dispensing, transporting or possessing with intent to sell or dispense, offering or administering is subject to criminal penalties under §§21a-277 and 21a-278. A student shall be expelled for a period of one calendar year if the Board of Education finds that the student engaged in any of the conduct described herein, provided the period of expulsion may be modified on a case-by-case basis.

In the event it is determined by the Superintendent that a student issued a threat against a member of the school community as described in paragraph C. 1, above, the matter shall be referred to law enforcement officials for possible criminal prosecution and the Superintendent shall take all available measures to ensure the safety of persons in the school community in the event of the student's return to school.

IV. Suspension Procedure

- A. The administration of each school is authorized to invoke suspension for a period of up to ten (10) days, or to invoke in-school suspension for a period of up to ten days of any student for one or more of the reasons stated in section III, above, in accordance with the procedure outlined in Paragraph C of this section.

All suspensions shall be in-school suspensions unless the administration determines that for students in grades three through twelve, inclusive, (1) the student being suspended poses such a danger to persons or property or such a disruption of the educational process that the student shall be excluded from school during the period of suspension or (2) that an out-of-school suspension is appropriate based on evidence of previous disciplinary problems that have led to suspensions or expulsion of the student and efforts by the administration to address such disciplinary problems through means other than out-of-school suspension or expulsion, including positive support strategies. Moreover, the administration is authorized to suspend a student from transportation services whose conduct while receiving transportation violates the standards set forth in section III, above. The school administration is authorized to immediately suspend any student when there is an emergency as defined in section I, above.

Students

Removal/Suspension/Expulsion

IV. Suspension Procedure (continued)

A student in grades PK through two, inclusive, may be given an out-of-school suspension if the administration determines that such suspension is appropriate based on a determination by the administration that the student's conduct on school grounds is of a violent or sexual nature that endangers persons.

If an emergency exists, the hearing outlined in Paragraph C of this section shall be held as soon as possible after the suspension.

- B. In the case of suspension, the school administration shall notify the student's parents with reasons for suspension, not later than twenty-four (24) hours of the suspension. Any student who is suspended shall be given an opportunity to complete any class work, including, but not limited to examinations passed during the period of his/her suspension.
- C. Except in the case of an emergency as defined in section I, above, a student shall be afforded the opportunity to meet with the member of the administration and to discuss the stated charges prior to the effectuation of any period of suspension or in-school suspension. If at such a meeting the student denies the stated charges he/she may at that time, present his/her version of the incident(s) upon which the proposed suspension is based. The school administration shall then determine whether or not suspension or in-school suspension is warranted. The guidelines developed and promulgated by the Commissioner of Education will be utilized by members of the administration in the determination of whether a student should receive an in-school or out-of-school suspension. In determining the length of a suspension period, the school administration may receive and consider evidence of past disciplinary problems which have led to removal from a classroom, in-school suspension, suspension or expulsion.
- D. For any student who is suspended for the first time and who has never been expelled, the school administration may shorten the length of or waive the suspension period if the student successfully completes an administration-specified program and meets any other administration-required conditions. Such program shall be at no expense to the student or his/her parents/guardians.
- E. No student shall be suspended more than ten (10) times or a total of fifty (50) days in one school year, whichever results in fewer days of exclusion, unless a hearing as provided in section V. B. of this policy is first granted.
- F. No student shall be placed on in-school suspension more than fifteen (15) times or a total of fifty (50) days in one school year, whichever results in fewer days of exclusion, unless a hearing as provided in section V. B. of this policy is first granted.

Students

Removal/Suspension/Expulsion

IV. Suspension Procedure (continued)

- G. Whenever a student is suspended, notice of the suspension and the conduct for which the student was suspended shall be included on the student's cumulative educational record. Such notice shall be expunged from the cumulative educational record if the student graduates from high school.

V. Expulsion Procedure

The Board of Education may expel any student, grades three through twelve, inclusive, for one or more of the reasons stated in section III if, in the Superintendent's judgment, such disciplinary action is in the best interests of the school system. An expulsion hearing is required in any instance in which the Superintendent has reason to believe a student has engaged in the conduct described in section III D. The procedures outlined in Paragraphs A and B, below, shall be followed prior to the effectuation of any expulsion unless an "emergency" as defined in section I, above, exists. If an emergency exists, such a hearing shall be held as soon after the expulsion as possible.

- A. The Board of Education shall notify the student concerned and his/her parents, or the student if he/she has attained the age of eighteen (18) at least five business days before such hearing, that expulsion is under consideration. Such notice shall contain the information required under Paragraph B of this section. Three members of the Board of Education shall constitute a quorum for an expulsion hearing. A student may be expelled if a majority of the Board members sitting in the expulsion hearing vote to expel provided that three affirmative votes shall be required for expulsion.
- B. The procedure for any hearing conducted under this section shall be determined by the hearing officer or Board Chairperson, as appropriate, but shall include the right to:
 - 1. Notice of the proposed hearing which shall include:
 - a. a statement of the time, place, and nature of the hearing;
 - b. a statement of the legal authority and jurisdiction under which the hearing is to be held;
 - c. reference to the particular sections of the Connecticut General Statutes or school policies involved;
 - d. a short and plain statement of the matters asserted, if such matters have not already been provided in a statement of reasons requested by the student; the statement so provided may be limited to a statement of the issues involved if it is not possible to state the issues in detail at the time such notice is served. Upon request from the student concerned a more definite and detailed statement of the issues shall be furnished; and

Students

Removal/Suspension/Expulsion

V. Expulsion Procedure (continued)

- e. a statement that students under sixteen years of age who are expelled and students between sixteen and eighteen who have been expelled for the first time and who comply with conditions set by the Board of Education, must be offered an alternative educational opportunity.
 2. The opportunity to be heard;
 3. The opportunity to present witnesses and evidence;
 4. The opportunity to cross-examine adverse witnesses;
 5. The opportunity to be represented by counsel; and
 6. Information concerning legal services provided free of charge to at a reduced rate that are available locally and how to access such services. An attorney or other advocate may represent any student subject to expulsion proceedings. The parent/guardian of the student shall have the right to have the expulsion hearing postponed for up to one week to allow time to obtain representation, except that if an emergency exists, such hearing shall be held as soon after the expulsion as possible.
 7. Prompt notification of the decision of the Board of Education which decision shall be in writing if adverse to the student concerned.
- C. The record of any hearing held in an expulsion case shall include the following:
 1. All evidence received or considered by the Board of Education, including a copy of the initial letter of notice of proposed expulsion, if any, and a copy of all notices of hearing;
 2. Questions and offers of proof, objections and rulings on such objections;
 3. The decision of the Board of Education rendered after such hearing; and
 4. The official transcript, if any, of proceedings relating to the case, or, if not transcribed, any recording or stenographic record of the proceeding.
- D. Rules of evidence at expulsion hearings shall include the following:
 1. Any oral or documentary evidence may be received by the Board of Education but as a matter of policy irrelevant, immaterial or unduly repetitious evidence shall be excluded;
 2. The Board of Education shall give effect to the rules of privilege recognized by law;

Students

Removal/Suspension/Expulsion

V. Expulsion Procedure (continued)

3. In order to expedite a hearing, evidence may be received in written form, provided the interest of any party is not substantially prejudiced thereby;
 4. Documentary evidence may be received in the form of copies or excerpts if the original is not readily available provided, however, that any party to a hearing shall be given an opportunity to compare the copy with the original;
 5. A party to an expulsion hearing may conduct cross-examination of witnesses where examination is required for a full and accurate disclosure of the facts;
 6. The Board of Education may take notice of judicially cognizable facts in addition to facts within the Board's specialized knowledge provided, however, the parties shall be notified either before or during the hearing of material noticed, including any staff memoranda or data, and an opportunity shall be afforded to any party to contest the material so noted;
 7. A record of any oral proceedings before the Board of Education at an expulsion hearing shall be made provided, however, that a transcript of such proceedings shall be furnished upon request of a party with the cost of such transcript to be paid by the requesting party.
- E. In determining the length of an expulsion, the Board of Education may receive and consider evidence of past disciplinary problems, which have led to removal from a classroom, in-school suspension, suspension, or expulsion.
- F. Decisions shall be in writing, if adverse to the student, and shall include findings of fact and conclusions necessary for the decision. Findings of fact made by the Board after an expulsion hearing shall be based exclusively upon the evidence adduced at the hearing.
- G. For any student expelled for the first time and who has never been suspended, the Board of Education may shorten the length or waive the expulsion period if the student successfully completes a Board specified program or meets any other conditions required by the Board. Such a Board specified program shall not require the student or the parent/guardian of such student to pay for participation in the program.
- H. Any student who is expelled shall be offered an alternative educational opportunity consistent with the requirements of state law as set forth in Section VII of this policy.
- I. Whenever a student is expelled pursuant to the provisions of this policy, notice of the expulsion and the conduct for which the student was expelled shall be included on the student's cumulative educational record. Such notice, except for the notice of an expulsion of a student in grades 9 through 12, inclusive, based on possession of a firearm or deadly weapon, shall be expunged from the cumulative educational record if the Board determines that the student's conduct and behavior in the years following such expulsion warrants an expungement or if the student graduates from high school.

Students

Removal/Suspension/Expulsion

V. Expulsion Procedure (continued)

- J. If a student in grades kindergarten to eight, is expelled based on possession of a firearm or deadly weapon, the Board may expunge from the students' cumulative education record the notice of the expulsion and the conduct for which the student was expelled if the Board determines that the conduct and behavior of the student in the years following such expulsion warrants an expungement.
- K. Whenever a student against whom an expulsion hearing is pending withdraws from school after notification of such hearing but before the hearing is completed and a decision rendered, (1) notice of the pending expulsion hearing shall be included on the student's cumulative educational record and (2) the Board of Education shall complete the expulsion hearing and render a decision.
- L. The Board of Education may adopt the decision of a student expulsion hearing conducted by another school district, provided that the Board shall hold a hearing pursuant to this policy which shall be limited to a determination of whether the conduct which was the basis for the expulsion would also warrant expulsion under the policies of the Board of Education. The student shall be excluded from school pending such hearing. The excluded student shall be offered an alternative educational opportunity in accordance with statutory requirements and this policy.
- M. Students requiring special education and related services shall be subject to discipline consistent with state and federal law. Whenever a student requiring special education services is found to have: (1) been in possession of a firearm, deadly weapon, dangerous instrument or martial arts weapon, on school grounds or at school sponsored activity; (2) off school grounds, possessed a firearm or possessed and used such a firearm, dangerous instrument, deadly weapon or martial arts weapon in the commission of a crime; or (3) or off school grounds offered for sale or distribution a controlled substance as defined in Connecticut General Statutes §21a-240(9), whose manufacture, distribution, sale, prescription, dispensing, transporting or possessing with intent to sell or dispense, offering or administering is subject to criminal penalties under Sections 21a-277 and 21a-278, (4) or inflicted serious bodily injury upon another person while at school, on school premises, or at a school function; or (5) knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function, said student shall be referred to a Planning and Placement Team (PPT) for a determination of whether the above behavior is a manifestation of the student's disability. If it is determined that the behavior is a manifestation of the student's disability the PPT shall modify the student's individualized educational plan in order to prevent the reoccurrence of such behavior and to ensure the safety of other children in the school. Prior to the manifestation determination, school personnel in these circumstances may remove a student to an interim alternative educational setting for up to 45 school days.

Students

Removal/Suspension/Expulsion

V. Expulsion Procedure (continued)

- N. If a student's expulsion is shortened or the expulsion period waived based upon the fact that the student was expelled for the first time, had never been suspended, and successfully completed a Board specified program and/or met other conditions required by the Board, the notice of expulsion shall be expunged from the cumulative educational record if the student graduates from high school or, if the Board so chooses, at the time the student completes the Board specified program and meets any other conditions required by the Board.
- O. If a student, PK through 12, inclusive, is found to have possessed a firearm, dangerous instrument, deadly weapon or martial arts weapon on school property or at any school-sponsored activity or to have possessed off school property a firearm as defined in 18 U.S.C. 921 or used off school property, a deadly weapon, dangerous instrument or martial arts weapon in the commission of a crime, or on or off school property offered for sale or distribution a dangerous drug, he/she must be expelled for one calendar year. The Board may modify the expulsion period on a case-by-case basis.

VI. Notification to Parents or Guardian

The parents or guardian of any minor student against whom disciplinary action is taken under this policy shall be given notice of such disciplinary action within no later than (24) hours of the time the student was excluded.

VII. Alternative Educational Opportunity

The Board of Education recognizes its obligation to offer any student under the age of sixteen (16) who is expelled an alternative educational opportunity which shall be equivalent to alternative education as defined by C.G.S. 10-74j, with an individualized learning plan (1) if the Board provides such alternative education or (2) in accordance with the standards adopted by the State Board of Education (by 8/15/17) which include the kind of instruction to be provided and the number of hours to be provided during the period of expulsion. Any parent or guardian of such a student who does not choose to have his or her child enrolled in an alternative opportunity shall not be subject to the provisions of section 10-184 of the General Statutes. Any expelled student who is between the ages of sixteen (16) and eighteen (18) and who wishes to continue his or her education shall be offered such an alternative educational opportunity if he or she complies with conditions established by the Board of Education. Such alternative may include, but shall not be limited to, the placement of such student in a regular classroom program of a school other than the one from which the student has been excluded and, for students at least sixteen (16) years of age, placement in any such adult education program.

Students

Removal/Suspension/Expulsion

VII. Alternative Educational Opportunity (continued)

Any student participating in an adult education program during a period of expulsion shall not be required to withdraw from school under C.G.S. 10-184. In determining the nature of the alternative educational opportunity to be offered under this section the Board of Education may receive and consider evidence of past disciplinary problems which have led to removal from a classroom, suspension, or expulsion.

A student between the ages of sixteen (16) and eighteen (18) expelled for the first time and who complies with conditions set by the Board of Education shall be offered an alternative educational opportunity that is equivalent to “alternative education” as defined by C.G.S. 10-74, with an individualized learning plan.

If the Board expels a student for the sale or distribution of ~~such~~ a controlled substance the Board shall refer the student to an appropriate state or local agency for rehabilitation, intervention or job training, or any combination thereof, and inform the agency of its action. If the Board expels a student for possession of a firearm, deadly weapon, dangerous instrument or martial arts weapon, the Board shall report the violation to the local police department. The Board shall give the name of the student and a summary of the Board’s action in so referring the student, to the Commissioner of Education within thirty (30) days after the student is expelled.

The provisions of this section shall not apply to students requiring special education who are described in subdivision (1) of subsection (e) of Connecticut General Statutes §10-76a.

VIII. Readmission of Student from a Residential Placement

A District student who has committed an expellable offense who seeks to return to a District school, after participating in a diversionary program or having been detained in a juvenile detention center, the Connecticut Juvenile Training School or any other residential placement, for one year or more, in lieu of expulsion from the District, shall be permitted to return to the appropriate school setting within the District. Further, the District shall not expel the student for any additional time for the offense(s).

IX. Gun Free Schools Act

The Board of Education shall submit to the Commissioner of Education such information on expulsions for the possession of weapons as is required for purposes of the Gun Free Schools Act of 1994, 20 U.S.C. §8921., et seq.

Students and parents shall be notified of this policy annually.

Students

Suspension and Expulsion/Due Process

Legal Reference: Connecticut General Statutes

4-176e through 4-180a. Contested Cases. Notice. Record, as amended

10-74j Alternative education (PA 15-133)

10-233a through 10-233f Suspension, removal and expulsion of students, as amended by PA 95-304, PA 96-244, PA 98-139, PA 07-66, PA 07-122, PA 08-160, PA 09-82, PA 09-6 (September Special Session), PA 10-111, PA 11-126, PA 14-229, PA 15-96, PA 16-147, and PA 17-220

53a-3 Definitions.

53a-217b Possession of Firearms and Deadly Weapons on School Grounds.

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

PA 15-96 An Act Concerning Out-of-School Suspensions and Expulsions for Students in Preschool and Grades Kindergarten to Two

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

18 U.S.C. 921 Definitions.

Title III – Amendments to the Individuals with Disabilities Education Act, Sect. 314 (Local Control Over Violence)

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

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

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

Every Student Succeeds Act

P.L. 108-446 The Individuals with Disabilities Education Improvement Act of 2004

Policy adopted: September 11, 2019

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

Students

Suspension and Expulsion/Due Process

Suspension

When the Principal or designee has determined that there is cause for suspension of a student, the following procedures shall be observed:

1. The student shall be given a hearing before the Principal or designee, at which time the charges against the student will be stated and the student will be given an opportunity to respond to the charge. This hearing must be granted except when an emergency situation exists, in which case the hearing must be held as soon after the suspension as possible. Nothing in the informal hearing shall be taken to prevent a more formal hearing from being held if the circumstances warrant.
2. The Principal or designee may receive and consider evidence of past disciplinary problems which have led to removal from a classroom, suspension or expulsion of the student.
3. The Principal or designee shall make every possible attempt to reach the parent or guardian of the student stating the charges against the student and the terms and conditions of the suspension.
4. Whether the telephone contact is made or not the Principal or designee shall forward a letter to the parent or guardian at the last known address according to school records (unless a newer address is determined) not later than twenty-four hours of the suspension, and offering the parent or guardian the opportunity for a conference to discuss the suspension.
5. Following a conference with the Principal or designee the parent or guardian may request the Superintendent to review the Principal's decision. Such review shall be completed and a written report issued to the student and parent or guardian, and to the Board of Education, within five (5) days of the receipt of such request. In examining the Principal's decision to suspend, the Superintendent shall obtain oral or written statements from the Principal or designee, the student, and the person(s) who witnessed and reported the incident(s) which resulted in the suspension. The Superintendent may call all concerned parties together for a conference, and take whatever other action is needed to determine the true facts of the matter.
6. Textbooks and homework are to be provided each student for the duration of the suspension period and the student shall be allowed to complete any classwork, including examinations, without penalty, which was missed during suspension.

Students**Suspension and Expulsion/Due Process** (continued)**Suspension** (continued)

7. The Superintendent shall report any unusually serious cases of student suspension to the Board of Education at the first meeting following such action.
8. Notice of a suspension for conduct endangering persons or property or seriously disruptive of the educational process and a description of the conduct leading to such suspension shall be included on the student's cumulative educational record. Such notice shall be expunged from the cumulative record by the Board if the student graduates from high school, except if such notice of expulsion is based on possession of a firearm or deadly weapon.
9. All suspensions shall be in-school suspensions unless the administration (1) determines that the student, in grades three through twelve, inclusive, being suspended poses such a danger to persons or property or such a disruption of the educational process that the student shall be excluded from school during the period of suspension or (2) that an out-of-school suspension is appropriate based on evidence of previous disciplinary problems that have led to suspensions or expulsion of the student and efforts by the administration to address such disciplinary problems through means other than out-of-school suspension or expulsion, including positive support strategies.

A student in grades preschool through grade two, inclusive, may be given an out-of-school suspension if it is determined by the administration that such suspension is appropriate based on evidence that the student's conduct on school grounds is of a violent or sexual nature that endangers persons.
10. The administration will use the guidelines developed and promulgated by the Commissioner of Education to help determine whether a student should receive an in-school or out-of-school suspension.
11. In-school suspensions will be served by assigning the suspended student to one of the schools in District.
12. For any student who is suspended for the first time and who has never been expelled, the school administration may shorten the length of or waive the suspension period if the student successfully completes an administration-specified program and meets any other administration-required conditions. Such program shall be at no expense to the student or his/her parents/guardians.

The foregoing procedure will be followed unless the student has had a total of ten (10) suspensions during the current school year, or has been suspended for a total of fifty (50) days during the current school year. If the student's proposed suspension would exceed either figure the suspension shall not take effect until so ordered by the Board of Education after a formal hearing such as that required for expulsion. If the Principal has reason to believe that the student's conduct endangers persons or property, is seriously disruptive of the educational process or is in violation of a Board policy, expulsion may be recommended.

Students

Suspension and Expulsion/Due Process (continued)

Expulsion

The Board of Education or an impartial hearing board, as defined in C.G.S. 10-233d, may expel any student in grades three through twelve, inclusive, whose conduct on school grounds or at a school sponsored activity endangers persons or property or whose conduct is seriously disruptive of the educational process, or is violative of the publicized policies of the Board of Education. A student's conduct off school grounds may be considered for expulsion if such conduct is seriously disruptive of the educational process and violative of a publicized Board policy.

In making a determination as to whether conduct is “seriously disruptive of the educational process,” the administration, Board of Education or impartial hearing board may consider, but such consideration shall not be limited to; (1) whether the incident occurred within close proximity of a school; (2) whether other students from the school were involved or whether there was any gang involvement; (3) whether the conduct involved violence, threats of violence or the unlawful use of a weapon as defined in Section 29-38 and whether any injuries occurred, and (4) whether the conduct involved the use of alcohol.

The procedures leading to expulsion are as follows:

1. Requests for expulsion are to be directed to the Board of Education through the Superintendent of Schools.
2. Upon receipt of an expulsion request the Superintendent will conduct an inquiry within two (2) school days.
3. If after the inquiry the Superintendent or designee determines that the student ought to be expelled, the Superintendent shall forward such request to the Board of Education within five days after receipt of the request to expel.
4. Except in an emergency situation requiring the student's immediate removal, the Board shall conduct a hearing to be governed by the following procedures:

- A. The student and parent or legal guardian must be given notice at least five business days prior to the date of the hearing.
- B. The notice shall contain:

The date, time and place of the scheduled hearing.

The details of the grounds for the expulsion, including a narrative of the events leading to the expulsion, the names of any witnesses against the student, copies of any statements or affidavits of those witnesses, a detailed summary of any other information to be used in support of expulsion, including any record of past offenses or misbehavior, and whether any prior warnings or suspensions have been given, and the proposed penalty.

Students

Suspension and Expulsion/Due Process (continued)

Expulsion (continued)

A statement of the student's, parent's/guardian's rights.

A statement that the Board is not required to offer an alternative educational opportunity to any student between 16 and 18 who was previously expelled. A student between the ages of 16 and 18 who is expelled for the first time and who complies with conditions set by the Board will be offered an alternative educational opportunity that is equivalent to "Alternative Education" as defined in Section 10-74, with an individualized learning plan.

- C. At the hearing the student shall have the right to testify and produce witnesses and other evidence in his/her defense and shall have the right to demand that any witnesses against him/her appear in person to answer questions.

In exceptional circumstances the Board or the impartial hearing panel may refuse to allow a witness against the accused student to appear, when the Board or panel believes that fear on the part of the witness would prevent the giving of accurate testimony. In such cases a verbatim statement of the witness's testimony must be given to the student.

A witness's unsubstantiated desire to remain anonymous is not such an exceptional circumstance as to justify dispensing with confrontation and questioning by the student.

- D. A student may be represented by any third party of his/her choice, including an attorney. The parent/guardian of the student have the right to have the expulsion hearing postponed for up to one week to allow time to obtain representation, except that if an emergency exists, such hearing shall be held as soon after the expulsion as possible.
- E. A student is entitled to the services of a translator, to be provided by the Board of Education, whenever the student or his/her parent or legal guardian do not speak the English language.
- F. The Board or impartial hearing panel shall keep verbatim record of the hearing and the student or his/her parent or legal guardian shall be entitled to a copy of that record at his/her own expense.
- G. The Board or impartial hearing panel shall report its final decision in writing to the student, stating the reasons on which the decision is based, and the penalty to be imposed. Said decision shall be based on evidence produced and derived at the hearing.
- H. Except under unusual circumstances the parent or a minor student shall be notified of the Board action within twenty-four hours.

Students**Suspension and Expulsion/Due Process** (continued)**Expulsion** (continued)

- I. Whenever an emergency exists, the hearing provided for the above procedure shall be held as soon as possible after the expulsion.
5. Whenever the Board of Education or impartial hearing panel expels a student it shall offer an alternative education opportunity to students under the age of sixteen which shall be (1) alternative education* as defined by C.G.S. 10-74j with an individualized learning plan if the Board provides such alternative education or in accordance with State Board of Education standards indicating the kind of instruction and number of hours to be provided by a student enrolled in an alternative educational opportunity. The parent or guardian of such student has the legal right to reject such a program without being subject to the truancy law. The Board of Education shall make provisions for an alternative educational opportunity to expelled students between the ages of sixteen and eighteen, conditional upon the desire of the student to continue his/her education and compliance with conditions established by the Board. A student age 17 or older may be placed in an adult education program as an alternative educational opportunity. Any student participating in an adult education program during a period of expulsion shall not be required to withdraw from school under C.G.S. 10-184. Any special education student expelled for a misconduct not caused by the student's disability must be offered an alternative educational opportunity consistent with the student's needs during the period of expulsion.
6. If the Board expels a student for the sale or distribution of a controlled substance, the Board shall refer the student to an appropriate state or local agency for rehabilitation, intervention or job training, or any combination thereof, and shall inform the agency of its action.
7. Notice of the expulsion and the conduct for which the student was expelled shall be included on the student's cumulative educational record. Such notice, except for the notices of an expulsion of a student in grades nine through 12, inclusive, based on possession of a firearm or deadly weapon, shall be expunged from the cumulative educational record by the Board if the Board determines that the student's conduct or behavior in the years following such expulsion warrant an expungement or if the student graduates from high school.
8. If a student in grades kindergarten to eight, is expelled based on possession of a firearm or deadly weapon, the Board may expunge from the students' cumulative education record the notice of the expulsion and the conduct for which the student was expelled if the Board determines that the conduct and behavior of the student in the years following such expulsion warrants an expungement.

**Alternative education is a school or program maintained and operated by a school board that is offered to students in a non-traditional setting and addresses their social, emotional, and behavioral and academic needs. (C.G.S. 10-74j)*

Students**Suspension and Expulsion/Due Process (continued)****Expulsion (continued)**

9. The Board may adopt the decision of a student expulsion hearing conducted by another school district provided such Board of Education held a hearing pursuant to C.G.S. 10-233d(a). Adoption of such a decision shall be limited to a determination of whether the conduct which was the basis for the expulsion would also warrant expulsion under the policies of this Board. The student shall be excluded from school pending such hearing. The excluded student shall be offered an alternative education opportunity in accordance with the provisions of 5 and 6 above.
10. Whenever a student against whom an expulsion hearing is pending withdraws from school and after notification of such hearing but before the hearing is completed and a decision rendered, (1) notice of the pending expulsion hearing shall be included on the student's cumulative educational record and (2) the Board shall completed the expulsion hearing and render a decision.
11. The Superintendent shall recommend an expulsion hearing if there is reason to believe a student possessed a firearm or other dangerous instrument in or on real property, comprising any public school or at any school activity as defined in C.G.S. 10-233a or in conduct displayed off school grounds.
12. If a student enrolled in grades preschool through grade twelve, inclusive, is found to have possessed a firearm, dangerous instrument, dangerous weapon or martial arts weapon in or on the real property or a school or at any school function as defined in Section 10-233a, or on or off school property offered for sale of distribution a dangerous drug, he or she must be expelled for one calendar year. The expulsion period may be modified on a case by case basis by the Board of Education or hearing board.
13. A student expelled for possession of a firearm, deadly weapon, dangerous instrument or martial arts weapon shall have the violation reported to the local police department or State Police if the student is enrolled in a regional vocational-technical school.
14. The Board will report annually to the Commission of Education, as prescribed, information pertaining to expulsions for weapons and/or dangerous instruments.
15. An expelled student may apply for early readmission to school. Such readmission shall be at the discretion of the Board of Education. Readmission decisions shall not be subject to appeal to Superior Court. The Board or Superintendent, as appropriate, may condition such readmission on specified criteria.

Students

Suspension and Expulsion/Due Process (continued)

Expulsion (continued)

16. For any student expelled for the first time and who has never been suspended, the Board of Education may shorten the length of or waive the expulsion period if the student successfully completes a Board specified program and meets any other conditions required by the Board. Such a Board specified program shall not require the student or the parent/guardian of such student to pay for participation in the program.
17. If a student's expulsion is shortened or the expulsion period waived based upon the fact that the student was expelled for the first time, had never been suspended, and successfully completed a Board specified program and/or met other conditions required by the Board, the notice of expulsion shall be expunged from the cumulative educational record if the student graduates from high school or, if the Board so chooses, at the time the student completes the Board specified program and meets any other conditions required by the Board.
18. The record of a student, grades 9 to 12 inclusive, expelled for possession of a firearm or deadly weapon, shall not be expunged.
19. The Board may expunge an expulsion in the years following the expulsion if the student has demonstrated conduct warranting an expungement.
20. A student in grades K-8 inclusive, shall have any expulsion, including for possession of a firearm or deadly weapon expunged from the record upon graduation.

Prior Notice

The Superintendent shall provide for an effective means of informing all students and their parents or guardians of the Board's policy and this regulation at the beginning of each school year, or when the student enrolls or transfers during the school year.

Legal Reference: Connecticut General Statutes
 4-176e through 4-185 Uniform Administrative Procedure Act, as amended.
 10-74j Alternative education (PA 15-133)
 10-233a through 10-233f Suspension, removal and expulsion of students,
 as amended by PA 95-304, PA 96-244, PA 98-139, PA 07-66, PA 07-122,
 PA 08-160, PA 09-82, PA 09-6 (September Special Session), PA 10-111,
 PA 11-126, PA 14-229, PA 15-96n, PA 16-147 and PA 17-220

Students

Suspension and Expulsion/Due Process

Legal Reference: Connecticut General Statutes (continued)
53a-3 Firearm and deadly weapons
53a - 217b Possession of firearm and deadly weapons on school grounds.
PA 94-221 An Act Concerning School Discipline and Security.
PA 15-96 An Act Concerning Out-of-School Suspensions and Expulsions for Students in Preschool and Grades Kindergarten to Two
GOALS 2000: Educate America Act Pub. L. 103-227.
18 U.S.C. 921 Definitions.
Title III - Amendments to the Individuals with Disabilities Education Act Sec. 314 (Local Control Over Violence)
Elementary and Secondary, Education Act of 1965 as amended by the Gun Free Schools Act of 1994.
Kyle P. Packer PPA Jane Packer v. Thomaston Board of Education.

Students

Suspension From Interscholastic Athletics

Definitions

1. **"Athletic Suspension"** shall be defined as removal from further participation in a particular athletic program for a period not to exceed the duration of the playing season.
2. **"Emergency"** shall be defined as a situation under which the continued presence of the pupil in the playing arena or school imposes such a danger to persons or property or such a disruption to the activity involved that a hearing may be delayed until a time as soon after the exclusion of such pupil as possible.

Athletic Suspension

Because participation in interscholastic athletic programs is a special privilege distinct from basic academics a pupil may be subjected to an athletic suspension for violation of any of the following standards of conduct as well as for violations of standards cited under policy 5114.

1. All CIAC eligibility rules will be strictly adhered to and enforced during the season.
2. **Academic requirements** - all athletes must meet the eligibility requirements outlined in the most current CIAC handbook. A student whose average is not at least "C" will be permitted to participate on probationary status for one marking period. At the end of the probationary period, in order for the student to become eligible again, he/she must have attained an average of "C" or better. Tutoring will be made available is a student or his family makes a request for such help.
3. **Drinking of alcoholic beverages or drug use or smoking** - complete exclusion will result for the duration of that particular season from the team when ample proof is given at any time during the season. In addition, the requirements specified in policy 5114 shall be followed concerning suspensions, or expulsions.
4. **Student Behavior** - all athletes shall conduct themselves as good school and community citizens. Unsatisfactory behavior may result in complete or partial suspension from the team.
5. **Team Conduct** - all team members must show respect to their opponents, officials, coaches and spectators. Abuse of this may result in complete or partial suspension from the team.
6. **Practice** - no unexcused cuts from practice are permitted. Violation of this rule may lead to complete or partial suspension.

Students

Suspension From Interscholastic Athletics

Athletic Suspension (continued)

7. **Equipment** - all issued school equipment must be properly cared for by the athlete. Athletes are responsible for all issued equipment, and financially responsible for any missing equipment.
8. **Attendance, day of game** - players must attend school on the day of the game unless special permission from the principal or designee has been issued. Violation of this rule will prohibit the player's participation in the athletic contest that day.
9. A letter award is given to an athlete upon recommendation of the coach. An athlete must be a member in good standing of the team at the conclusion of the season in order to qualify as a letter winner.

Procedure for Athletic Suspension

1. The administration of each school shall have the authority to invoke an athletic suspension for a period up to the duration of the playing season for one or more of the reasons stated in policy 5114 or paragraph b, above, in accordance with the procedure outlined in this paragraph. The administration shall have the authority to immediately suspend any student when an emergency exists as that term is defined in paragraph A, above.
2. Except in the case of an emergency, as defined in paragraph A, above, a student shall be given the opportunity to meet with the administration and to deny the stated charges prior to the effectuation of any period of athletic suspension. If, at such a meeting the student denies the stated charges, he/she may at that time present his/her version of the incident(s) upon which the proposed athletic suspension is based. The administration shall then determine whether or not an athletic suspension is warranted. In determining the length of the athletic suspension the administration may receive and consider evidence of past academic or disciplinary problems which have led to removal from a classroom, in-school suspension, athletic suspension or expulsion.
3. In the case of suspension caused by a behavioral incident, the administration shall notify the Superintendent of Schools within twenty-four (24) hours of the suspension as to the name of the student who has been suspended and the reason therefore.

(cf. 5114 - Suspension and Expulsion/Due Process)

Students

Suspension From Interscholastic Athletics

Legal Reference: Connecticut General Statutes

- 1-21b Smoking prohibited in certain places.
- 10-19 Teaching about alcohol, nicotine or tobacco, drugs and acquired immune deficiency syndrome. Training of personnel.
- 10-154a Professional communications between teacher or nurse and student. Surrender or physical evidence obtained from students.
- 10-220b Policy statement on drugs.
- 10-221(d) Boards of education to prescribe rules, policies and procedures re sale or possession of alcohol on controlled drugs.
- 21a-240 Definitions dependency producing drugs.
- 21a-243 Regulation re schedules of controlled substances.
- 53-198 Smoking in motor buses, railroad cars and school buses.
- Federal Regulation 34 CFR Part 85 Drug-free Schools & Communities 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: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

Students

School Attendance Areas

Each school in the district has defined attendance areas that it serves. It is expected that students who reside within the boundaries of the attendance area will attend that school. However, it is recognized that there may be prevailing reasons to attend a school outside the attendance area. This policy authorizes the Superintendent to make exceptions under the conditions listed below:

1. After contacting the respective Principals, the request, in writing, stating the reasons for the request must be received by April 1st prior to the school year that the request would be affected.
2. The request, if granted, would not create an overcrowded condition.
3. The change would be for the full school year, and continue unless a further request to change is received prior to April 1st of the next year.
4. The parent/guardian is responsible for transportation. There would be no extensions or changes of regular bus routes to accommodate students out of the attendance area.
5. A parent, if not concurring with the Superintendent's ruling, may appeal the decision to the school board.

Students

Nonresident Attendance

Definition. A nonresident student is a student who:

1. Resides outside of the school district; or
2. Resides within the school district on a temporary basis; or
3. Resides within the school district on a permanent basis but with pay to the person(s) with whom the student is living; or
4. Resides within the school district for the sole purpose of obtaining school accommodations; or is
5. A child placed by the Commissioner of Children and Youth Services or by other agencies in a private residential facility. However, under this circumstance, children may attend local schools with tuition paid by the home district unless special education considerations make attendance in local schools and programs inappropriate. Children not requiring special education who live in town as a result of placement by a public agency (other than another board of education and except as provided otherwise in this paragraph) are resident students; those requiring special education may attend local schools (with special education cost reimbursements in accordance with statutes) unless special education considerations make attendance in local schools and programs inappropriate.

Nonresident Attendance Without Tuition. Upon written parental request, nonresident students may be allowed by the Superintendent of Schools to attend district schools without tuition under one or more of the following conditions:

1. A family moves from the district after January 1st of the school year; however, if parents so request, a child may complete the marking period regardless of when the family moves from town;
2. A family residing outside of a district has firm plans to move into the school district within the current school year as evidenced by a contract to buy, build, rent, or lease;
3. A twelfth grade student wishes to complete his or her education in the district;
4. Children reside temporarily within the district because of family changes or children attending local schools residing temporarily outside of the district because of family circumstances. Approval shall not exceed three (3) calendar months; if subsequent approval is necessary, it shall be considered based upon information available at that time.
5. Necessary childcare in the district by grandparents or other relatives.

Students

Nonresident Students (continued)

6. Mental or physical health of the child as certified by a physician, school psychologist, or other appropriate school personnel.

Exchange Students. No tuition is required for foreign students living within the district under the American Field Service Program or under other programs or circumstances approved by the board. Exchange students will be accorded all the rights and privileges of a resident student during the period of enrollment.

Nonresident Attendance With Tuition. Nonresident students who do not meet one or more criteria under previous sections of this policy, may attend local schools only with tuition payment. The Superintendent may approve nonresident student attendance with tuition if class size, transportation, and other considerations permit, and shall notify the Board of Education of all tuition approvals. Nonresident approval with tuition shall be for one (1) school year or less. Tuition rates shall be established by the Board annually.

Attendance by a nonresident tuition student may be terminated by Board of Education action, upon recommendation of the Superintendent of Schools, if the Board deems such termination in the best interest of the school district. An adjustment of tuition on a per diem basis will be made in this instance.

Evidence of Residency. The Superintendent of Schools or his/her designee may require documentation of family and/or student residency, including affidavits, provided that prior to a request for evidence of residency the parent or guardian, relative or non-relative, emancipated minor, or pupil eighteen (18) years of age or older shall be provided with a written statement of why there is reason to believe such student's may not be entitled to attend school in the district. An affidavit may require a statement or statements with documentation that there is bona fide student residence in the district, that the residence is intended to be permanent, that it is provided without pay, and that it is not for the sole purpose of obtaining school accommodations.

Removal of Nonresident Student From District Schools. If after a careful review of affidavits and other available evidence, the Superintendent of Schools or his/her designee believes a student is not entitled to attend local schools, the parent or guardian, the student if an emancipated minor, or a pupil eighteen (18) years of age or older shall be informed in writing that, as of a particular date, the student may no longer attend local schools, and the Superintendent shall notify the Board of Education (if known) where the child should attend school. If after review district residency is established by the evidence, the parent or guardian, the student if an emancipated minor, or a pupil eighteen (18) years of age or older shall be so informed.

Students

Nonresident Students (continued)

If a student is removed from a district school for residency reasons the Superintendent of Schools or his/her designee shall: 1) inform the parent, guardian, emancipated minor, or pupil eighteen (18) years of age or older of hearing rights before the Board of Education and that the student/s may continue in local schools pending a hearing before the Board of Education if requested in writing by the parent, guardian, emancipated minor, or pupil eighteen (18) years of age or older 2) that upon request, a transcript of the hearing will be provided 3) that a local Board of Education decision may be appealed to the State Board and that the student's may continue in local schools pending a hearing before the State Board if requested in writing by the parent, guardian, emancipated minor, or pupil eighteen (18) years of age or older 4) that if the appeal to the State Board of Education is lost, a per diem tuition will be assessed for each day a student attended local schools when not eligible to attend.

Board of Education Hearing. Upon written request, the Board of Education shall provide a hearing within ten (10) days after receipt of such request. If there is a hearing, the Board shall make a stenographic record or tape recording of the hearing; shall make a decision on student eligibility to attend local schools within ten (10) days after the hearing; and shall notify the parent, guardian, emancipated minor, or student eighteen (18) years of age or older of its findings. Hearings shall be conducted in accordance with the provisions of Sections 4-177 to 4-180 inclusive of Connecticut General Statutes.

The Board shall, within ten (10) days after receipt of notice of an appeal, forward the hearing record to the State Board of Education.

Legal Reference: Connecticut General Statutes
 4-176e through 4-185 Uniform Administrative Procedure Act.
 10-4a Educational interests of state defined (amended by PA 97-290, An Act
 Enhancing Educational Choices and Opportunities).
 10-33 Tuition in towns in which no high school is maintained.
 10-186 Duties of local and regional boards of education re school
 attendance. Hearings. Appeals to state board. Establishment of hearing
 board.
 10-253 School privileges for students in certain placements...and temporary
 shelters.

Policy adopted: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

Students

Homeless Students

Children who meet the Federal definition of “homeless” will be provided a free and appropriate public education in the same manner as all other students of the District and will not be stigmatized or segregated on the basis of their status as homeless. No homeless student will be denied enrollment based on lack of proof of residency or due to barriers such as fines, fees and absences. No Board policy, administrative regulations, or practice will be interpreted or applied in such a way as to inhibit the enrollment, attendance, or school success of homeless children.

Homeless students will be provided services comparable to other students in the District in compliance with federal and state law.

The Superintendent will appoint a Liaison for Homeless Children who will perform the duties as assigned by the Superintendent and detailed in the administrative regulation accompanying this policy. Additionally, the Liaison will coordinate and collaborate with the State Coordinator for the Education of Homeless Children and Youth as well as with community and school personnel responsible for the provision of education and related services to homeless children and youths.

(cf. 5143 – Student Health Assessments and Immunizations)

(cf. 5146 – Child Abuse and Neglect)

Legal Reference: Connecticut General Statutes

10-253(e) School privileges for children in certain placements, non-resident children and children in temporary shelters.

17a-101 Protection of children from abuse. Reports required of certain professional persons. When child may be removed from surrounding without court order.

17a-103 Reports by others.

17a-106 Cooperation in relation to prevention, identification and treatment of child abuse and neglect.

46b-120 Definitions.

McKinney-Vento Homeless Assistance Act, (P.L. 107-110-Sec 1032) 42 U.S.C. §11431-11435, as amended by the ESSA, P.L. 114-95.

Policy adopted: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

Students

Educational Opportunities for Military Children

In an effort to facilitate the placement, enrollment, graduation, data collection and provision of special services for students transferring into or out of the District because of their parents being on active duty in the U.S. Armed Services, the District supports and will implement its responsibilities as outlined in the *Interstate Compact on Educational Opportunity for Military Children*. The Board of Education believes it is appropriate to remove barriers to educational success imposed on children of military families because of their parents' frequent moves and deployment.

Definitions

Children of military families means school aged children, enrolled in kindergarten through 12th grade, in the household of an active duty member of the uniformed service of the United States, including members of the National Guard and Reserve.

Deployment means the period one month before the service members' departure from their home station on military orders through six months after return to their home station.

Education(al) records means official records, files, and data directly related to a student and maintained by the school including, but not limited to, records encompassing all the material kept in the student's cumulative folder.

The requirements, applicable to eligible students, which must be fulfilled, are listed below. Eligible students are those who are children of active duty personnel, active duty personnel or veterans who have been severely injured and medically discharged, and active duty personnel who die on active duty within one year of service. Students are not eligible for the provisions of the *Compact* if they are children of inactive Guard or Reserves, retired personnel, veterans not included above or U.S. Department of Defense personnel and other federal civil service employees and contract employees.

- A student whose parent or legal guardian has been called to duty for, is on leave from, or immediately returned from deployment to; a combat zone or combat support posting shall be granted excused absences at the discretion of the Superintendent or his/her designee.
- Absences related to a student visiting with his/her parent related to leave or deployment activities may be excused by the District. The District will permit absences resulting in ten or more with prior approval from the Superintendent or his/her designee.
- An eligible student living with a noncustodial parent or other person standing in loco parentis shall be permitted to attend the school in which he or she was enrolled while living without the custodial parent without any tuition fee imposed.

Students

Educational Opportunities for Military Children (continued)

- The District high school will accept exit or end-of-year exams required from the sending state, national norm-referenced tests, or alternate testing instead of testing requirements for graduation in the District (receiving state.) If this is not possible, the alternative provision of the Interstate Compact shall be followed in order to facilitate the on-time graduation of the student in accordance with Compact provisions.

(cf. 5111 – Admission)

(cf. 5113 – Attendance and Excuses)

(cf. 5123 – Promotion/Retention)

(cf. 5125 – Student Records; Confidentiality)

(cf. 5141.3 – Health Assessments and Immunizations)

(cf. 6146 – Graduation Requirements)

(cf. 6171 – Special Education)

Legal Reference: Connecticut General Statutes

10-15f Interstate Compact on Educational Opportunity for Military Children

Students

Cheating

Cheating by students is defined as attempting to take credit or taking credit for someone else's work, using unauthorized materials, or otherwise acting to deceive the evaluator in an assignment, project, or test. Teachers at all grade levels shall make students aware of what cheating is, how it undermines the learning process and breaches principles of ethics that the district places in high regard, and the punishments for it. They shall also structure tests and assignments so as to minimize the opportunity for student cheating.

The Board believes that students should be able to defend their work as original.

(cf. 5121 – Examination/Grading/Rating)

(cf. 5144 – Discipline/Punishment)

Students

Assignment of Former Home-Schooled Students to Classes

Home-schooled students who wish to attend school in the District must be tested by an appropriate guidance counselor/teacher/department chairperson/etc., to determine grade level placement. The school officials shall make grade placement after consultation with the parents/guardians, guidance personnel, involved staff members and the Principal or designee. Criteria for final placement shall include past educational experience and successful performance and/or examination at the level of initial assignment. Grades earned during home-schooling shall not be used in determining grade point average, National Honor Society Membership, or valedictorian/salutatorian honors.

Placement of resident home-schooled students who seek to be readmitted to the District's schools will be determined by the Principal who shall consult with members of the professional staff to the extent appropriate. The Principal may direct that a test or tests be administered to help determine grade level. In addition, the Principal is authorized to collect from parents/guardians actual samples of coursework as he/she deems necessary in order to make the determination that the requisite academic standards have been met. The decision of the Principal may be appealed to the Superintendent. In the event that the parent/guardian is still dissatisfied, the assignment may be appealed in writing to the Board of Education.

A home-schooled student seeking admission to a District school must meet all residency, age, health examination, immunization and other eligibility prerequisites as mandated by State law and regulations.

Credit approval shall be granted when the student has demonstrated by clear and convincing evidence that he/she has achieved the same level of knowledge or skill as would have been accomplished by successful completion of the District's course(s) for which credit has been requested.

The Superintendent's decision will be final.

(cf. 5111 – Admission)

(cf. 5122 – Assigning Students to a Teacher and Classes in Grades K-12)

(cf. 5123 – Promotion/Retention)

(cf. 6146 – Graduation Requirements)

Legal Reference: Connecticut General Statutes

10-221(b) Boards of education to prescribe rules

Policy adopted: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

Students

Promotion/Acceleration/Retention

The Board of Education is dedicated to the best total and continuous development of each student enrolled in its schools. Therefore, the District will establish and maintain the highest standards required for each grade and monitor student performance in a continuous and systematic manner. The administration and faculty shall establish a system of grading and reporting academic achievement to students and their parents and guardians. The system shall also determine when promotion and graduation requirements are met. The decision to promote a student to the next grade level shall be based on demonstrated and assessed successful completion of the curriculum, attendance, performance on the statewide mastery assessments and other testing instruments. Any necessary retention should take place as early in a student's educational career as possible.

Students shall be promoted only on the basis of academic achievement. Students who, on the basis of objective measures of academic proficiency, can reasonably be expected to meet the instructional/learning objectives at the next educational level may be promoted.

The Board of Education shall approve the grading and reporting systems as developed by the administration and faculty upon the recommendation of the Superintendent of Schools.

The Board desires to minimize/eliminate the practice of promoting students to the next grade level for social reasons even though they are failing academically. The Board expects students to progress through each grade usually within one school year. To accomplish this, instruction should accommodate the varying interests and growth patterns of individual students and include strategies for addressing academic deficiencies when needed. Students shall progress through the grade levels by demonstrating growth in learning and meeting grade-level standards of expected student achievement. The student's readiness for work at the next grade level shall be required before he/she is promoted. Students who have mastered the appropriate skills will be promoted; those who have not will be retained.

Progress toward high school graduation shall be based on the student's ability to pass the required subjects and electives necessary to earn the required number of credits necessary for graduation, meeting the credit distribution requirement. The student must also satisfactorily demonstrate the district's performance standards, assessed in part by the statewide mastery assessments. Students who have not successfully completed the assessment criteria shall participate in a course of study designed to assist them attain a satisfactory level of competency prior to graduation. When high academic achievement is evident, the Superintendent or his/her designee may approve a student for acceleration into a higher grade level. The student's social and emotional growth shall be taken into consideration in making a determination to accelerate a student.

Students

Promotion/Acceleration/Retention (continued)

Schools shall identify students in danger of failing and being at risk for retention. This identification shall also include those students who fail to meet the remedial standards of the statewide assessment programs. Prior to deciding on retention for a student not mastering the appropriate skills, the district shall provide and may require the student to attend one or more alternatives for remedial assistance. Opportunities, provided for supplemental and remedial instruction to assist the student in overcoming his/her academic deficiencies, may include but are not limited to, after-school tutorial programs, Saturday tutorial programs, summer school, Reading Recovery, instruction during school vacations or during week-end programs, cross-age tutoring or student mentoring.

In all cases of promotion or retention, the parent/guardian is to be fully involved and informed throughout the promotion/retention decision-making process. Parents will be notified as early as possible that retention is being considered. The Principal shall be responsible for making the final decision as to retention and assignment.

(cf. 5124 - Reporting to Parents)

(cf. 6146 - Graduation Requirements)

(cf. 6146.1 - Grading System)

Legal Reference: Connecticut General Statutes
 P.A. 99-288 An Act Concerning Education Accountability
 10-221(b) Boards of education to prescribe rules.
 10-265g Summer reading programs required for priority school districts.
 Evaluation of student reading level. Personal reading plans. (as amended
 by PA 01-173 and PA 06-135)
 10-265l Requirements for additional instruction for poor performing
 students in priority school districts; exemption. Summer school required;
 exemption (as amended by PA 99-288, PA 01-173, PA 03-174 and PA 06-
 135)

Policy adopted: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

Students

Reporting to Parents

The Plymouth Board of Education believes that good communication between parents and teachers is essential for an effective school.

Each school shall regularly report to parents on student progress in school. When the need arises, the teacher or other school personnel shall make additional written or oral reports.

If the parents of a child are separated or divorced, both parents will have the right to receive existing written reports and notification of conferences and to be informed of their child's progress in school unless there is a valid and current order from a court to the contrary. Either parent may submit to the district a copy of a valid and current court order reflecting curtailment of parental rights. Unless informed otherwise, the Board will assume that there are no restrictions regarding the noncustodial parent's right to be kept informed of the student's school progress and activities.

Noncustodial parents whose rights have not otherwise been curtailed by court order, who wish to receive written reports and notifications of conferences, must make such a request to the school principal annually and shall provide the address to which he/she wishes such reports and notifications to be sent. Upon written request to the child's school principal, the school will subsequently and routinely mail to the parent making the request copies of all school information which is normally sent home with the child.

Reports concerning students who have attained the age of eighteen (18), shall be issued to the parent, unless the student is, in fact, emancipated or otherwise not dependent upon his/her parents for support.

Legal Reference: Connecticut General Statutes

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

46b-56 Orders re: custody, care, education, visitation and support of children. Best interests of the child. Access to records of minor children by noncustodial parent. Orders re therapy, counseling and drug or alcohol screening.

20 U.S.C. Section 1232g-Federal Family Educational Rights and Privacy Act of 1974 Department of Education (FERPA); 34 C.F.R. Part 99.4 (May 19, 2011; 76 FR 29129)

Policy adopted: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

Students

Student Records; Confidentiality

Educational records, defined as records directly related to a student, will be kept for each student and will reflect the physical, emotional, social and academic aspects of a student's development in the educational process.

The Board of Education recognizes the need to comply with the legal state and federal requirements regarding the confidentiality, access to and amendment of student records. The procedures for the confidentiality of student records shall be consistent with federal statutes, including the Family Educational Rights and Privacy Act of 1974 (FERPA), as amended, and its implementing and revised regulations and the Connecticut General Statutes.

Safeguards shall be established by the school administration to protect the student and the student's family from invasion of privacy in the collection, maintenance and dissemination of information, and to provide accessibility to recorded information by those legally entitled thereto. Access to inspect or review a student's educational record or any part thereof may include the right to receive copies under limited circumstances.

For the purposes of this policy:

“Parent” means a natural parent, an adopted, or a legal guardian or an individual acting as a parent in the absence of a parent or guardian. If parents are divorced or legally separated the parent granted custody and the parent not granted custody of a minor child both have the right of access to the academic, medical, hospital, or other health records of the child, unless a court order prohibits access. Whenever a student has attained the age of 18 years or is attending an institution of post-secondary education, the permission or consent required of, and the rights accorded to, the parents or guardians of the student shall thereafter only be required of, and accorded to, the student. A parent who is incarcerated is also entitled to knowledge of and access to all educational, medical or similar records maintained in the cumulative record of any minor student of such incarcerated parent except in situations (1) where such information is considered privileged as defined in C.G.S. 10-154a, (2) such incarcerated parent has been convicted of sexual assault, or aggravated sexual assault, or (3) such incarcerated parent is prohibited pursuant to a court order.

“Student” means an individual who is or has been “in attendance” in person at an educational agency or institution for whom education records are maintained. It also includes those situations in which students “attend” classes but are not physically present, including attendance by videoconference, satellite, Internet, or other electronic information and telecommunication technologies.

“Student record” means any item of information directly related to an identifiable student, other than directory information, which is maintained by a school district or required to be maintained by an employee in the performance of his/her duties whether recorded in handwriting, print, computer media, video or audio tape, film, microfilm and microfiche. Student records include information relative to an individual student gathered within or without the school system and maintained within the school system, regardless of the physical form in which it is maintained.

Students

Student Records; Confidentiality (continued)

“Student record” (continued) Student records include any information maintained for the purpose of review by a second party is considered a student record. Records that pertain to an individual’s previous attendance as a student are “education records” under FERPA regardless of when they were created or received within the school system. Student records shall not include informal notes related to a student compiled by a school officer or employee which remain in the sole possession of the maker and are not accessible or revealed to any other person except a substitute. Records of the law enforcement unit of the District or school are not considered student records.

“Law Enforcement Unit” means an individual office, department, division, or other component of an education agency or institution that is officially authorized or designated by that agency or institution to (1) enforce laws or refer matters of law enforcement to appropriate authorities, or (2) maintain the physical security and safety of the agency or institution.

“Substitute” means a person who performs the duties of the individual who made the notes on a temporary basis, and does not refer to a person who permanently succeeds the maker of the notes in his or her position.

“School Official” means a person employed by the District as an administrator, supervisor, instructor, or support staff member, including health or medical staff and law enforcement unit personnel, a person serving on the Board of Education, a person or company with whom the district has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist), or a parent or student serving on an official committee such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks.

“Authorized Representative” means any entity or individual designated by a state or local educational authority or an agency headed by an official listed in §99.31(a)(3) to conduct with respect to Federal or State-supported education programs, any audit or evaluation, or any compliance or enforcement activity in connection with Federal legal requirements that relate to these programs.

“Education Program” means any program that is principally engaged in the provision of education, including, but not limited to, early childhood education, elementary and secondary education, postsecondary education, special education, job training, career and technical education and adult education, and any program that is administered by an educational agency or institution.

“Early Childhood Education Program” means a Head Start program, a state licensed or regulated child care program, or a program that serves children from birth through age six that addresses the children’s cognitive, social, emotional and physical development and is a (i) state prekindergarten program; (ii) a program authorized under the Individuals with Disabilities Education Act; or (iii) is a program operated by a local educational agency.

Students

Student Records; Confidentiality (continued)

“Directory Information” means information contained in a student’s education record that would not generally be considered harmful or an invasion of privacy if disclosed. Directory information includes, but is not limited to, one or more of the following items: parent’s name and/or e-mail address, student’s name, address, telephone number, date and place of birth, major field(s) of study, participation in officially recognized activities and sports, photographic, computer and/or video images, grade levels, electronic mail address, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous public or private school attended by the student.

A student’s social security number or student ID number is prohibited from designation as directory information. However, student ID numbers and other electronic personal identifiers used to access or communicate in electronic systems may be disclosed only if the identifier is not used by itself to authenticate identity and cannot be used to gain access to education records.

A student’s ID number or other unique personal identifier that is displayed on a student ID badge is considered directory information, but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user’s identity, such as a PIN, password, or other factor known or possessed only by the authorized user.

The Superintendent shall be responsible for ensuring that all requirements under federal and state statutes shall be carried out by the district. He/She will develop procedures (administrative regulations) providing for the following:

1. Annually informing parents of their rights.
2. Permitting parents to inspect and review educational records, including, at least, a statement of the procedure to be followed by a parent or eligible student who requests to inspect and review the educational records, with an understanding that the procedure may not deny access to educational records; a description of the circumstances in which the district feels it has a legitimate cause to deny a request for a copy of such records; a schedule of fees for copies; and a listing of the types and locations of education records maintained by the school and the titles and addresses of school officials responsible for those records.
3. Not disclosing personally identifiable information from a student’s education records without the prior written consent of the student’s parent, except as otherwise permitted by administrative regulations; including at least a statement of whether the school will disclose personally identifiable information from the records to other school officials within the school who have been determined by the school to have legitimate educational interests, and, if so, a specification of the criteria for determining which parties are “school officials” and what the school considers to be a “legitimate educational interest”; and a specification of the personally identifiable information to be designated as directory information.

Students

Student Records; Confidentiality (continued)

4. Maintaining the record of disclosures of personally identifiable information from a student's education records and permitting a parent to inspect that record.
5. Providing a parent/guardian with an opportunity to seek the correction of the student's education records through a request to amend the records. If the District decides that an amendment of the records as requested is not warranted, to inform the parent/guardian or eligible student and advise him/her of the right to a hearing and permitting the parent/guardian or an eligible student to place a statement in the education records of the student.
6. Guaranteeing access to student records to authorized persons within five days following the date of request.
7. Assuring security of student records.
8. Enumerating and describing the student records maintained by the school system.
9. Annually informing parents under what conditions that their prior consent is not required to disclose information.
10. Ensuring the orderly retention and disposition, per applicable state statutes, of the districts student records.
11. Notifying parents of secondary school students that it is required to release the student's name, address and telephone listing to military recruiters and institutions of higher learning upon request. Parents or eligible students may request that the District not release this information, and the District will comply with the request.
12. Notifying parents annually of the District's policy on the collection or use of personal information collected from students for the purpose of marketing or selling that information or otherwise providing that information to others for that purpose, including arrangements to protect student privacy that are provided by the agency in the event of such collection, disclosure or use.

Legal Reference: Connecticut General Statutes

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

7-109 Destruction of documents.

10-15b Access of parent or guardians to student's records. (as amended by PA 17-68, Section 4)

10-154a Professional communications between teacher or nurse & student.

Students

Student Records; Confidentiality

Legal Reference: Connecticut General Statutes (continued)

10-209 Records not to be public.

10-221b Boards of education to establish written uniform policy re: treatment of recruiters.

11-8a Retention, destruction and transfer of documents

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

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

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

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

Dept. of Educ. 34 C.F.R. Part 99 (May 9, 1980 45 FR 30802) regs. implementing FERPA enacted as part of 438 of General Educ. provisions act (20 U.S.C. 1232g)-parent and student privacy and other rights with respect to educational records, as amended 11/21/96, and Final Rule 34 CFR Part 99, December 9, 2008, December 2, 2011)

USA Patriot Act of 2001, PL 107-56, 115 Stat. 272, Sec 507, 18 U.S.C. §2332b(g)(5)(B) and 2331

Owasso Independent Sch. Dist. No.1-011 v. Falvo, 534 U.S.426 (2002)

P.L. 112-278 “The Uninterrupted Scholars Act”

Policy adopted: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

Students

Student Records; Confidentiality

Definitions

As used in this regulation:

1. **“Student”** means an individual who is or has been “in attendance” in person at an educational agency or institution for whom education records are maintained. It also includes those situations in which students “attend” classes but are not physically present, including attendance by videoconference, satellite, Internet, or other electronic information and telecommunication technologies.
2. **“Student Record”** means any item of information directly related to an identifiable student, other than directory information, which is maintained by the school district or required to be maintained by an employee in the performance of his/her duties whether recorded by handwriting, print, computer media, video or audio tape, film, microfilm and microfiche or other means. Student records include information relative to an individual student gathered within or without the school system and maintained within the school district, regardless of the physical form in which it is maintained. Any information which is maintained for the purpose of review by a second party is considered a student record.

“Student Record” shall not include informal notes related to a student compiled by a school officer or employee which remain in the sole possession of the maker and are not accessible or revealed to any other person except a substitute for the maker of the record. Employment records used only in relation to a student’s employment by the district are not considered student records. In addition student records do not include alumni records that contain information about the student after the student is no longer in attendance, records maintained by a law enforcement unit of an educational agency or institution that were created by that unit for the purpose of law enforcement or records of an eligible student that are maintained by a physician, psychologist, professional or paraprofessional made in connection with the treatment of the student and disclosed only to individuals providing such treatment.

“Substitute” means a person who performs the duties of the individual who made the notes on a temporary basis, and does not refer to a person who permanently succeeds the maker of notes in his or her position.

“Post-enrollment Records” means that records that pertain to an individual’s previous attendance as a student are “education records” under FERPA regardless of when they were created or received by the institution.

Students

Student Records; Confidentiality

Definitions (continued)

3. **“Directory Information”** means information contained in a student’s education record that would not generally be considered harmful or an invasion of privacy if disclosed. Directory information includes, but is not limited to, one or more of the following items: parent’s name and/or e-mail address, student’s name, address, telephone number, date and place of birth, major field(s) of study, participation in officially recognized activities and sports, photographic, computer and/or video images, grade levels, electronic mail address, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous public or private school attended by the student.

A student’s Social Security Number or student ID number is prohibited from designation as directory information. However, student ID numbers and other electronic personal identifiers used to access or communicate in electronic systems may be disclosed only if the identifier is not used by itself to authenticate identity and cannot be used to gain access to education records.

A student’s ID number or other unique personal identifier that is displayed on a student ID badge is considered directory information, but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user’s identity, such as a PIN, password, or other factor known or possessed only by the authorized user.

4. **“Parent”** means a natural parent, an adopted parent, or legal guardian or an individual acting as a parent in the absence of a parent or guardian. If parents are divorced or legally separated, both the parent granted custody and the parent not granted custody have the legal right of access to the academic, medical, hospital or other health records of the child, unless a court order prohibits access.

Whenever a student has attained eighteen (18) years or is attending an institution of post-secondary education, the permission or consent required of, and the rights accorded to, the parents or guardian of the student shall thereafter only be required of, and accorded to, the student, unless parents of a student eighteen (18) years of age or older who is a dependent as defined in Section 152 of the Internal Revenue Code of 1956.

5. **“School Official”** means a person employed by the district as an administrator, supervisor, instructor or support staff member, including health or medical staff and law enforcement unit personnel, a person serving on the Board of Education, a person or company with whom the district has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist), or a parent or student serving on an official committee such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks.

Students

Student Records; Confidentiality

Definitions (continued)

6. **“Disclosure”** means to permit access to or the release, transfer, or other communication of personally identifiable information contained in education records, to any party, by any means including oral, written, or electronic means. It is also permitted to return an educational record to the provider or creator of the record, including the return of a questionable document to the purported sender for verification of information in the document.
7. **“Personally Identifiable Information”** includes but is not limited to the student’s name, the name of the student’s parent or other family member, the address of the student or student’s family, a personal identifier such as the student’s Social Security Number or student number, or “biometric records” (a record of one or more measurable biological or behavioral characteristics that can be used for automated recognition of an individual, including fingerprints, retina and iris patterns, voice prints, DNA sequence, facial characteristics and handwriting), a list of personal characteristics or indirect identifiers, such as the name of the student’s parent or other family members and the date and place of birth and mother’s maiden name, or other information that would allow a reasonable person in the school or community who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.
8. **“Record”** means any information recorded in any way, including, but not limited to, handwriting, print, computer media, video or audio tape, film, microfilm and microfiche.
9. **“Access”** means a personal inspection and review of a record or an accurate copy of a record, an oral description or communication of a record or an accurate copy of a record and a request to release a copy of any record.
10. **“Student”** means a person who is or was enrolled in a school.
11. **“Adult student”** means a person who is or was enrolled in school and who is at least eighteen (18) years of age.
12. **“Eligible Student”** means a student or former student who has reached eighteen years (18) of age or who is attending an institution of post-secondary education or is an emancipated minor.
13. **“Law Enforcement Unit”** means an individual office, department, division, or other component of an education agency or institution that is officially authorized or designated by that agency or institution to (1) enforce laws or refer matters of law enforcement to appropriate authorities, or (2) maintain the physical security and safety of the agency or institution.
14. **“Legitimate Education Interest”** means the need for a school official to review an educational record in order to fulfill his/her professional responsibilities.

Students

Student Records; Confidentiality

Definitions (continued)

15. **“Signed and Dated Waiver Consent”** means signed and dated written consent to disclose personally identifiable student information from a student’s records must specify the records to be disclosed, the purpose of disclosure and the party to whom such records should be provided. Consent may include a record and signature in electronic form provided that the consent identifies and authenticates a particular person as the source of consent.
16. **“Authorized Representative”** means any entity or individual designated by a state or local educational authority or an agency headed by an official listed in §99.31(a)(3) to conduct with respect to Federal or State-supported education programs, any audit or evaluation, or any compliance or enforcement activity in connection with Federal legal requirements that relate to these programs.
17. **“Education Program”** means any program that is principally engaged in the provision of education, including, but not limited to, early childhood education, elementary and secondary education, postsecondary education, special education, job training, career and technical education and adult education, and any program that is administered by an educational agency or institution.
18. **“Early Childhood Education Program”** means a Head Start program, a state licensed or regulated child care program, or a program that serves children from birth through age six that addresses the children’s cognitive, social, emotional and physical development and is a (i) state prekindergarten program; (ii) a program authorized under the Individuals with Disabilities Education Act; or (iii) is a program operated by a local educational agency.

Types of Records

The school district shall maintain only the following three categories of records:

1. **“Mandatory Permanent Student Records”** are those records which are maintained in perpetuity (at least 50 years) and which schools have been directed to compile by statute, regulation, or authorized administrative directive. Such records shall include the following:
 - A. Legal name of student, address, gender of student
 - B. Date of birth, place of birth
 - C. Method of verification of birth date

Students

Student Records; Confidentiality

Types of Records (continued)

- D. Name and address of parent of minor student
 - (1) Address of minor student if different than the above
 - (2) An annual verification of the name and address of the parent and the residence of the student
 - E. Entering and leaving date of each school year and for any summer session or other extra session
 - F. Subjects taken during each year, half-year, summer session, or quarter
 - G. Academic achievement (grades, transcripts)
 - H. Level of academic achievement (class standing/academic level)
 - I. If marks or credit are given, the mark or number of credits toward graduation allowed for work taken
 - J. Verification or exemption from required immunizations
 - K. Date of high school graduation or equivalent
 - L. Student activities and significant awards
2. **“Mandatory Interim Student Records”** are those records which the schools are directed to compile and maintain for stipulated periods of time and are then destroyed as per statute, regulations (6 years following the student’s graduation, or the graduation of the class to which he/she belonged, after appropriate notification to parents and/or eligible students via media and an opportunity provided to copy said records), or authorized administrative directive. Such records include the following:
- A. A log or record shall be maintained for each student's record which lists all persons, agencies or organizations requesting or receiving information from the record, and the legitimate interests therefor. (Exception from listing, see **Access Log, #2.**)
 - B. Health information, including Child Health Developmental Disabilities Prevention Program verification or waiver. (Comprehensive Health Record)
 - C. Participation in special education programs including required tests, case studies, authorizations, and actions necessary to establish eligibility for admission or discharge.

Students

Student Records; Confidentiality

Types of Records (continued)

- D. Language training records.
- E. Progress slips and/or notices.
- F. Parental restrictions regarding access to directory information or related stipulations.
- G. Parent or adult student rejoinders to challenged records and to disciplinary action.
- H. Parental authorizations or prohibitions of student participation in specific programs.
- I. Results of standardized tests administered within the preceding three years.

Note: Disciplinary records of suspension and expulsion are subject to being expunged according to state and federal statutes.

3. **“Permitted Records”** are those records having clear importance only to the current educational process of the student. Such records may be destroyed after 6 years following the student’s graduation, or the graduation of the class to which he/she belonged, after appropriate notification to parents and/or eligible students via media and an opportunity provided to copy said records. Such records may include the following:

- A. Objective counselor and/or teacher ratings
- B. Standardized test results older than three years
- C. Routine discipline data
- D. Verified reports of relevant behavioral patterns
- E. All disciplinary notices

Maintenance and Security of Student Records

1. Custodian of Records

- A. The Superintendent of Schools is hereby designated as custodian of student records.
 - (1) The custodian is charged with district-wide responsibility for implementing Board of Education policies and administrative regulations relating to student records.

Students

Student Records; Confidentiality

Maintenance and Security of Student Records (continued)

1. Custodian of Records (continued)

- (2) The custodian shall be responsible for security of student records and shall devise procedures for assuring that access to such records is limited to authorized persons.
 - (3) The custodian of records or a designated certified employee shall be responsible during the inspection for interpretation of the records where necessary and for prevention of their alteration, damage or loss.
- B. In each school, the principal, or a certified employee designated by the principal, is responsible for implementation of Board of Education policies and administrative regulations relating to student records maintained in that school.

2. Files

- A. A record for each individual student shall be maintained in a central file at the school attended by the student, or when records are maintained in different locations, a notation shall be placed in the central file indicating where such records may be found.
- B. Student records shall be stored in locked containers (files) or rooms.

3. Information

- A. All anecdotal information and assessment reports maintained as student records must be dated and signed by the individual who originated the record. Each school principal shall keep on file a record of enrollment and scholarship for each student currently enrolled in that school.

Access to Student Records

1. School Officials

- A. School officials, as defined, have access to students' educational records without consent, if the official has been determined to have a legitimate educational interest in the records. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his/her professional responsibility.
- B. Contractors, consultants, volunteers, and other parties to whom a school has outsourced services or functions are considered "school officials" who may have access to student records, without parental consent, if the following conditions are met:

Students

Student Records; Confidentiality

Access to Student Records (continued)

1. School Officials (continued)

- The party is under the direct control of the school.
 - The party is subject to the same conditions governing the use and redisclosure of education records applicable to other school officials.
 - The contractor must ensure that only individuals with legitimate educational interests, as determined by the district or school, obtain access to the education records. The contractor may not redisclose personally identifiable information without consent unless the district or school has authorized the redisclosure under a FERPA exception and the district or school records the subsequent disclosure.
- C. The district or school may not disclose education records to an outside service provider unless it has specified in its annual FERPA notification to parents/students that it uses contractors, consultants, volunteers, as “school officials” to provide certain institutional services and functions.
- D. In controlling access to education records by school officials and outside service providers, schools must:
- (1) Use “reasonable methods” to ensure an official is given access to only those education records, paper or electronic, in which the official has a legitimate educational interest.
 - (2) Schools may use such methods as:
 - Physical controls such as locked filing cabinets;
 - Technological controls such as role-based access controls for electronic records;
 - Administrative policies, in lieu of physical or technological controls. Such policies must be effective in controlling access.

2. Parents

- A. Parents of currently enrolled or former students shall have an absolute right during regular business hours to access to any and all student records related to their children which are maintained by the district. Neither the student record, nor any part thereof, shall be withheld or edited. If the student records contain information on more than one student, the parent may inspect and review or be informed of only the specific information which pertains to that student.

Students

Student Records; Confidentiality

Access to Student Records (continued)

2. Parents (continued)

- B. A parent or guardian's request for access to student records shall be made in writing to the custodian of student records. Access shall be granted no later than forty-five (45) days following the date of the request.
- C. A requesting parent shall be notified of the location of all student records, if not centrally located.
- D. When a parent's dominant language is not English, the district shall make an effort to
 - (1) provide interpretation of the student record in the dominant language of the parent, or
 - (2) assist the parent in securing an interpreter.

3. Parental Consent

- A. The custodian of student records may permit access to student records during regular school hours (a) to any person for whom a student's parent has executed written consent specifying the records to be released and identifying the party or class of parties to whom the records may be released; or (b) to the student if he/she is an eligible student, or has entered a post secondary educational institution.
- B. The recipient must be notified that the transmission of the information to others without the written consent of the parent is prohibited.
- C. The consent notices shall be kept permanently with the student record.
- D. Upon request, the district shall provide the parent/eligible student with a copy of the record which is disclosed. (34 CFR 9910, Rights of Inspection and Review)

4. Without Parental Consent

- A. No person or agent shall be permitted access to student records without written parental consent or under judicial order, except that access to those particular records relevant to the legitimate educational interests of the requester shall be permitted to the following:

Students

Student Records; Confidentiality

Access to Student Records (continued)

- (1) Officials and employees of other public schools or school districts, including local, county, or state correctional facilities where educational programs leading to high school graduation are provided, where the student intends to or is directed to enroll. The authority of the district or school to transfer education records to a student's new school continues after actual enrollment so long as the disclosure is in connection with the student's enrollment. This ensures that a school may supplement, update, or correct records sent during the student's application or transfer period. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Note: Section 504 and Title II of the ADFA generally prohibits post-secondary institutions from making pre-admission inquiries about an applicant's disability status. However, after admission, such institutions may request such information concerning a current student.

- (2) Authorized representatives of the Comptroller General of the United States, the Secretary of Education, an administrative head of an education agency, State Education Officials, or their respective designees, or the United States Office for Civil Rights where such information is necessary to audit or evaluate a state or federally supported education program or pursuant to a federal or state law; provided that except when collection of personally identifiable information is specifically authorized by federal law, any data collected by such officials shall be protected in a manner which will not permit the personal identification of students or their parents by other than those officials, and such personally identifiable data shall be destroyed when no longer needed for such audit, evaluation, and enforcement of federal legal requirements.
- (3) The U.S. Attorney General or his/her designee in response to a court issued ex parte order, under the USA Patriot Act, in connection with the investigation or persecution of an offense listed in U.S.C. 2332b(g)5(B) or an act of domestic or international terrorism crimes. The District, in response to such an order, is not required to record a disclosure of information, nor acquire consent or notice to the parent or student.
- (4) Other state and local officials to the extent that such information is specifically required to be reported pursuant to state law.
- (5) Parents of a student eighteen (18) years of age or older who is a dependent as defined in Section 152 of the Internal Revenue Code of 1954.

Students

Student Records; Confidentiality

Access to Student Records (continued)

4. Without Parental Consent (continued)

- (6) Schools may disclose information received under a community notification program concerning a student who is required to register as a sex offender in the State.
- (7) Child welfare agencies that are legally responsible for the care and protection of students, including the educational stability of children in foster care.

B. Information from student records may be released to the following:

- (1) Appropriate persons in connection with an emergency if the knowledge of such information is necessary to protect the health or safety of other persons. The factors to be considered in determining whether information may be disclosed include the seriousness of the threat to the health or safety of the student or other individuals, the need for the information to meet the emergency, whether the parties to whom the information is disclosed are in a position to deal with the emergency, and the extent to which time is of the essence in dealing with the emergency. 34 CFR 99.36, Conditions for disclosure of information in health and safety emergencies.
- (2) Agencies or organizations in connection with a student's application form or receipt of financial aid, provided that information permitting the personal identification of students or their parents may be disclosed only as may be necessary for such purposes as to determine the amount of the financial aid, to determine the conditions which will be imposed regarding the financial aid, or to enforce the terms or conditions of the financial aid.
- (3) Accrediting organizations in order to carry out their accrediting functions.
- (4) Organizations conducting studies for or on behalf of state educational agencies and state higher education authorities, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, and improving instruction, if such studies are conducted in such a manner as will not permit the personal identification of students or their parents by persons other than representatives of such organizations and such information will be destroyed when no longer needed for the purpose for which it is conducted.

Students

Student Records; Confidentiality

Access to Student Records (continued)

4. Without Parental Consent (continued)

Such disclosure is subject to the following FERPA requirements:

- The school does not have to initiate the research request or agree with or endorse the conclusion or results of the study.
- The school must agree with the purposes of the study and retain control over information from the education records it discloses.

The school must have a written agreement with the receiving organization that:

- Specifies the purpose, scope, and duration of the study or studies and the information to be disclosed.
 - Requires the organization to use the information from education records only to meet the purpose or purposes of the study stated in the agreement.
 - Requires the organization to conduct the study in a manner that does not permit personal identification of parents and students by anyone other than representatives of the organization with legitimate interests.
 - Requires the organization to destroy or return all personally identifiable information when no longer needed for purposes of the study.
 - Specifies the time period in which the information must be returned or destroyed.
- (5) Officials and employees of private schools or school districts where the student is enrolled or intends to enroll subject to the rights of parents by law.
- (6) An agency caseworker or other representative of a State or local child welfare agency, or tribal organization who has the right to access a student's case plan, as defined and determined by the State or tribal organization, when such agency or organization is legally responsible for the care and protection of the student, provided that the education records, or the personally identifiable information contained in such records will not be disclosed by such agency or organization, except to an individual or entity engaged in addressing the education needs of the students and authorized by such agency or organization to receive such disclosure.

Students

Student Records; Confidentiality

Access to Student Records (continued)

4. Without Parental Consent (continued)

- C. No person, persons, agency, or organization permitted access to student records pursuant to this regulation shall permit access to any information obtained from such records by any other person, persons, agency or organization without the written consent of the student's parent; provided, however, that this paragraph shall not be construed to require prior parental consent when information obtained pursuant to this regulation is shared with other persons within the district so long as such persons have an equal legitimate interest in the information.
- D. Education records may be released without consent if all personally identifiable information has been removed. The district must reach a "reasonable determination" that a student's identity is not personally identifiable because of unique patterns of information about that student, whether through single or multiple releases, taking into account other reasonably available information. Also, de-identified student level data may be released for the purpose of educational research by attaching a code to each record. It may be necessary to look to local news, events, and media coverage in the "school community" in determining, in a highly publicized incident, whether other information would make a particular record personally identifiable even if all direct identifiers have been removed.

5. Court Order

- A. Information concerning a student shall be furnished in compliance with a court order.
 - (1) Unless otherwise judicially instructed, the custodian shall, prior to the disclosure of any student's records pursuant to a court order, give the parent and the student three days notice, if lawfully possible, within the requirements of the judicial order, of the name of the requesting agency and the specific records requested. Such notice shall be in writing if possible.
 - (2) Only those records related to the specific purpose of the court order shall be disclosed.
 - (3) When a parent is a party to a court proceeding involving child abuse or neglect, or dependency matters, and a judicial order is issued in the context of that proceeding, or pursuant to a lawfully issued subpoena, additional notice to the parent by the educational agency or institution is not required pertaining to the disclosure of the records.

Students

Student Records; Confidentiality

Access to Student Records (continued)

5. Court Order (continued)

- B. The service of a subpoena upon a district employee or official solely for the purpose of causing the employee to produce a school record pertaining to any student may be complied with by such employee, in lieu of personal appearance as witness in the proceeding, by submitting to the court, or other agency issuing the subpoena, at the time and place required by the subpoena, a copy of such record, accompanied by an affidavit certifying that such copy is a true copy of the original record on file in the school or school office. The copy of the record shall be in the form of a photograph, microfilm, micro card, or miniature photograph or other photographic copy or reproduction or an enlargement thereof.

Nothing in this regulation shall preclude the district from providing in its discretion statistical data from which no student may be identified to any public agency or entity or private nonprofit college, university, or educational research and development organization when such actions would be in the best educational interests of students.

If it is determined, per the federal regulations, that a third party improperly redisclosed personally identifiable information from education records in violation of Section 99.33(a), of FERPA Regulations, the district may not allow that third party access to personally identifiable information from education records for at least five years.

6. Disclosure to Parents of “Eligible Students” and Rights of Students

- A. Rights of parents under FERPA transfer to students once the student has reached 18 years of age or is attending a post secondary institution and thereby becomes an “eligible student.”
- B. Disclosure to parents without student consent after FERPA rights have transferred to students is permitted under the following circumstances:
 - (1) The student is a dependent for Federal income tax purposes.
 - (2) The disclosure is in connection with a health or safety emergency; i.e. knowledge of the information is necessary to protect the health or safety of other individuals.
 - (3) The student has violated a law or the school’s rules or policies governing alcohol or substance abuse.

Students

Student Records; Confidentiality

Access to Student Records (continued)

7. Disclosure of Information in Health and Safety Emergencies (*Also see section above*)

- A. The district may include in the education records of a student appropriate information concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community.
- B. Such appropriate information concerning disciplinary action may be disclosed to teachers and school officials in the district who have been determined to have legitimate educational interests in the behavior of the student. This must be strictly construed.
- C. Such appropriate information, concerning disciplinary action, may be disclosed to teachers and school officials in other schools who have been determined to have legitimate educational interests in the behavior of the student.
- D. In making a determination, the district or school must take into account the totality of the circumstances pertaining to a threat to the safety or health of the student or other individuals. If a school determines that there is an articulable and significant threat to the safety or health of a student or other individuals, it may disclose information from education records to appropriate parties whose knowledge of the information is necessary to protect the health and safety of the student or other individuals.
- E. The district or school is required to record the articulable and significant threat that formed the basis for the disclosure and the parties to whom the information was disclosed. "Appropriate parties" include the parents of an eligible student.
- F. Pursuant to C.G.S. 19a-581 through 19a-585, confidential information concerning HIV status may not be released to anyone EXCEPT a health care provider with a written release from the parents.

8. Redisclosure of Educational Records

- A. Federal and State officials that receive education records for audits, evaluation, and compliance and enforcement purposes may redisclose such records under the same conditions that apply to other recipients of education records.
- B. A state educational agency that received records for audit, evaluation or compliance or enforcement purposes may redisclose records for other qualifying purposes, such as:
 - (1) Forwarding records to a student's new school district;
 - (2) Forwarding records to another listed official, including the Education Secretary or a post secondary authority;
 - (3) Forwarding to an accrediting agency; or
 - (4) In connection with a health or safety emergency.

Students

Student Records; Confidentiality

Access to Student Records (continued)

9. Criteria

- A. “School officials and employees” as used in this regulation means district employees and elected district officers, and other parties as defined in this regulation.
- B. The following criteria shall be used in determining whether a “school official or employee” has a “legitimate educational interest”.
 - (1) The employee has an instructional or supervisory responsibility toward the student that, in order to be fulfilled, requires knowledge of the contents of the student's records.
 - (2) The employee has an administrative duty that requires information contained in the student's records.
 - (3) The school official is engaged in a disciplinary proceeding that requires disclosure of all or part of the student's records in order to come to a just conclusion. (Or criteria can be defined by school district)
- C. The district and/or school shall use reasonable methods to identify and authenticate the identity of parents, students, school officials, and any other parties to whom they disclose education records. The district and its schools may use PINS, passwords, personal security questions, “smart cards” and tokens, biometric indicators, or other factors known or possessed only by the user, as appropriate. **Identification** means determining who is the intended or authorized recipient of the information. **Authentication** means ensuring that the recipient is who he/she claims to be.

Challenging Contents of Records

- 1. Following an inspection and review of a student’s records the parent or guardian of the student or former student may challenge the content of any student record.
 - A. The parent or eligible student may file a written request with the Superintendent of Schools to correct or remove any information recorded in the written records concerning the parent’s child which the parent alleges to be:
 - (1) Inaccurate, misleading or in violation of the student’s rights of privacy.
 - (2) An unsubstantiated personal conclusion or inference.

Students

Student Records; Confidentiality

Challenging Contents of Records (continued)

- (3) A conclusion or inference outside of the observer's area of competence.
 - (4) Not based on the personal observation of a named person with the time and place of the observation noted.
- B. Within 30 days of receipt of such request, the Superintendent or designee shall meet with the parent or guardian and the certified employee who recorded the information in question, if any, and if such employee is presently employed by the school district.
- C. The information shall be corrected or removed if the Superintendent sustains any or all of the allegations.
- D. If the Superintendent denies any or all of the allegations and refuses to order the correction or the removal of the information, the parent or guardian may, within 30 days of the refusal, appeal the decision in writing to the Board of Education.
 - (1) Within 30 days of receipt of such an appeal, the Board of Education shall, in closed session with the parent or guardian and the certified employee who recorded the information in question, if any, and if such employee is presently employed by the district, determine whether or not to sustain or deny the allegations. The decision of the Board of Education shall be final.
 - (2) If the Board of Education sustains any or all of the allegations, it shall order the Superintendent to immediately correct or remove and destroy the information from the student's written records.
 - (3) Records of these administrative proceedings shall be maintained in a confidential manner and shall be destroyed one year after the decision of the Board of Education unless the parent or guardian initiates legal proceedings relative to the disputed information within the prescribed period.
- E. If the final decision of the Board of Education is unfavorable to the parent or guardian, or if the parent or guardian accepts an unfavorable decision by the Superintendent, the parent or guardian shall have the right to submit a written statement of his/her objections to the information. This statement shall become a part of the student's school record until such time as the information objected to is corrected or removed.

Students

Student Records; Confidentiality

Challenging Contents of Records (continued)

2. Hearing Panel

- A. Either the Superintendent of Schools or the Board of Education may convene a hearing panel upon written request of a parent or eligible student. The hearing shall be provided to afford the opportunity to challenge the content of a student's education records on the grounds that the information contained in the education records is inaccurate, misleading, or otherwise in violation of the privacy rights of the students. The hearing panel shall be composed of the following persons, provided the parent has given written consent to release information from the relevant student's records to the members of the panel so convened, to assist in making determinations;
- (1) The principal of a public school other than the one at which the record is on file.
 - (2) A certified employee appointed by the parent or guardian.
 - (3) A parent appointed by the Superintendent or by the Board of Education, depending upon who convenes the panel.
- OR** The hearing will be conducted by a person or persons appointed by the Superintendent of Schools. This person(s) shall be knowledgeable of the policies relating to confidentiality and shall not have a direct interest in the outcome of the hearing.
- B. The persons appointed pursuant to the above paragraph, if possible, shall not be acquainted with the student, his/her parent or guardian, or the certified employee who recorded the information, except when the parent or guardian appoints the person pursuant to paragraph a (2) above.
- C. The Principal appointed to the hearing panel shall serve as Chairperson.
- D. The hearing panel shall, in closed session, hear the objections to the information of the parent and the testimony of the certified employee who recorded the information in question, if any, and if such employee is currently employed by the school system. The parent or eligible student and the school system shall have the right to be represented by person(s) of their choosing at their own expense, to cross examine witnesses, to present evidence and to receive a written decision of the hearing.
- (1) The hearing panel shall be provided with verbatim copies of the information which is the subject of the controversy.
 - (2) Written findings shall be made setting forth the facts and decisions of the panel, and such findings within a reasonable period of time after the hearing shall be forwarded to the Superintendent or the Board of Education, depending upon who convened the panel.

Students

Student Records; Confidentiality

Challenging Contents of Records (continued)

- E. If, after the hearing, the District does not make the requested change, the parent or eligible student shall be informed of his/her right to place a statement on the record commenting on the information or stating why he/she disagrees with the record. Whenever the District discloses the record to third parties, any such statement by the parent or eligible students must also be disclosed. (34 C.F.R. §99.21)
 - F. The proceedings of the hearing shall not be disclosed or discussed by panel members except in their official capacities.
3. Whenever there is included in any student record information concerning any disciplinary action taken by school system personnel in connection with the student, the student's parent or guardian may include in such student's record a written statement or response concerning the disciplinary action.

Directory Information

1. The following student information is declared to be directory information:
- A. Name
 - B. Address
 - C. Telephone number
 - D. Date and place of birth
 - E. Major field of study
 - F. Participation in officially recognized activities and sports
 - G. Weight and height of members of athletic teams
 - H. Dates of attendance
 - I. E-mail address
 - J. Parent's name/e-mail address
 - K. Degrees and awards received, including honor roll publication
 - L. Most recent previous public or private school attended by the student
- Note: FERPA regulations prohibits the use of a Social Security Number (SSN) as an identification element when disclosing or confirming directory information unless the student has provided written consent for the disclosure.*
2. Directory information may be released to the following:
- A. Federal, state and local governmental agencies
 - B. Representatives of the news media, including but not limited to newspapers, magazines and radio and television stations
 - C. Employers or prospective employers

Students

Student Records; Confidentiality

Directory Information (continued)

- D. Nonprofit youth organizations
 - E. Military recruiters or institutions of higher learning that have requested the names, addresses, and telephone numbers of secondary school students unless parental consent is denied.
3. Subject to the provisions of C.G.S. 1-19(b11), high schools shall provide the same directory information and on-campus recruiting opportunities to military recruiters as are offered to nonmilitary recruiters or commercial concerns. (cf. 5145.14 On-Campus Recruitment).
 4. No information may be released to a private profit-making entity other than employers, prospective employers and representatives of the news media.
 5. The names and addresses of students enrolled in grade 12 or who have terminated enrollment prior to graduation may be provided, in accordance with the terms of the law, to a private school or college cooperating under state law.
 6. The custodian of records will normally limit or deny the release of specific categories of directory information unless he determines that such release is required by law or is in the best interests of students.
 7. Notice shall be given annually of the categories of information which the school district plans to release and of the recipients.
 - A. The school shall allow a reasonable period of time after such notice has been given for a parent or guardian to inform the custodian of student records that any or all of the information designated should not be released without the parent's or guardian's prior consent.
 - B. No directory information shall be released regarding any student when a parent or guardian has notified the school that such information shall not be released.
 8. Disclosure of directory information on former students is permitted without providing notice or additional opt-out opportunities. A former student's opt-out provided while he/she was a student in the district must continue to be honored unless specifically rescinded by the former student.
 9. Opt-out from directory information does not prevent a school from identifying a student by name or from disclosing an electronic identifier or instructional e-mail address in the classroom. A student does not have the right to remain anonymous in class and an opt-out may not be used to impede routine classroom communications and interactions, whether the class is held in a specified physical location or online through electronic communications.

Students

Student Records; Confidentiality (continued)

Access Log

1. A log or record shall be maintained for each student's record which lists all persons, agencies, or organizations requesting or receiving information from the record and the legitimate educational interests.
2. Such listing need not include the following:
 - A. Parents or students to whom access is granted.
 - B. Parties to whom directory information is released.
 - C. Parties for whom written consent has been executed by the parent or guardian.
 - D. School officials or employees having a legitimate educational interest.
3. The log or record shall be open to inspection only by a parent or guardian and the custodian of student records, or the custodian's designee, and to other school officials with legitimate interests in the records, and to the Comptroller General of the United States, the Secretary of the Office of Education, an administrative head of an education agency as defined in 20 U.S.C. 1232g., and state educational authorities as a means of auditing the school system's operations.

Fee for Reproducing Records

1. A fee based upon the actual cost of reproduction, handling and postage (if any) shall be charged for furnishing copies of any student record.
2. The custodian of student records annually shall recommend a fee schedule for approval by the Board of Education.
3. No fee shall
 - A. effectively prevent the parents or guardians from exercising their right to inspect and review student records.
 - B. be charged for searching or retrieving a student's record.
 - C. be made for furnishing
 - (1) up to two transcripts of former student's records.
 - (2) up to two verifications of various records of former students.

Students

Student Records; Confidentiality (continued)

Transfer of Student Records

1. Whenever a student transfers to another Connecticut public school district or to a charter school, the following student records shall be forwarded upon written notification of the student's enrollment from the other district:
 - A. The student's Mandatory Permanent Student Record or a copy thereof. The original or a copy shall be retained by this district.
 - B. The student's entire Mandatory Interim Student Record.
2. The student's records shall be transferred to the new school district or charter school no later than 10 days after receipt of such notification.
3. Whenever a student transfers to a school district in another state or to a private school, the district shall transfer the student's Mandatory Permanent Student Record upon receipt of a written request.
4. Permitted student records may be forwarded.
5. Student records shall not be withheld from the requesting district because of any charges or fees owed by the student or the student's parents or guardian.
6. All student records shall be updated prior to transfer.
7. **Parent Notification**
 - A. If a student's parent or guardian did not give authorization for the transfer of such records, the district shall send notification of the transfer to the parent/guardian at the same time it transfers the records.
 - B. If the transfer is a within-state transfer, the receiving school shall notify the parents of the record transfer.
 - C. If the student transfers out of state, the custodian of student records shall notify the parents or guardian at their last known address of the rights accorded them. (34 C.F.R. 99.34 disclosure to other agencies or institutions)
 - D. The notification shall include a statement of the parent's or guardian's right to review, challenge, and receive a copy of the student record, if desired.

Expungement of Records Pertaining to Suspension and/or Expulsion

1. Suspension

Notice of the suspension shall be recorded in the student's cumulative educational record. Such notice shall be expunged from the cumulative educational record if the student graduates from high school.

Students

Student Records; Confidentiality

Expungement of Records Pertaining to Suspension and/or Expulsion

1. Suspension (continued)

In cases where the student's period of suspension is shortened or waived as permitted by Statute, the administration may choose to expunge the suspension notice from the cumulative record at the time the student completes the administration-specified program and meets any other conditions required by the administration.

If the student has not previously been suspended or expelled, and the administration chooses to expunge the suspension notice from the student's cumulative record prior to graduation, the administration may refer to the existence of the expunged disciplinary notice, notwithstanding the fact that such notice may have been expunged from the student's cumulative file, for the limited purpose of determining whether any subsequent suspensions or expulsions by the student would constitute the student's first such offense.

2. Notice of Student Expulsion on Cumulative Record

Notice of expulsion and the conduct for which the student was expelled shall be included on the student's cumulative educational record. Such notice, except for notice of an expulsion based upon possession of a firearm or deadly weapon, shall be expunged from the cumulative educational record by the Board if the student graduates from high school.

In cases where the student's period of expulsion is shortened or waived as permitted by Statute, the Board may choose to expunge the expulsion notice from the cumulative record at the time the student completes the Board-specified program and meets any other conditions required by the Board.

If the student has not previously been suspended or expelled, and the administration chooses to expunge the expulsion notice from the student's cumulative record prior to graduation, the administration may refer to the existence of the expunged notice, notwithstanding the fact that such notice may have been expunged from the student's cumulative file, for the limited purpose of determining whether any subsequent suspension or expulsion by the student would constitute the student's first such offense.

Retention and Destruction of Student Records

1. No additions, except routine updating, shall be made to a student's record after high school graduation or permanent departure without the parent's or guardian's prior consent for those students who have not reached the age of eighteen years. Adult students may give consent for themselves.
2. The guide to disposal of municipal records in Connecticut is found in Connecticut General Statutes Section 7-109. For disposal of education records, see Schedule V of "Records Retention Schedules 1982" (Revised 1983) published by the Public Records Administration, Connecticut State Library, Hartford, Connecticut.

Students

Student Records; Confidentiality

Retention and Destruction of Student Records (continued)

3. The method of destruction shall assure that records are not available to possible public inspection during the destruction process.

Subpoenaed Records

If the school is served with a subpoena issued by competent authority directing the production of school or student records in connection with any court proceeding, the school upon which such subpoena is served may deliver such record, or at its option a copy thereof, to the clerk of such court. Such clerk shall give a receipt for the same and shall be responsible for the safekeeping of such records, not permitting the removal of such records from the premises of the court. The clerk shall notify the school to call for the subpoenaed record when it is no longer needed for use in court. Any such record so delivered to the clerk of the court shall be sealed in an envelope which shall indicate the name of the school or student, the name of the attorney subpoenaing the same and the title of the case referred to in the subpoena.

No such record or copy shall be open to inspection by any person except upon the order of a judge of the court concerned, and any such record or copy shall at all times be subject to the order of such judge.

Any and all parts of any such record or copy, if not otherwise inadmissible, shall be admitted in evidence without any preliminary testimony, if there is attached thereto the certification in affidavit form of the person in charge of such record indicating that such record or copy is the original record or copy thereof, made in the regular course of such business to make such record and that it was the regular course of such business to make such record at the time of the transactions, occurrences or events recorded therein or within a reasonable time thereafter.

A subpoena directing production of such school or student records shall be served not less than eighteen (18) hours before the time for production, provided such subpoena shall be valid if served less than eighteen (18) hours before the time of production if written notice of intent to serve such subpoena has been delivered to the person in charge of such records not less than eighteen hours (18) nor more than two weeks before such time for production.

Notification of Parents

1. Parents shall be notified in writing of their rights under this regulation upon the date of the student's initial enrollment, and annually thereafter of students current attendance at the same time as notice is issued. The notice shall be in a form which reasonably notifies parents of the availability of the following specific information:
 - A. The type of student records and information contained therein which are directly related to students and maintained by the school system.
 - B. The position of the person responsible for the maintenance of each type of record.

Students

Student Records; Confidentiality

Notification of Parents (continued)

- C. The location of the log or record required to be maintained.
- D. The criteria to be used by the school district in defining “school officials and employees” and in determining “legitimate educational interest.”
- E. The policies of the school district for reviewing and expunging student records, including the right to inspect and review the student’s education records within 45 days of the day the school district receives a request. If circumstances effectively present the parent or eligible student from exercising the right to inspect and review the student’s education records, the district shall provide a copy of the records requested or make other arrangements for the inspection or review of the requested records.
- F. The right of the parent or guardian to access (inspect and review) to student records.
- G. The right to request the amendment of student education records that the parent or eligible student believes are inaccurate or misleading.
- H. The procedures for challenging the content of student records.
- I. The policy that no fee will be charged for up to two copies of a record.
- J. The categories of information which the school district has designated as directory information and that pursuant to federal law, military recruiters and institutions of higher learning may request and receive names, addresses and telephone numbers of all high school students, unless their parents/guardians notify the school, in writing, not to release this information.
- K. The right of the parent to file a complaint with the United States Department of Education concerning an alleged failure by the school system to comply with the provisions of Section 438 of the Federal Education Provisions Act (20 U.S.C.A. 1232g).
- L. The right of a parent or eligible student to a hearing regarding the request for amendment of the record if denied by the district.
- M. The right to consent to disclosures of personally identifiable information contained in the student education record, except to the extent that FERPA authorizes disclosure without consent.

Issue/Practice of Peer Grading

The definition of “education records” excludes grades on peer-graded papers before they are collected and recorded by a teacher. Peer-grading does not violate FERPA.

Students

Student Records; Confidentiality

Notification of Parents

Legal Reference: Connecticut General Statutes

- 1-19(b)(11) Access to public records. Exempt records.
- 7-109 Destruction of documents.
- 10-15b Access of parent or guardian to student's records.
- 10-94i Rights and liabilities of surrogate parents.
- 10-154a Professional communications between teacher or nurse and student.
- 10-209 Records not to be public.
- 10-221b Boards of education to establish written uniform policy re treatment of recruiters.
- 11-8a Retention, destruction and transfer of documents
- 11-8b Transfer or disposal of public records. State Library Board to adopt regulations.
- 46b-56(e) Access to records of minors.

Federal Family Educational Rights and Privacy Act of 1974 (section 438 of the General Education Act, as amended, added by section 513 of P.L. 93-568, codified at 20 U.S.C. 1232g and Final Rule 34 CFR Part 99, December 9, 2008)

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

USA Patriot Act of 2001, PL 107-56, 115 Stat. 272, Sec 507, 18 U.S.C. §2332b(g)(5)(B) and 2331

P.L. 112-278 "The Uninterrupted Scholars Act"

Owasso Independent Sch. Dist. No.1-011 v. Falvo, 534 U.S.426 (2002)

**NOTIFICATION OF RELEASE OF STUDENT RECORDS
PURSUANT TO COURT ORDER OR SUBPOENA**

**Plymouth Public Schools
Terryville, Connecticut**

TO: _____
Parent - Student

Address

The purpose of this notice is to notify you that on _____ (date), the _____
(school district) released the following documents:

from your child's (your own) student records to:

pursuant to a court order or subpoena, a copy of which is attached hereto.

DATED: _____

Note: When a parent is a party to a court proceeding involving child abuse or neglect, or dependency matters, and a judicial order is issued in the context of that proceeding, or pursuant to a lawfully issued subpoena, additional notice to the parent by the educational agency or institution is not required pertaining to the disclosure of the records.

PLYMOUTH PUBLIC SCHOOLS
Transfer of Confidential Student Information

Date: _____

Pursuant to the Family Educational Rights and Privacy Act ("FERPA"), I hereby authorize the Plymouth Public Schools to **release** and/or **obtain** the following confidential records regarding my child for the purpose of _____.

Name of Child: _____

Address: _____

DOB: _____

Parents(s)/Guardian(s): _____

School: _____

Please check all that apply:

	Obtain	Release
All Records	<input type="checkbox"/>	<input type="checkbox"/>
Cumulative File	<input type="checkbox"/>	<input type="checkbox"/>
Pupil Personnel/Special Education	<input type="checkbox"/>	<input type="checkbox"/>
Disciplinary	<input type="checkbox"/>	<input type="checkbox"/>
Health/Medical*	<input type="checkbox"/>	<input type="checkbox"/>
Other (please specify)	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>

To/From: _____
Name

Address: _____
Street Town/City State/Zip Code

Telephone: (____) _____ Fax: (____) _____

I understand that the information to be disclosed is protected as an "educational record" under FERPA, and that such information shall not be redisclosed unless permitted under FERPA. I further understand that the officers, employees and agents of any party that receives protected information under FERPA may use such information only for purposed for which the disclosure is made.

Signature of Parent/Guardian

Date

Print Name of Parent/Guardian

If this authorization is being used to obtain Protected Health Information from a child's physician or other covered entity under HIPAA, the following section must also be completed:

I, the undersigned, specifically authorize _____ to disclose my
Name of Physician
child's medical information, as specified above, to my child's school _____
Name of School

at the above address for the purposes described below (i.e., health assessment for school entry, special education evaluation etc.):

By signing below, I agree that a photocopy of this authorization will be valid as the original. This authorization will be valid for a period of one year from the date below. I understand that I may revoke this authorization at any time by notifying the physician's office in writing, but if I do, it will not have any effect on actions taken by the Physician prior to receiving such revocation.

I understand that under applicable law, the information disclosed under this authorization may be subject to further disclosure by the recipient and thus, may no longer be protected by federal privacy regulations.

I understand that my child's treatment or continued treatment with any health care provider or enrollment or eligibility for benefits with any health plan may not be conditioned upon whether or not I sign this authorization and that I may refuse to sign it.

Any information received by the school pursuant to this authorization is subject to all applicable state and federal confidentiality laws governing further use and disclosure of such information.

Signature of Parent/Guardian

Date

Print Name of Parent/Guardian

Students

Health/Medical Records

When applicable, District schools will comply with the Health Insurance Portability and Accountability Act of 1996 (HIPAA) to maintain the privacy of protected health information that it receives, obtains, transmits or sends. The Board of Education designates the School Nurse Coordinator as its HIPAA Privacy Officer.

Student education records, including personally identifiable health information, maintained by the District is subject to and protected by the Family Educational Rights and Privacy Act (FERPA). Both the United States Department of Health and Human Services and the United States Department of Education Family Policy Compliance Office have stated that student records under FERPA are not subject to HIPAA. Therefore, District schools will comply with FERPA's confidentiality provisions rather than HIPAA's.

The District will seek Medicaid eligibility information to determine if services to a student may be billed. Bills will be processed electronically for Medicaid reimbursement for qualified services to eligible special education students. The District will comply with HIPAA's electronic transactions requirements. Procedures and safeguards will be developed to protect the privacy of health information and prevent wrongful user and disclosure. At a minimum, the policy and procedure for student records will comply with the Family Educational Rights and Privacy Act of 1974 (FERPA). Individuals involved in the Medicaid billing process for the District shall be trained on the privacy procedures. Discipline shall be imposed, up to and including discharge, for staff that wrongfully uses or discloses protected health information.

(cf. 3231 – Medical Reimbursement for Special Education Students)
(cf. 5125 – Student Records; Confidentiality)

Legal Reference: Connecticut General Statutes

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

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

10-154a Professional communications between teacher or nurse & student.

10-209 Records not to be public

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

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

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.).

Students

Health/Medical Records

Legal References: (continued)

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

USA Patriot Act of 2001, PL 107-56, 115 Stat. 272, Sec 507, 18 U.S.C. §2332b(g)(5)(B) and 2331

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

65 Fed. Reg. 50312-50372

65 Fed. Reg. 92462-82829

63 Fed. Reg. 43242-43280

67 Fed. Reg. 53182-53273

Policy adopted: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

Students

Conduct

Areas of Responsibility

1. **Board of Education**

The Board of Education holds the certified personnel responsible for the proper conduct and control of students while legally under the supervision and jurisdiction of the school.

2. **Principal**

The principal may implement necessary procedures and rules and regulations to render effective the policies of the Board of Education relating to standards of student behavior. The principal may involve representatives of all areas of school personnel, students, parents and citizens of the community.

3. **Teachers**

Teachers shall be responsible for the instruction of students in rules and regulations of proper conduct, as well as be responsible for proper and adequate control of students. The responsibility and authority of any teacher extends to all students of the school district under the assigned supervision of the teacher and to other students so situated with respect to the teacher as to be subject to the teacher's control.

4. **Parents**

Parents shall be expected to cooperate with school authorities regarding the behavior of their children. Parents shall be held responsible for the willful misbehavior of their children.

Student Behavior

Students shall be properly instructed in rules and regulations of acceptable conduct; they shall then be responsible for understanding and complying with the standards of behavior described therein. Any student who fails to comply with these rules and regulations concerning student behavior is liable to suspension, exclusion, or expulsion.

Notification of Behavior Code

The Board of Education shall, at the beginning of each school year, notify the parent or guardian of minor students registered in the district of the rules of the district pertaining to student discipline.

The principal of each school shall take steps to insure that all rules pertaining to the discipline of students are communicated to students at the beginning of each school year, and to transfer students at the time of their enrollment in the school.

(cf. 5114 - Suspension/Expulsion)

(cf. 5144 - Discipline/Punishment)

Legal Reference: Connecticut General Statutes
52-572 Parental liability for torts of minors. Damage defined.

Policy adopted: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

Students

Student Conduct

I. Philosophy of Discipline

Discipline begins in the home with the responsibility of parents to develop a positive attitude towards study and behavior. No code established or action taken by school officials can be effective without parental acceptance of this primary responsibility. Discipline continues in the classroom with the relationship between the teacher and the student.

The school district is unequivocally committed to the principle that disorderly and disruptive behavior should not be permitted to interfere with the right of other students to pursue an education. While most discipline problems should be handled by the teacher, student and parent the administration and the Board of Education have the responsibility to support and maintain the enforcement of discipline within the building.

All students will be required to conduct themselves at all times in accordance with established codes of student conduct. Every reasonable effort will be made to keep students within the school's sphere of influence, using suspension and/or expulsion only as a last resort. In this connection, students are reminded that:

1. The exercise of any of the student's rights must be weighed against the rights of another individual or group.
2. No student has the right to disrupt the educational process within a school.
3. All students will have the right to due process procedures in matters of suspension, transfer, and expulsion.

II. Student's Rights and Responsibilities

One of the goals of school systems throughout America is the development in students of an appreciation of the democratic way of life. To achieve this goal the staff, students and parents must work cooperatively to avoid the extremes of regimentation and authoritarianism on the one hand, and anarchy and irresponsibility on the other. To this end, every student has certain rights and responsibilities. The following statements are basic to student-school relationships:

1. Provided no libelous and obscene expressions are used, and the activity does not disrupt the school program, the rights of students with respect to freedom of speech, press and assembly will be respected.

Students

Student Conduct

II. Student's Rights and Responsibilities (continued)

2. The High School will establish a representative student government with leadership elected by the students.
3. All students have the right to an education without regard to race, religion, sex, national origin, or disability.
4. Students may be searched, according to a decision of the Supreme Court of the United States, if there are "reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school." (Board Policy 5145.12).
5. The right to inspect desks and lockers assigned to students may be exercised by school officials to safeguard students and their property and school property with reasonable care for the Fourth Amendment Rights of Students. (Board Policy 5145.12).
6. Every member of the school community, including students, parents and staff has the responsibility to promote regular attendance, orderly conduct and behavior, freedom from fear of insult or injury, and maximum opportunities for learning on the part of each student.

Discipline

Most discipline problems should be handled between the teacher, student and parent. While discipline is an individual matter, the school district is unequivocally committed to the principle that disorderly and disruptive behavior should not be permitted to interfere with the right of other students to pursue an education. All students will be required to conduct themselves at all times in a manner that will be in the best interest of the school and its students. Every reasonable effort will be made to keep students within the schools' sphere of influence, using suspension and/or expulsion only as a last resort. In this connection, students are reminded that:

1. The exercise of any of the student's rights ceases when it infringes upon the rights of another individual or group.
2. Students are responsible to learn the Board's rules and regulations and conduct themselves in accord with them. No student has the right to disrupt the educational process within a school.

Students

Student Conduct

Discipline (continued)

Unacceptable student behavior includes, but is not necessarily limited to: Thefts; obscene and/or profane language or gestures; disobedience; unauthorized walkouts or sit-ins; striking or assaulting staff members or other students; blackmail, extortion and threats; unauthorized possession of weapons; unauthorized distribution, possession, sale or consumption of illegal drugs, alcoholic beverages or tobacco substances; destruction of property; cutting classes or school; violation of bus rules; disruption school routine; gross misbehavior, gross insolence or disrespect; violation of regulations on smoking and dress; deliberate refusal by students to identify themselves to staff unauthorized entrance into any school building; possession or ignition of fireworks or explosive materials; making false bomb threats, etc.

3. The procedural rights of all students will be respected in matters of suspension, transfer and expulsion.

Suspension - the Temporary Removal From the School and/or Program

1. **In School Suspension:** Students may simply be excluded from class or activity participation by the principal or his designee up to ten (10) days when it is felt to be in the best interest of the student involved that, although actions warrant suspension, he/she be kept within the scope of the building and program. In-school suspensions shall be served in the school attended by the student.
2. **Out-of-School Suspension:** Students, enrolled in grades three through twelve, inclusive, may be temporarily removed from school up to ten (10) days when it is felt the interests of the students and the school program would be better served. All suspensions shall be in-school suspensions unless the administration determines, for students in grades three through twelve, inclusive, that (1) the student being suspended poses such a danger to persons or property or such a disruption of the educational process that the student shall be excluded from school during the period of suspension or (2) that an out-of-school suspension is appropriate based on evidence of previous disciplinary problems that have led to suspensions or expulsion of the student and efforts by the administration to address such disciplinary problems through means other than out-of-school suspension or expulsion, including positive support strategies. In addition, guidelines developed and promulgated by the Commissioner of Education will be used by the administration to help determine whether a student's behavior warrants an in-school or out-of-school suspension.

A student in grades preschool to two, inclusive, may be given an out-of-school suspension if it is determined by the administration that such suspension is appropriate based on evidence that the student's conduct on school grounds is of a violent sexual nature that endangers persons.

Students

Student Conduct

Suspension - the Temporary Removal From the School and/or Program (continued)

3. Suspension may be invoked provided:
 - A. The student has had an opportunity to respond before suspension becomes effective.
 - B. Reasonable efforts have been made to notify the student and his parents of the reasons for the suspension; notification will be subsequently confirmed in writing.
 - C. The student is permitted to make up class work which was not done due to the suspension.

Expulsion

Students, in grades three through twelve, inclusive, may be removed from the school program and building for a period exceeding ten (10) days or may be removed permanently. Such exclusion will be only by action of the Board of Education. In this event, the student is entitled to a formal hearing. For the formal hearing the following requirements are to be observed:

1. Notification of charges in writing at least five business days before any expulsion hearing. The notice shall include information concerning the parents or guardians and the student's legal rights concerning the expulsion hearing and concerning legal services that are provided free of charge or at a reduced rate that are available locally (CT Legal Service or source of such services) and how to access such services.
2. Sufficient notice of the time and place of the hearing.
3. An alternative education plan is available (where applicable).
4. A private hearing, if requested, by student and/or parent.
5. The Board of Education hears the case.
6. Representation by counsel, if desired, at the student's expense.
7. Names of witnesses and copies of statements and affidavits of witnesses are available.
8. The right to cross-examine witnesses in person.
9. Student's right to testify and produce witnesses on his/her behalf.
10. A speedy proceeding and decision.
11. Accurate record of proceeding by stenographer or tape, a copy of which is provided to the student, if requested.

Students

Student Conduct

Expulsion (continued)

12. If a student is expelled, notice of the expulsion and the conduct for which the student was expelled shall be included in the students' cumulative educational record. Such notice may be expunged from the cumulative educational record by the Board if the Board determines that the conduct and behavior of the student in the years following the expulsion warrants an expungement. Such notice shall be expunged from the cumulative educational record by the Board if the student graduates from high school.
13. If a student's expulsion is shortened or the expulsion period waived based upon the fact that the student was expelled for the first time, had never been suspended, and successfully completed a Board specified program and/or met other conditions required by the Board, the notice of expulsion, except for the notice of an expulsion of a student in grades 9 through 12 inclusive, based on possession of a firearm or deadly weapon, shall be expunged from the cumulative educational record if the student graduates from high school or, if the Board so chooses, at the time the student completes the Board specified program and meets any other conditions required by the Board.
14. In the case of a student in grades kindergarten to grade eight inclusive expelled for the possession of a firearm or deadly weapon, the Board may expunge from the student's cumulative education record the notice of the conduct for which the student was expelled if the Board determines that the conduct and behavior of the student in the years following the expulsion warrants an expungement.
15. If the student is dissatisfied with the results of the hearing, recourse may be had to the appropriate State Court.
16. In keeping with C.G.S. §10-233d and the Gun Free Schools Act, it is the policy of the Board to expel a student enrolled in grades preschool through grade twelve, inclusive, for one full calendar year if such student:
 - a. possessed on school grounds or at a school-sponsored activity a deadly weapon, dangerous instrument, martial arts weapon, or firearm as defined in 18 USC 921 as amended from time to time; or
 - b. possessed off school grounds, a firearm as defined in 18 USC 921, in violation of C.G.S. 29-35, or possessed and used a firearm as defined in 18 USC 921, a deadly weapon, a dangerous instrument or a martial arts weapon in the commission of a crime under section 952 of the Connecticut General Statutes; or
 - c. was engaged on or off school grounds in offering for sale or distribution a controlled substance (as defined in C.G.S. §21a-240(9)), whose manufacturing, distribution, sale, prescription, dispensing, transporting, or possessing with intent to sell or dispense, offering or administering is subject to criminal penalties under C.G.S. §§21a-277 and 21a-278.

Students

Student Conduct (continued)

Expulsion (continued)

III. Code of Conduct

1. There shall be a code of student conduct which shall be uniformly applied throughout the school system. It is recognized that enforcement of the code may necessarily differ depending on age and maturation level of the student. For this reason, the code is organized in three divisions to reflect discipline procedures at the elementary, middle, and high school levels.

(cf. 5114 - Suspension and Expulsion)

Legal References: Connecticut General Statutes

4-177 - 4-180 Contested cases. Notice. Record, as amended

10-233a through 10-233f Suspension, removal and expulsion of students, as amended by PA 95-304, PA 96-244, PA 98-139, PA 07-66, PA 07-122, PA 08-160, PA 09-82, PA 09-6 (September Special Session), PA 10-111, PA 14-229, PA 15-96 and PA 16-147.

10-233f In-school suspension of students.

Packer v. Board of Educ. of the Town of Thomaston, 246 Conn.89 (1998).
Public Act 98-139

Honig v. Doe, (United States Supreme Court 1988)

Individuals with Disabilities Act, 20 U.S.C. 1400 et seq. as amended by the Individuals with Disabilities Education Act Amendments of 1997 (P.L. 105-17). Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794(a).

P.L. 108-446 Individuals with Disabilities Education Improvement Act of 2004

State v. Hardy, 896 A.2d 755, 278 Conn. 113 (2006)

Students

Bus Conduct

School transportation privileges are extended to students conditional upon their satisfactory behavior on the bus.

Students will be advised that they may be suspended from transportation services for unsatisfactory conduct while awaiting or receiving transportation to and from school which endangers persons or property or violates a Board policy or administrative regulation.

(cf. 5114/5114.1 - Suspension/Expulsion; Due Process)

Legal Reference: Connecticut General Statutes

10-186 Duties of local and regional boards of education re school attendance.

10-220 Duties of boards of education

10-221 Boards of education to prescribe rules

10-233c Suspension of pupils

Policy adopted: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

Students

Bus Conduct

Students will be advised that they may be suspended from transportation services and subject to any other disciplinary action for unsatisfactory conduct while awaiting or receiving transportation to and from school which endangers persons or property or violates a Board policy or administrative regulation.

1. Students must take a seat when they enter the bus and remain seated at all times while the bus is in motion.
2. Indecent or profane language, smoking, rowdyism, loud talking, card playing, or unnecessary conversation with the driver are expressly prohibited.
3. Students must not throw any object in or out of the bus.
4. Students must not, at any time, extend their arms or heads out of the bus window.
5. Students must not open bus windows without permission from the driver.
6. Students shall enter and leave the bus only by the front door except in cases of emergency.
7. Students must be on time and at all times must cooperate in keeping the bus on schedule.
8. Students must not stand on the traveled portion of the highway while waiting for a bus.
9. Students must cross the highway, if necessary, only in front of the stopped bus, being careful to see that traffic is halted.
10. Students to keep the aisle clear of books, bags, instruments and other possessions.
11. Parents of students who damage or deface any bus shall be held liable for such damage.

Students

Conduct

Video and Audio Recording Equipment on School Buses

The Board of Education recognizes the need to maintain appropriate conduct on school buses and to ensure the safety and security of all students, staff and others being transported on District-owned, operated, or contracted school buses or school vehicles. Accordingly, the Board of Education authorizes the installation of video and audio recording equipment on school buses and school vehicles as an aid in monitoring student behavior. These cameras produce both video and audio coverage. The tapes from these cameras will be used to assist school administrators in deciding upon appropriate disciplinary action.

The Superintendent or his/her designee shall ensure that:

1. Each school bus and school vehicle that is equipped with video and audio recording equipment contains a clearly posted notice informing drivers and passengers of the potential for video and audio recording.
2. Parents/Guardians and students are annually informed through student handbooks of the policy authorizing video and audio recording on school buses and school vehicles.

The District shall comply with the provisions of law regarding student record requirements as applicable to the District's use and disclosure of recordings.

Legal Reference: Connecticut General Statutes

10-221 Boards of Education to prescribe rules

Title I - Amendments to the Individuals with Disabilities Act. (PL 105-17)

Family Education Rights and Privacy Act.

Policy adopted: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

Students

Assault

Student fights may or may not involve actual violation of the laws relative to assault, and therefore will not always be reportable to law enforcement authorities. However, all such incidents required close consideration because of the circumstances within which they occur. Student fights are a disruption of the regular school program and will not be tolerated. The principal, in the course of his/her investigation, will attempt to discover the cause of the fight and, if possible, to solve the problem; e.g., obtain an agreement from the students to eliminate the cause of the dispute. If the principal cannot bring about a peaceful resolution of the problem, the participants will be subject to suspension.

A more serious situation exists when an attack is made on a student. The principal may send all parties involved home while he/she conducts an investigation of the incident. Those students found to have been participants in the attack will be suspended and a report made to the authorities.

An attack on a teacher is a matter of grave concern to everyone and will be thoroughly investigated. Each case will be investigated by the principal, and where grounds for charges under the law exist, the case will be referred to police authorities. Student(s) determined in the initial investigation to have been involved will be suspended. If no extenuating circumstances are uncovered, it will be recommended that expulsion proceedings be initiated.

(cf. 5114 - Suspension/Expulsion)
(cf. 5144 - Discipline/Punishment)

Legal Reference: Connecticut General Statutes

10-221 Boards to prescribe rules.

52-572 Parental liability for torts of minors. Damage defined.

53a-18 Use of reasonable physical force or deadly physical force generally.

Policy adopted: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

Students

Student Driving and Parking

Student Use of Motor Vehicles

Students may request to bring their motor vehicles to school. All requests for parking privileges must be accompanied by proof of proper licensing. All students who receive approval to park on school property must complete and sign an application that includes regulations for on-campus operation and parking of motor vehicle.

The only automobiles that will be allowed to park on the school grounds will be those that have been issued permits. Each permit will have a number and the permit will be valid only for the car that it is assigned to. Permits will be for the academic year only. Any student abusing his/her permit privileges will have the permit revoked. Permits will be issued by the administration. Upon arrival at school, students are not to remain in their car, but are to come directly into the building.

Use of Automobiles

The student use of automobiles on school grounds whether to drive or to park is a privilege and governed by Board of Education policy. All students park their vehicles at their own risk.

A permit must be issued which is valid for the academic year only to the car(s) assigned in order for that car to be driven or parked on school grounds. A temporary permit may be issued at the discretion of the principal. Permits shall be issued according to the following criteria:

1. Adequate space.
2. Meeting and maintaining the following responsibilities:
 - a. A valid driver's license, vehicle registration, and insurance as required under Connecticut Law.
 - b. Maintaining an attendance record without invalid absence or tardiness to homeroom or school.
 - c. Maintaining slow and safe control of the vehicle on the school grounds and streets surrounding school parking area.
 - d. Recognizing that school buses shall have the right of way at all times.
 - e. Coming immediately and directly into the building from the parking area.
 - f. Signing of release by parents waiving all liability or property damage claims against the school, school officials and the Board of Education.
 - g. All traffic and parking signs on campus must be followed.

Students

Student Driving and Parking (continued)

Revocation of Permits

1. Driving
2. Reckless or dangerous driving on the school grounds.
3. Leaving the school grounds without permission.
4. Failure to park in the area designated.
5. Failure to follow posted traffic signs.
6. At the request of their parents.
7. Excessive tardiness. (see attendance policy)
8. Loitering of students in their cars.
9. Failing to give school buses the right of way at all times.
10. Failure to follow all CT Motor Vehicle regulations.
11. Creating a nuisance, which interrupts the school environment, i.e., loud radio playing, exhaust systems, screeching tires.

Although school grounds are public property the Board has the responsibility for protecting school property and for assuring the safety of all persons on school grounds. Thus it has authority to set up controls related to driving and parking school property, as well as the use of school grounds and facilities by the public. Your cooperation in following these regulations is important to the protection of everyone.

Motorized Recreational Vehicles

The Board of Education declares that the grounds of the school (including roads and parking lots) are off limits to use at all times, by scooters, minibikes, snowmobiles, or other recreational type vehicles. When school is being occupied for school community purposes, parking lots are available for parking only.

Students

Student Driving and Parking

Student Use of Motor Vehicles

All student parking spaces are located in the student lot in the back of the school or in the lower tier parking area in front of the building. Students parking in either of these areas must display a parking pass. There will be \$25.00 yearly non-refundable parking fee which will be remitted to the Board of Education.

In order for students to drive to school and park on campus, they must meet the following requirements:

1. Be in good academic standing with no failing grades for the current marking period.
2. Not be under suspension/expulsion from school.
3. Have good attendance as reviewed by school administrator.
4. Not have more than two office level disciplinary referrals during the current marking period.

Students who wish to drive to school must park only in assigned student areas. Students are not to remain in cars or congregate in the student parking areas before, during, or after school. Students who drive to school must not leave school property without proper authorization. During the school day, students must obtain permission from an administrator to go to their cars for any reason.

Student parking privileges will be suspended for the following reasons:

1. Excessive speed.
2. Failure to stop for a school bus displaying flashing red lights.
3. Parking in fire lanes or in designated handicapped areas.
4. Possession of alcohol, drugs, weapons or other contraband items in a motor vehicle.
5. Failure to have proper driver's license of vehicle regulation.
6. Any unsafe act involving a student's motor vehicle.

Parking spaces are not assigned, but are available on a first-come first serve basis. The school or Board of Education is not responsible for damages or vandalism to student automobiles. Unauthorized vehicles will be towed at the owner's expense.

Students

School Ground Disturbances

To insure the orderly process of education and business affairs connected with the schools and the safety of persons and property, the Board of Education directs that this policy be followed in case of any type of disruptive demonstration on school property or within school buildings.

This policy is not intended to discourage or prohibit the peaceful expression of opinions or ideas concerning the schools of Plymouth, however, since the Board is required by law to provide proper school facilities and to maintain an appropriate program of instruction, and is further required to bar any disruption of the schools or interference with their normal operation, the following steps shall be taken in the event of any disruption of the normal operations of the schools.

1. The disruption shall be immediately brought to the attention of the Superintendent or his/her representative by the administrative head of the school. The Superintendent shall have the authority at his/her discretion to alert the police authorities.
2. Students participating in a disruptive demonstration shall be directed by the building administrator or representative to go to their regular classroom assignment. At the time, the administrator or representative will arrange for a meeting between the administration and the individuals, leaders of a group, or the group, if feasible, to discussing a rational, orderly manner the problem which has caused disorder.
3. Non-student demonstrators and other unauthorized persons will be directed by the building administrator or his/her representative to remove themselves from school property forthwith.
4. In the event steps 2 and/or 3 fail to stop the demonstration, the Superintendent or his/her representative will ask the police to remove the demonstrators and any individuals failing to comply under step 3.
5. When necessary for their safety, students and staff may be directed to leave the building and school property.
6. At no time, while any demonstration is in process, is the Superintendent or any school personnel or Board of Education member to enter into negotiations on the issues with the protesters, either orally or in written form.
7. As soon as normal educational and business processes can be resumed, the Superintendent shall be charged with establishing communications with the leaders of the protesting group in order to resolve their requests or to refer them to the Board of Education in an orderly manner.
8. Student participants and/or school employees joining students in a disruptive demonstration on school grounds will be subject to suspension.

Students

School Ground Disturbances (continued)

(cf. 5114 - Suspension/Expulsion)
(cf. 5131 - Student Conduct)
(cf. 5131.5 - Vandalism)
(cf. 5144 - Discipline/Punishment)
(cf. 5145 - Civil and Legal Rights & Responsibilities)

Legal Reference: Connecticut General Statutes

10-233a -10-233f suspension and Expulsion.

10-233g Boards to report school violence. Reports of Principals to police authority.

10-235 Indemnification of teachers, Board members and employees in damage suits; expenses of litigation.

10-236a Indemnification of educational personnel assaulted in the line of duty.

Policy adopted: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

Students

Vandalism

Vandalism by Minors

The parent/guardian of any minor/unemancipated child who willfully cuts, defaces or otherwise injures in any way any real or personal property belonging to the school district shall be held liable for all such damages up to the maximum amount allowed by state law.

The liability provided under Connecticut General Statutes 52-572 does not relieve the minor(s) of personal liability for such damage or injury. This liability of the parent for damages done by a minor child is in addition to any other liability which exists in law.

The parent or guardian of a minor child will also be held liable for all property belonging to the school system lent to the student and not returned upon demand of the school district. The student may also be subject to disciplinary action.

Vandalism by an Adult Student

An adult student shall be held personally liable for any damage done to any property, real or personal, belonging to the school district. The student may also be subject to disciplinary action.

(cf. 6161.2 - Care of Instructional Materials)

Legal Reference: Connecticut General Statutes

10-221(a) Boards of education to prescribe rules [subsection (c) re - sanctions that may be imposed by a board against students who damage or fail to return textbooks, library materials or other educational materials]

52-572 Parental liability for torts of minors. Damage defined

Policy adopted: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

Students

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

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

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

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

Definitions

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

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

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

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

Students

Alcohol Use, Drugs, and Tobacco (continued)

Definitions (continued)

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

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

Privacy Rights

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

Illegal Activities

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

Notification of Policy

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

Students

Alcohol Use, Drugs, and Tobacco

Notification of Policy (continued)

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

1. the unlawful manufacture, distribution, sale, dispensing, possession or use of controlled substances, other illegal drugs, performance-enhancing substances, alcohol or tobacco, including electronic nicotine delivery systems and vapor products, is prohibited in school, on school grounds, on school transportation and at school sponsored activities;
2. compliance with the standards of conduct stated in the handbook is mandatory;
3. a violation of its provisions will subject students to disciplinary action up to and including expulsion and referral for prosecution;
4. CIAC controlled activities at the high school and middle school levels sponsored by the District/school are included in this policy and accompanying administrative regulations; and
5. CIAC may impose sanctions beyond those applied by the District for the use of performance-enhancing substances, as defined in this policy, by athletes.

Disciplinary Action

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

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

1. If an employee suspects student possession, use, abuse, distribution or sale of controlled substances, other illegal drugs, performance-enhancing drugs, alcohol, or tobacco/tobacco products the employee shall refer the matter to the Principal or his/her designee. The Principal or designee will notify the student's parent/guardian, recommend a specific assessment, as appropriate, and contact law enforcement personnel as appropriate.

Students

Alcohol Use, Drugs, and Tobacco

Disciplinary Action (continued)

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

Drug-Free Awareness Program

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

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

Drugs and Alcohol

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

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

Students

Alcohol Use, Drugs, and Tobacco (continued)

Drugs and Alcohol (continued)

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

Inhalant Abuse

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

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

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

Nitrous Oxide – Laughing Gas, Whippets, CO₂ Cartridge
Amyl Nitrite – “Locker Room,” “Rush,” “Poppers,” “Snappers”
Butyl Nitrite – “Bullet,” “Climax”
Chlorohydrocarbons – Aerosol Paint Cans, Cleaning Fluids
Hydrocarbons – Aerosol Propellants, Gasoline, Glue, Butane

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

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

Students

Alcohol Use, Drugs, and Tobacco

Inhalant Abuse (continued)

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

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

Performance-Enhancing Drugs (including food supplement)

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

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

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

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

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

Students

Alcohol Use, Drugs, and Tobacco (continued)

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.

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 and electronic nicotine delivery systems or vapor product. 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

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.

Students

Alcohol Use, Drugs, and Tobacco

(cf. 5114 – Suspension/Expulsion)
(cf. 5131 – Conduct)
(cf. 5131.61 – Inhalant Abuse)
(cf. 5131.62 – Steroid Use)
(cf. 5131.612 – Surrender of Physical Evidence Obtained from Students)
(cf. 5131.8 – Out of School Grounds Misconduct)
(cf. 5131.92 – Corporal Punishment)
(cf. 5144 – Discipline/Punishment)
(cf. 5145.12 – Search and Seizure)
(cf. 5145.121 – Vehicle Searches on School Grounds)
(cf. 5145.122 – Use of Dogs to Search School Property)
(cf. 5145.124 – Breathalyzer Testing)
(cf. 5145.125 – Drug Testing-Extracurricular Activities)
(cf. 6164.11 – Drugs, Alcohol, Tobacco)

Legal Reference: Connecticut General Statutes

1-21b Smoking prohibited in certain places.

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

10-154a Professional communications between teacher or nurse and student. Surrender or physical evidence obtained from students.

10-220b Policy statement on drugs.

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

21a-240 Definitions dependency producing drugs.

21a -240(8) Definitions “Controlled Drugs,” dependency producing drugs.

21a-240(9) Definitions “controlled substance.”

21a-243 Regulation re schedules of controlled substances.

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

53-198 Smoking in motor buses, railroad cars and school buses.

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

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

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

Students

Alcohol Use, Drugs, and Tobacco

Legal Reference: Connecticut General Statutes

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

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

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

20 U.S.C. Section 7181 et. seq., No Child Left Behind Act.

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: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

Students

Weapons and Dangerous Instruments

The Board of Education determines that possession, concealment, and/or use of a weapon by a student is detrimental to the welfare and safety of the students and school personnel within the district. Possession and/or use of any dangerous or deadly weapon, firearm, or destructive device in any school building on school grounds, in any school vehicle, or at any school-sponsored activity is prohibited.

A “dangerous weapon” is any weapon, device, instrument, material or substance, which under the circumstances in which it is used, attempted to be used or threatened to be used is readily capable of causing death or serious injury. A “deadly weapon” is any instrument, article or substance specifically designed for and presently capable of causing death or serious injury.

Pursuant to federal law, the term firearm includes, but is not limited to, any weapon designed to or may readily be converted to expel a projectile by the action of an explosive, the frame or receiver of any such weapon, a muffler or silencer for such a weapon, or destructive device. A student who violates this policy will be reported to law enforcement authorities.

A “destructive device” is considered any device with an explosive, incendiary or poison gas component or any combination of parts either designed or intended for use in converting any device into any destructive device or from which a destructive device may be readily assembled. A destructive device does not include any device which is designed primarily for use as a signaling, pyrotechnic, line-throwing, safety or similar device.

The possession or use of any such weapon or devices will require that the proceedings for the suspension and/or expulsion of the student involved will be initiated immediately by the principal. If the student is found to have possessed a firearm or other dangerous weapon as defined in Connecticut General Statutes 53a-3 in violation of 29-35 or 53-206, in or on the real property of a school or at any school activity as defined in Connecticut General Statutes 10-233a, he/she must be expelled for one calendar year. The Board of Education or hearing board may modify the period of expulsion on a case by case basis. To comply with federal law, any finding of an exception shall be reduced to writing. All legal restrictions and requirements will be adhered to pertaining to special education students.

The Board shall consider a student's conduct off school grounds that is seriously disruptive of the educational process or is violative of publicized policies of the Board as grounds for expulsion.

Legal Reference: Connecticut General Statutes
 10-221 Boards of education to prescribe rules.
 10-233a through 10-233f - Expulsion as amended by PA 95-304
 53a-3 Definitions.

Students

Weapons and Dangerous Instruments

Legal Reference: Connecticut General Statutes (continued)
53a-217b - Possession of firearms and deadly weapons on school grounds
53-206 Carrying and sale of dangerous weapons.
PA 94-221 An Act Concerning School Discipline and Safety.
Gun-Free School Zones Act of 1990, 18 U.S.C. §§ 921(a)(25)-(26), 922(q) (2006)
GOALS 2000: Educate America Act
18 U.S.C. 921 Definitions.
USCA 7151 – No Child Left Behind Act
Youth Handgun Safety Act, 18 U.S.C. §§ 922(x), 924(a)(6) (2006)
Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101-7117

Policy adopted: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

Students

Weapons and Dangerous Instruments

I. Regulations - Generally

1. Students shall not possess firearms, facsimiles of firearms, deadly or dangerous weapons, dangerous instruments, or martial arts weapons on school grounds or buildings, not on school buses, nor on any school-related or school-sponsored activity away from school facilities. Firearms, weapons, and dangerous instruments shall include those defined by law. (18 U.S.C. 921, C.G.S. 53a-3, 53-202 to 53-206, and 53-206c(a)(1).
2. Possession or use of such weapons or devices on school grounds or other areas under the control of the Board of Education may also be a violation of criminal law, and therefore any violation of this policy may be reported immediately to the local law enforcement agency, the Board of Education, and, if possible, the parent or guardian. Students who violate this policy shall be subject to appropriate disciplinary action as well as possible legal action, provided that a student found to possess a firearm, instrument or a weapon shall be expelled. Certain off school grounds violations shall also lead to expulsion.
3. Any dangerous device or weapon may be seized by an employee of the school system under the power granted to the Board of Education to maintain order and discipline in the schools, and to protect the safety of students, staff and the public.
4. Every employee seizing any weapon or dangerous instrument under the provisions of this policy shall report the incident to the building Principal immediately, and deliver the seized device to the Principal, together with the names of the persons involved, witnesses, location and circumstances of the seizure.
5. If an employee knows or has reason to suspect that a student has possession of such a device but has not been seized, the employee shall report the matter to the Principal immediately, and the Principal shall take such action as is appropriate. The Principal shall report all violations of this policy to the Superintendent or designee, and to the local law enforcement agency.
6. Whenever a student is expelled, notice of the expulsion and the conduct for which the student was expelled shall be included on the student's cumulative educational record. Such notice, except for notice of an expulsion based on possession of a firearm or deadly weapon, shall be expunged from the cumulative educational record by the Board of Education if a student graduates from high school.

Students

Weapons and Dangerous Instruments

Regulations - Generally (continued)

7. The Board of Education shall submit to the Commissioner of Education information on expulsions for the possession of weapons as required for purposes of the Gun-Free Schools Act of 1994, 20 U.S.C. 8921 ET SEQ.

II. Definition Of Terms

1. **Dangerous instrument** means any instrument, article or substance which, under the circumstances in which it is used or attempted or threatened to be used, is capable of causing death or serious physical injury, and includes a “vehicle”. (C.G.S. Sec. 53a-3(7).)
2. **Dangerous weapon** means any sling shot, air rifle, BB gun, blackjack, sand bag, metal or brass knuckles, or any dirk knife, or any switch knife, or any knife having an automatic spring release device by which a blade is released from the handle, having a blade of over one and one-half inches in length, or stiletto, or any knife, the edged portion of the blade of which is four inches or over in length, or any martial arts weapon or electronic defense weapon, or any other dangerous or deadly weapon or instrument. (C.G.S. Sec. 53-206.)
3. **Deadly weapon** means any weapon, whether loaded or unloaded, from which a shot may be discharged or a switchblade knife, gravity knife, billy, blackjack, bludgeon, or metal knuckles. (C.G.S. Sec. 53a-3(6).)
4. **Electronic defense weapon** means a weapon which by electronic impulse or current is capable of immobilizing a person temporarily, but is not capable of inflicting death or serious physical injury. (C.G.S. Sec. 53a-3(20).)
5. **Expulsion** means an exclusion from school privileges for more than ten consecutive school days and shall be deemed to include, but not limited to, exclusion from the school to which such student was assigned as the time such disciplinary action was taken, provided such exclusion shall not extend beyond a period of one calendar year. (C.G.S. Sec. 233a(e), P.A. 95-304)
6. **Facsimile of a firearm** means (A) any nonfunctional imitation of an original firearm which was manufactured, designed and produced since 1898, or (B) any nonfunctional representation of a firearm other than an imitation of an original firearm, provided such representation could reasonably be perceived to be a real firearm. Such term does not include any look-a-like, non-firing, collector replica of an antique firearm developed prior to 1898, or traditional BB, or pellet-firing air gun that expels a metallic or paint-contained projectile through the force of air pressure. (C.G.S. Sec. 53-206c(a) (1).)

Students

Weapons and Dangerous Instruments

Definition of Terms (continued)

7. **Firearm** means any sawed-off shotgun, machine gun, rifle, shotgun, pistol, revolver or other weapon, whether loaded or unloaded from which a shot may be discharged. (C.G.S. Sec. 53a-3(19).)
8. **Martial arts weapon** means a nunchaku, kama, kasari-fundo, octagon sai, tonfa or chinese star. (C.G.S. Sec. 53a-3(21).)
9. **Physical injury** means impairment of physical condition or pain. (C.G.S. Sec. 53a-3(3).)
10. **Possess** means to have physical possession or otherwise to exercise dominion or control over tangible property. (C.G.S. Sec. 53a-3(2).)
11. **Serious physical injury** means physical injury which creates a substantial risk of death, or which causes serious disfigurement, serious impairment of health or serious loss or impairment of the function of any bodily organ. (C.G.S. Sec. 53a-3(4).)
12. **Vehicle** means a “motor vehicle” as defined in Section 14-1, a snowmobile, any aircraft, or any vessel equipped for propulsion by mechanical means or sail. (C.G.S. Sec. 53a-3(8).)

III. Disciplinary Procedures

Students in violation of this policy shall be subject to the following disciplinary measures:

1. Possessing, using, carrying, drawing, exhibiting or brandishing a facsimile of a firearm in a threatening manner so as to frighten, vex or harass another person.
 - a. Suspension of up to 10 school days.
 - b. Mandatory referral to law enforcement agency.
 - c. Consideration of expulsion hearing as appropriate.
2. Possession and/or use of any dangerous instrument in a threatening manner so as to inflict bodily harm, or to intimidate, or to terrorize, frighten, vex or harass another person.
 - a. 10 school days suspension.
 - b. Mandatory referral to law enforcement agency.
 - c. Recommendation of expulsion hearing.

Students

Weapons and Dangerous Instruments (continued)

3. Use of any dangerous instrument to inflict physical injury, serious physical injury or death.
 - a. 10 school days suspension.
 - b. Mandatory referral to law enforcement agency.
 - c. Mandatory referral to expulsion proceedings.
4. Possession and/or use of a firearm, deadly weapon, dangerous instrument or martial arts weapons on or off school grounds or at a school sponsored activity.
 - a. 10 school days suspension.
 - b. Mandatory referral to law enforcement agency.
 - c. Mandatory referral to expulsion proceedings.
5. Possession of a firearm, or possession and use of a firearm, dangerous instrument, deadly weapon or martial arts weapon in the commission of a crime while off school grounds.
 - a. 10 school days suspension.
 - b. Mandatory referral to law enforcement agency.
 - c. Mandatory referral to expulsion proceedings.
 - (1) Such student shall be expelled for a period not to exceed one (1) calendar year if the Board of Education or impartial hearing board finds that the student did so possess a weapon as described in this section.
6. Possession and/or use of a dangerous weapon on or off school grounds or at a school sponsored activity.
 - a. Suspension of up to 10 school days.
 - b. Mandatory referral to law enforcement agency as appropriate.
 - c. Consideration of expulsion hearing as appropriate.
7. Possession and/or use of any other item, devise, instrument or weapon not specifically defined by law or conduct on school grounds or at a school sponsored activity is violative of a publicized policy of the Board of Education or is seriously disruptive of the educational process or endangers persons or property or whose conduct off school grounds is violative of such policy and is seriously disruptive of the educational process.
 - a. Suspension of up to 10 school days.
 - b. Mandatory referral to law enforcement agency as appropriate.
 - c. Consideration of expulsion hearing as appropriate.

Students

Weapons and Dangerous Instruments (continued)

Students and parents or guardians shall be notified of this policy annually.

(cf. 5114 - Suspension/ Expulsion; Due Process)

(cf. 5145.12 - Search and Seizure)

Legal Reference: Connecticut General Statutes
4- 176e through 4- 185 Uniform Administrative Procedure Act.
10-233a through 10-233f re in-school suspension, suspension, expulsion. (as amended by PA 98-139)
29-35 Carrying of pistol or revolver without permit prohibited.
29-38 Weapons in vehicles.
53a-3 Firearms and deadly weapons.
53-206 Carrying and sale of dangerous weapons.
53a-217b Possession of firearms and deadly weapons on school grounds.
PA 94-221 An Act Concerning School Safety.
18 U.S.C. 921 Definitions.
PL 103-382 Elementary and Secondary Education Act. (Sec. 14601 - Gun Free Requirements: Gun Free School Act of 1994)
PA 95-304 An Act Concerning School Safety.
PA 96-244 An Act Concerning Revisions to the Education Statutes.
Kyle P. Packer PPA Jane Packer v. Thomaston Board of Education. (SC 15862

Students

Off School Grounds Misconduct

Students are subject to discipline, up to and including suspension and expulsion for misconduct, which is seriously disruptive of the educational process and is a violation of a publicized Board policy, even if such misconduct occurs off-school property and during non-school time.

In compliance with judicial decisions, the Board considers conduct which is "severely disruptive of the educational process" to mean conduct that "markedly interrupts or severely impedes the day-to-day operations of a school" in addition to such conduct also being violative of publicized school policy. Such conduct includes, but is not limited to, phoning in a bomb threat, or making a threat, off school grounds, to kill or hurt a teacher or student.

In addition, in making the determination as to whether conduct is "seriously disruptive of the educational process," the administration may consider, but such consideration shall not be limited to (1) whether the incident occurred within close proximity of a school; (2) whether other students from the school were involved or whether there was any gang involvement; (3) whether the conduct involved violence, threats of violence or the unlawful use of a weapon, as defined in Section 29-38 and whether any injuries occurred; and (4) whether the conduct involved the use of alcohol. The conduct can also be the use of inappropriate electronic messages. The Board of Education or impartial hearing board, in matters of expulsion for out of school misconduct, in making a determination as to whether conduct is "seriously disruptive of the educational process," may consider, but consideration is not limited to the same items listed previously.

Such discipline may result whether: 1) the incident was initiated in the school or on school grounds, or 2) even if the incident occurred or was initiated off-school grounds and non-school time; if after the occurrence there was a reasonable likelihood that return of the student would contribute to a disruptive effect on the school education or its process, markedly interrupting or severely impeding the day-to day operation of a school, by threatening:

1. The school's orderly operations;
2. The safety of the school property;
3. The welfare of the persons who work or study there.

Examples of the type of such off-school misconduct that may result in such discipline include but are not limited to:

1. Use, possession, sale, or distribution of dangerous weapons; (as defined C.G.S. 53a-3, 53-206, and 29-35)
2. Use, possession, sale, or distribution of illegal drugs; or
3. Violent conduct,
4. Making of a bomb threat,
5. Threatening to harm or kill another student or member of the staff.

where any such activity has the reasonable likelihood of threatening the health, safety or welfare of school property, individuals thereon, and/or the educational process.

Students

Off School Grounds Misconduct (continued)

For example, if it is determined that a student's use, possession, or sale of drugs in the community has a strong likelihood of endangering the safety of students or employees because of the possibility of such sales in the school; or if violent conduct in the community presents a reasonable likelihood of repeating itself in the school environment; or if any similar type of misconduct in the community has a reasonable likelihood of being continued or repeated in school or of bringing retaliation or revenge into the school for such off-school misconduct, the Board may impose discipline up to and including suspension and/or expulsion. The rationale to be applied in considering disciplinary action is whether the off-school grounds conduct will markedly interrupt or severely impede the day-to-day operation of a school.

A student who possessed and used a firearm, deadly weapon, dangerous instrument or martial arts weapon in the commission of a crime off-campus shall be expelled for one calendar year unless said expulsion is modified on a case-by-case basis.

Legal Reference: Connecticut General Statutes
 4- 176e through 4- 185 Uniform Administrative Procedure Act.
 10-233a through 10-233f re in-school suspension, suspension, expulsion. (as
 amended by PA 98-139)
 29-35 Carrying of pistol or revolver without permit prohibited.
 29-38 Weapons in vehicles.
 53a-3 Firearms and deadly weapons.
 53-206 Carrying and sale of dangerous weapons.
 53a-217b Possession of firearms and deadly weapons on school grounds.
 PA 94-221 An Act Concerning School Safety.
 18 U.S.C. 921 Definitions.
 PL 103-382 Elementary and Secondary Education Act. (Sec. 14601 - Gun
 Free Requirements: Gun Free School Act of 1994)
 PA 95-304 An Act Concerning School Safety.
 PA 96-244 An Act Concerning Revisions to the Education Statutes.
 Kyle P. Packer PPA Jane Packer v. Thomaston Board of Education. (SC
 15862
 Wisniewski v. Bd. Of Educ., 494F.3d34 (2nd Cir. 2007)
 Doninger v. Niehoff, 257F.3d (2nd Cir. 2008)

Policy adopted: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

P5131.81(a)

STUDENTS

Electronic Devices

Use of Private Technology Devices by Students

Students may possess privately owned technological devices on school property and/or during school sponsored activities, in accordance with the mandates of this policy and any applicable administrative regulations as may be developed by the Superintendent of Schools. The Plymouth Board of Education ("Board") considers allowing students to bring to school such devices to be a privilege and not a right. The Board reserves the right to revoke this privilege if a student fails to adhere to the following guidelines and/or the Board's acceptable use and student discipline policies.

Definitions

Board Technology Resources

For the purpose of this policy, "Board Technology Resources" refers to the Board's computers and instructional technologies; communications and data management systems; informational technologies and the Internet; and any other technology resources used by the school district and accessible by students.

Privately Owned Technological Devices

For the purposes of this policy, "Privately Owned Technological Devices" refers to privately owned wireless and/or portable electronic hand-held equipment that can be used for work processing, wireless Internet access, image capture and recording, sound recording, information transmitting and/or receiving, storing, etc. These devices may include, but are not limited to, personal laptops, Smartphones, network access devices, Kindles, Nooks, cellular telephones, radios, Walkman, CD players and walkie-talkies, Blackberries, personal data assistants, I-Phones and other electronic signaling devices.

Students

Electronic Devices

Use of Privately Owned Technological Devices

Cell Phones & Earbuds

The use of cell phones and earbuds in the classroom setting is strictly prohibited during teacher lead instructional time. Cell phones and earbuds must be placed in backpacks or in teacher storage bins during this portion of the lesson. At the teacher's discretion, students may use their cell phones or earbuds while completing independent work. If a student does not comply with the cell phone and earbud policy, they will be required to surrender the electronic device to the teacher (the cell phone will be delivered to the main office for pick up at the end of the school day). Failure to comply with the teacher request will result in an office referral for insubordination and administration being called to confiscate the cell phone or earbuds. Students may use their cell phones and earbuds during study hall, lunch and in the hallways between class time.

If a student chooses to bring an electronic device to school, the school district will not be responsible for loss or theft of such an item.

CELL PHONE PHOTOGRAPHS & VIDEO RECORDING

Photographs and video recording in school without specific faculty permission is prohibited and could lead to disciplinary action where warranted.

Use of any such device for an improper purpose is prohibited. Improper purposes include, but are not limited to:

- * Sending any form of harassing, threatening, or intimidating message, at any time, to any person (such communications may also be a crime);
- * Gaining or seeking to gain unauthorized access to Board technology resources;
- * Damaging Board technology resources;

Students

Electronic Devices

Use of Privately Owned Technological Devices (continued)

- * Accessing or attempting to access any material that is obscene or contains pornography;
- * Cyberbullying;
- * Taking pictures without the specific permission of the subject of the picture;
- * Using a privately owned technological device to violate any school rules, including the unauthorized recording (photographic or audio) of another individual without the permission of the individual or a school staff member; or
- * Taking any action prohibited by any Federal or State Law.

Students acknowledge the following:

- * Only the school's Internet will be accessed. Attempts will not be made to bypass the local connection.
- * The District's network filters will be applied to one's connection to the Internet and attempts will not be made to bypass them.
- * Only authorized data can be accessed. Infecting the network with a virus, Trojan, or program designed to damage, alter, or destroy the network; and hacking, altering, or bypassing security policies are not allowed.
- * The school District has the right to collect and examine any device that is suspected of causing problems or was the source of an attack or virus infection.
- * All data must be stored on the student's hard drive. Backing up the data through a jump drive, an external drive, or another media device regularly is strongly encouraged.
- * As we are working to achieve a more paperless environment, printing from personal laptops will not be possible.
- * As we do not have enough outlets for students to charge their devices in classrooms, each student must charge his or her own device prior to bringing it to school daily.
- * Using a personal device to transmit or share inappropriate content during the school day will result in the loss of BYOD/BYOT privileges. Additional consequences may be applied depending upon the circumstances. Transmission of material of a bullying nature or sexual nature will not be tolerated.
- * Using a personal device at unauthorized times will result in the loss of BYOD/BYOT privileges. Use of these devices in the cafeteria, gymnasium, locker rooms, hallways, and bathrooms is strictly prohibited. The purpose of BYOD/BYOT is purely for the extension and enrichment of the learning environment.

Students

Electronic Devices

Students acknowledge the following: (continued)

- * Devices cannot be used during assessments, unless otherwise directed by a teacher.
- * Students must immediately comply with teachers' requests to shut down devices or close the screen. Devices must be in silent mode and put away when asked by teachers.
- * Students are not permitted to transmit or post photographic images/videos of any person on campus on public and/or social networking sites.
- * Students can only access files on the computer or Internet sites which are relevant to the classroom curriculum and suggested by a teacher.
- * Students are not to physically share their personal devices with other students, unless approved in writing by their parent/guardian.
- * Personal devices may not be used to cheat on assignments, tests or for non-instructional purposes, such as making personal phone call and text/instant messaging.
- * Personal devices may not be used to send inappropriate e-messages during the school day.

Search of Privately Owned Technological Devices

A student's privately owned technological device may be searched if there are reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school. Any such search shall be reasonably related to objectives of the search and not excessively intrusive in light of the age and sex of the student and the nature of the infraction.

Responsibility for Privately Owned Technological Devices

Students are responsible for the safety and use of their privately owned technological devices. If a privately owned technological device is stolen, lost, or damaged, a report should be made to the building principal, who will investigate the loss in a manner consistent with procedures for stolen or damaged personal property. Students and parents should be aware that the Board is not liable for any privately owned technological device that is stolen, lost, or damaged while at school. Furthermore, the Board shall not be liable for any data plan charges or any other costs associated with the use of private technological devices. For that reason, students are advised not to share or loan their privately owned technological devices with other students.

Students

Electronic Devices

Students acknowledge the following: (continued)

Students shall take full responsibility for their device and shall keep it safely stored when not in use. Classroom teachers will determine the best storage location for such devices. Students are required to take home their privately owned technological devices at the end of each school day.

Disciplinary Action

Misuse of the Board's technology resources and/or the use of privately owned technological devices to access or utilize the Board's technology resources in an inappropriate manner or in a manner inconsistent with this policy will not be tolerated and will result in disciplinary action. For students, a violation of this policy may result in loss of access privileges, a prohibition on the use and/or possession of privately owned technological devices on school property, and/or suspension or expulsion in accordance with the Board's policies related to student discipline.

Access to Board Technology Resources

It is the policy of the Plymouth Board of Education to permit students, using their privately owned technology devices, to access the Board's computers and instructional technologies; communications and data management systems; informational technologies and the Internet; and any other technology resources used by the school district and accessible by students. Additionally, it is the expectation of the Board of Education that students who access these resources while using privately owned technology devices will act at all times appropriately in ways which are fully in accord with applicable policies concerning technology use as well as all local, state, and federal laws.

Through the publication and dissemination of this policy statement and other related to use of the Board's computer systems, as well as other instructional means, the Board educates students about the Board's expectations for technology users.

The Board technology resources shall only be used to access educational information and to promote learning activities both at home and at school. The Board considers access to its technology resources to be a privilege and not a right. Students are expected to act at all times appropriately in ways which are fully in accord with applicable policies concerning technology use as well as all local, state, and federal laws when using the Board technology resources. Failure to do so will result in the consequences outlined herein and in other applicable policies.

Students

Electronic Devices

Disciplinary Action (continued)

(including, but not limited to, the Safe School Climate Plan, the Student Discipline Policy and the Use of Computers Policy).

Students must abide by the procedures outlined in this policy and all policies and applicable regulations outlined in the Board's computer use and other applicable policies. Students will be given specific information for log-on and access procedures using school accounts. No user may deviate from these log-on/access procedures. Students are advised that the Board's network administrators have the capability to identify users and to monitor all privately owned technological devices while they are logged on to the network. Students must understand that the Board has reserved the right to conduct monitoring of Board technology resources and can do so despite the assignment of individual users of passwords for system security. Any password systems implemented by the Board are designed solely to provide system security from unauthorized users, not to provide privacy to the individual system user. The system's security aspects, message delete function and personal passwords can be bypassed for monitoring purposes. Therefore, students should be aware that they should not have any expectations of personal privacy in the use of privately owned technological devices to access Board technology resources. This provision applies to any and all uses of the Board's technology resources and that any privately owned technological devices access same.

Harm to Board Technology Resources

Any act by a student using a privately owned technological device that harms the Board's technology resources or otherwise interferes with or compromises the integrity of Board technology resources will be considered vandalism and will be subject to discipline and/or appropriate criminal or civil action.

Closed Forum

This policy shall not be construed to establish a public forum or a limited open forum.

(cf. 5114 – Suspension and Expulsion/Due Process)

(cf. 5131 – Conduct)

(cf. 5131.8 – Off School Grounds Misconduct)

(cf. 5131.82 – Restrictions on Publications and Written or Electronic Material)

P5131.81(g)

Students

Electronic Devices

Closed Forum (continued)

(cf. 5131.911 – Bullying)
(cf. 5131.913 – Cyberbullying)
(cf. 5144 – Discipline/Punishment)
(cf. 5145.4 – Sexual Harassment)
(cf. 5145,51 – Peer Sexual Harassment)

Legal References: Connecticut General Statutes
10-233j Student possession and use of telecommunication devices
31-48d Employees engaged in electronic monitoring required to give prior notice to employees.
53a-182 Obstruction free passage: Class C. misdemeanor
53a-183 Harassment in the second degree: Class C misdemeanor.
53a-250 Definitions.
Electronic Communication Privacy Act, 28 U.S.C. 882510 through 2520.
Eisner v Stamford Board of Education, 440 F. 2d 803 (2nd Cir 1971)
Trachtman v. Anker, 563 F. 2d 512 (2nd Cir. 1977) cert. denied, 435 U.S. 925 (1978)
Hazelwood School District v. Ruhlmeir, 484 U.S. 260, 108 S Ct 562 (1988)
Bethel School District v. Fraser, 478 US 675 (1986)
Tinker v. Des Moines Independent Community Dist., 393 US 503, (1969)

Students

Gang Activity or Association

Gangs that initiate, advocate, or promote activities which threaten the safety or well-being of persons or property on school grounds or which disrupt the school environment are harmful to the educational process. The use of hand signals, graffiti, or the presence of any apparel, jewelry, accessory, or manner of grooming which, by virtue of its color, arrangement, trademark, symbol, or any other attribute which indicates or implies membership or affiliation with such a group, presents a clear and present danger. This is contrary to the school environment and educational objectives and creates an atmosphere where unlawful acts or violations of school regulations may occur.

Incidents involving initiations, hazings, intimidations, and/or related activities of such group affiliations which are likely to cause bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm to students are prohibited.

The Superintendent will establish procedures and regulations to ensure that any student wearing, carrying or displaying gang paraphernalia, or exhibiting behavior or gestures which symbolize gang membership, or causing and/or participating in activities which intimidate or affect the attendance of another student shall be subject to disciplinary action.

Legal Reference: Connecticut General Statutes
7-2941 State and local police training programs to provide training on gang-related violence.
7-294X Council to provide training to public school security personnel.
10-16b Prescribed courses of study.
10-221 Boards of education to prescribe rules.
29-7n record and classification of gang-related crimes.
10-233a through 10-233f re in-school suspension, suspension and expulsion.
53-206 Carrying and sale of dangerous weapons.
53a-217b Possession of firearms and deadly weapons on school grounds.
Tinker v. Des Moines Community School District (393 U.S. 503. 1969).
Jeglin v. San Jacinto Unified School District
(827F. Supp. 1459-C.D.Ca. 1993).
Olesen v. Board of Education School District No. 228
(676F. Supp. 820-N.D. Ill. 1987).

Policy adopted: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

Students

Gang Activity or Association

The type of dress, apparel, activities, acts, behavior or manner of grooming displayed, reflected or participated in by the student shall not:

1. Lead school officials to reasonably believe that such behavior, apparel, activities, acts, or other attributes are gang related and would disrupt or interfere with the school environment or activity and/or education objectives. No student on or about school property or at any school activity shall: wear, possess, use distribute, display or sell any clothing, jewelry, emblem, badge, symbol, sign, or other things which are evidence of membership or affiliation in any gang;
2. Present a physical safety hazard to self, students, staff, and other employees;
3. Create an atmosphere in which a student, staff or other person's well-being is hindered by undue pressure, behavior, intimidation, overt gesture, or threat of violence; including but not limited to:
 - Soliciting others for membership into any gangs
 - Requesting any person to pay protection or otherwise intimidating or threatening any person.
 - Committing any other illegal act or other violation of school district policies.
 - Inciting other students to act with physical violence upon any other person.

Imply gang membership or affiliation by gesture, handshakes, etc., and written communication, marks, drawing, painting, design, emblem upon any school or personal property or on one's person.

If the student's behavior or other attribute is in violation of these provision, the principal or designee will request the student to make the appropriate correction. If the student refuse, the parent/guardian may be notified and asked to make the necessary correction. The principal will take appropriate corrective and disciplinary action.

Students identified as being gang involved, influences, or affiliated will be provided assistance, and/or programs that discourage gang involvement or affiliation, enhance self-esteem, encourage interest and participation in school or other positive activities and promote membership in authorize school organizations.

Training to provide increased awareness of the threat to the safety of students, staff, and school property which gang-related activity poses, shall be provided on an as-needed basis. Additional presentation will be made available to individual schools, staff or students at the request of the principal. Presentations will provide training in current identification symbols used by those involved in gang-related activity and will include things such as the identification of hand signal, apparel, jewelry, and/or any other pertinent gang-related information.

Students

Conduct

Hazing

Hazing, harassment, intimidation or any act that injures, degrades, or disgraces a student or staff member will not be tolerated. Any student who engages in such behavior is subject to disciplinary action including suspension, expulsion or referral to law enforcement officials.

No person in charge of a school-sponsored activity will permit the above-mentioned behavior. Violations will result in disciplinary action.

(cf. 5114 - Suspension/Expulsion)

(cf. 5131 - Conduct)

(cf. 5145.5 - Sexual Harassment)

Students

Bullying

The Board of Education (Board) promotes a secure and happy school climate, conducive to teaching and learning that is free from threat, harassment and any type of bullying behavior. Therefore, it shall be the policy of the Board that bullying of a student by another student is prohibited.

The Board believes that a school environment in which students feel safe, supported, engaged and helpfully challenged is optimal for learning and healthy development. The Board seeks an environment in which students and adults feel socially, emotionally, intellectually and physically safe; an environment that is free of harassment, intimidation and bullying.

Definitions

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

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

Bullying shall include, but not be limited to, a written, oral, or electronic communication or physical act or gesture based on any actual or perceived differentiating characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression, socioeconomic status, academic status, physical appearance, or mental, physical, developmental or sensory disability, or by association with an individual or group who has or is perceived to have one or more of such characteristics. *(The student against whom the activity is directed must be attending school in the same district as the students engaged in the activity.)*

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

Students

Bullying

Definitions (continued)

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

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

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

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

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

“School employee” means (a) a teacher, substitute teacher, school administrator, school superintendent, guidance counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by a local or regional board of education or working in a public elementary, middle or high school; or (b) any other individual who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in a public elementary, middle or high school, pursuant to a contract with the local or regional board of education.

“School climate” means the quality and character of school life with a particular focus on the quality of the relationships within the school community between and among students and adults. (and reflects norms, values, interpersonal relationships, teaching and learning practices and organizational structures.)

Examples of bullying include, but are not limited to:

1. physical violence and attacks
2. verbal taunts, name-calling and put-downs including ethnically-based or gender-based verbal put-downs

Students

Bullying (continued)

3. threats and intimidation
4. extortion or stealing of money and/or possessions
5. exclusion from peer groups within the school
6. The misuse of electronic communications for the purpose of bullying, harassing, or sexually harassing other students within school or out of school (“cyberbullying”)
7. Targeting of a student based on the student’s actual or perceived “differentiating” characteristics such as race; color; religion; ancestry; national origin; gender; sexual orientation; gender identity or expression; socioeconomic or academic status; physical appearance; or mental, physical, developmental, or sensory disability.

Such conduct is disruptive of the educational process and, therefore, bullying is not acceptable behavior in this district and is prohibited.

Students who engage in any act of bullying, on school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by the Board of Education, or through the use of an electronic device or an electronic mobile device owned, leased or used by the Board of Education, and outside of the school setting if such bullying:

1. creates a hostile environment at school for the victim,
2. infringes on the rights of the victim at school, or
3. substantially disrupts the education process or the orderly operation of a school,

are subject to appropriate disciplinary action up to and including suspension, expulsion and/or referral to law enforcement officials.

A comprehensive program, to improve the school climate, involving everyone in the schools and the community, to address bullying at all school levels is essential to reducing incidences of bullying. Such a program must involve interventions at all levels, school wide, classroom and individual.

The District’s program:

1. Requires the development and implementation of a safe school climate plan by the Board of Education to address the existence of bullying and teen dating violence in its schools and requires at the beginning of each school year that students and their parents/guardians be notified of the process by which students may make such reports;
2. Permits anonymous reports of bullying or teen dating violence by students to school employees and written reports of suspected bullying or teen dating violence by parents or guardians and requires at the beginning of each school year that students and their parents/guardians be notified of the process by which students may make such reports;

Students

Bullying (continued)

3. Requires school employees who witness acts of bullying or teen dating violence or receive reports of bullying or teen dating violence to orally notify the safe school climate specialist or another school administrator if the safe school climate specialist is unavailable, not later than one school day after such school employee witnesses or receives a report of bullying and to file a written report not later than two school days after making such an oral report;
4. Requires the safe school climate specialist to investigate or supervise the investigation of all reports of bullying or teen dating violence and ensure that such investigation is completed promptly after receipt of any written report, and that the parents or guardians of the student alleged to have committed an act or acts of bullying or teen dating violence and the parents or guardians of the student against whom such alleged act or acts were directed receive prompt notice that such investigation has commenced;
5. Requires the safe school climate specialist to review any anonymous reports, except that no disciplinary action shall be taken solely on the basis of an anonymous report;
6. Requires each school to have a prevention and intervention strategy, as defined by statute, as amended, for school employees to deal with bullying or teen dating violence, including language about bullying and teen dating violence in student codes of conduct and in all student handbooks;
7. Provides for the inclusion of language in student codes of conduct concerning bullying and teen dating violence;
8. Requires each school to notify parents or guardians of all students involved in a verified act of bullying or teen dating violence not later than forty-eight hours after the completion of the investigation. The notice shall be simultaneously mailed to the parent/guardian with whom the student primarily resides and to the other parent/guardian if requested. The notice must describe the school's response and any consequences that may result from further acts of bullying or school dating violence;
9. Requires each school to invite the parents/guardians of a student against whom such act was directed to a meeting to communicate to such parents/guardians the measures being taken by the school to ensure the safety of the students against whom such act of bullying was directed and the policies and procedures in place to prevent further acts of bullying and teen dating violence;
10. Requires each school to invite the parents or guardians of a student who commits any verified act of bullying or teen dating violence to a meeting, separate and distinct from the meeting of the parents/guardians of the student against whom the act of bullying or teen dating violence was directed, to discuss specific interventions undertaken by the school to prevent further acts of bullying and teen dating violence;

Students

Bullying (continued)

11. Establishes a procedure for each school to document and maintain records relating to reports and investigations of bullying and teen dating violence in such school and make such list publicly available; and report such number to the Department of Education and in such manner as prescribed by the Commissioner of Education;
12. Requires the development of case-by-case interventions for addressing reported incidents of bullying or teen dating violence against a single individual or recurrently perpetrated bullying incidents by the same individual that may include both counseling and discipline;
13. Prohibits discrimination and retaliation against an individual who reports or assists in the investigation of an act of bullying or teen dating violence;
14. Requires the development of student safety support plans for students against whom an act of bullying or teen dating violence was directed that addresses safety measures the school will take to protect such students against further acts of bullying or teen dating violence;
15. Requires the principal of a school or the principal's designee, to notify the appropriate local law enforcement agency when such principal or the principal's designee believes that any acts of bullying or teen dating violence constitute criminal conduct;
16. Prohibits bullying and teen dating violence (A) on school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by a local or regional board of education, or through the use of an electronic device or an electronic mobile device owned, leased or used by the local or regional board of education, and (B) outside of the school setting if such bullying or teen dating violence (i) creates a hostile environment at school for the student against whom such bullying was directed, (ii) infringes on the rights of the student against whom such bullying or teen dating violence was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school;
17. Requires, at the beginning of each school year, for each school to provide all school employees with a written or electronic copy of the school district's safe school climate plan; and
18. Requires all school employees to annually complete the training required by C.G.S. 10-220a, as amended. Such training shall include identifying and responding to bullying and preventing and responding to youth suicide;

Students

Bullying (continued)

19. Requires students and the parents/guardians of students to be notified at the beginning of the school year of the process by which they may make reports of bullying or teen dating violence;
20. As required, the Board of Education shall approve the safe school climate plan developed pursuant to statute and submit such plan to the Department of Education for its review, analysis, cooperative assistance and approval not later than July 1, 2014; and
21. Requires that not later than thirty calendar days after approval by the State Department of Education, the safe school climate plan shall be made available on the Board's and each individual school in the District's Internet website and such plan is to be included in the District's publication of the rules, procedures and standards of conduct for schools and in all student handbooks.

The Board expects prompt and reasonable investigations of alleged acts of bullying and teen dating violence. The safe school climate specialist of each school is responsible for handling all complaints of alleged bullying and teen dating violence. The safe climate specialist shall investigate or supervise the investigation of all reports of bullying and teen dating violence promptly.

In addition, the norms that are established by adults through consistent enforcement of all policies pertaining to conduct and modeling appropriate behavior at school and at home will reduce the instances and damage of bullying and teen dating violence. It is necessary for students to promote the concept that caring for others is a valued quality, one that is accepted and encouraged.

Prevention and Intervention Strategy

The District shall implement, as required by C.G.S. 10-222d, as amended, a prevention and intervention strategy which may include, but is not limited to:

1. Implementation of a positive behavioral interventions and supports process or another evidence-based model approach for safe school climate or for the prevention of bullying and teen dating violence identified by the Department of Education.
2. School rules prohibiting bullying, teen dating violence, harassment, and intimidation and establishing appropriate consequences for those who engage in such acts.
3. Adequate adult supervision of outdoor areas, hallways, the lunchroom, and other specific areas where bullying or teen dating violence is likely to occur.

Students

Bullying (continued)

4. Inclusion of grade-appropriate bullying and teen dating violence education and prevention curricula in kindergarten through high school.
5. Individual interventions with the bully or student who commits teen dating violence, parents and school employees and interventions with the students against whom the acts of bullying and teen dating violence are directed, parents, and school employees.
6. School wide training related to safe school climate.
7. Student peer training, education and support.
8. Promotion of parent involvement in bullying and teen dating violence prevention through individual or team participation in meetings, trainings, and individual interventions.
9. Culturally competent school-based curriculum focusing on social-emotional learning, self-awareness and self-regulation.

District Safe School Climate Coordinator

For the school year commencing July 1, 2012, and each school year thereafter, the Superintendent of Schools shall appoint, from among existing District staff, a District Safe School Climate Coordinator.

The Coordinator shall:

1. Implement the District's safe school climate plan;
2. Collaborate with safe school climate specialists, the Board, and the Superintendent to prevent, identify, and respond to bullying and teen dating violence in the schools of the district.
3. Provide data and information derived from the safe school climate assessments, in collaboration with the Superintendent to the Department of Education;
4. Respond to bullying and teen dating violence in District schools;
5. Meet with the safe school climate specialists at least twice during the school year to discuss bullying and teen dating violence issues in the District and make recommended changes to the District's safe school climate plan.
6. Successfully complete, for the school year commencing July 1, 2014, the mental health first aid training provided by the Commissioner of Mental Health and Addiction Services. (Such training only required once.)

Students

Bullying (continued)

Safe School Climate Specialist

For the school year commencing July 1, 2012, and each school year thereafter, each school Principal shall serve, or designate someone to serve, as the Safe School Climate Specialist for the school.

The Specialist in each school shall:

1. Investigate or supervise the investigation of reported acts of bullying or teen dating violence in the school in accordance with the District's Safe School Climate Plan;
2. Collect and maintain records of reports and investigations of bullying and teen dating violence in the school; and
3. Act as the primary school official responsible for preventing, identifying and responding to bullying and teen dating violence reports in the school.

Safe School Climate Committee

For the school year commencing July 1, 2012, and each school year thereafter, the Principal of each District school shall establish a new committee or designate at least one existing committee that is responsible for developing and fostering a safe school climate and addressing issues related to bullying in the school. The committee must include at least one parent/guardian of a student enrolled in the school, appointed by the Principal.

The Safe School Climate Committee shall:

1. Receive copies of completed reports following investigations of bullying and teen dating violence;
2. Identify and address patterns of bullying and teen dating violence among students in the school;
3. Implement the provisions of the school security and safety plan, (developed pursuant to Section 87 of PA 13-3) regarding the collection, evaluation and reporting of information relating to instances of disturbing or threatening behavior that may not meet the definition of bullying or teen dating violence (defined in Connecticut General Statutes 10-222d) and report such information, as necessary, to the District Safe School Climate Coordinator and to the school's security and safety committee;
4. Review and amend school policies relating to bullying and teen dating violence;
5. Review and make recommendation to the District Safe School Climate Coordinator regarding the District's Safe Climate Plan based on issues and experiences specific to the school;

Students

Bullying (continued)

6. Educate students, school employees and parents and guardians of students on issues relating to bullying and teen dating violence;
7. Collaborate with the District Safe School Climate Coordinator in the collection of data regarding bullying and teen dating violence; and
8. Perform any other duties as determined by the School Principal that are related to the prevention, identification and response to school bullying and teen dating violence for the school.

Parent members of the Safe School Climate Committee are excluded from activities #1 and #3 or any other activity that may compromise the confidentiality of a student.

As part of this policy, the Board of Education shall develop and implement a Safe School Climate Plan to address the existence of bullying and teen dating violence in its schools. Such plan shall establish deadlines for reporting investigating, and notifying parents and guardians about bullying and teen dating violence incidents; prohibit retaliation against those who report bullying and/or teen dating violence; and require school officials to notify law enforcement officials when it is believed that bullying or teen dating violence conduct constitutes a crime.

The Board requires each school in the District, on and after July 1, 2012, and biennially thereafter, to complete an assessment using school climate assessment instruments, including uniform surveys that collect information about students' perspectives and opinions about school climate at the school and allow students to complete and submit such surveys anonymously, approved and disseminated by the Department of Education pursuant to C.G.S. 10-222h, as amended by PA 11-232. The Board will collect the school climate assessments of each District school and submit them to the Department of Education.

This policy shall be included in all student and faculty handbooks and shall be disseminated to the public in a manner to be determined by the Superintendent.

This policy shall not be interpreted to prohibit a reasonable and civil exchange of opinions, or debate that is protected by state or federal law.

(cf. 0521 – Nondiscrimination)
(cf. 4131 – Staff Development)
(cf. 5114 – Suspension and Expulsion/Due Process)
(cf. 5131 – Conduct)
(cf. 5131.21 – Violent and Aggressive Behavior)
(cf. 5131.8 – Out-of-School Misconduct)
(cf. 5131.912 – Aggressive Behavior)
(cf. 5131.913 – Cyberbullying)
(cf. 5131.91 – Hazing)

Students

Bullying (continued)

(cf. 5144 – Discipline/Punishment)
(cf. 5145.4 – Nondiscrimination)
(cf. 5145.5 – Sexual Harassment)
(cf. 5145.51 – Peer Sexual Harassment)
(cf. 6121 – Nondiscrimination)
(cf. 6121.1 – Equal Educational Opportunity)

Legal Reference: Connecticut General Statutes

10-15b Access of parent or guardian to student's records. Inspection and subpoena of school or student records.

10-222d Policy on bullying behavior as amended by PA 08-160, P.A. 11-232 and P.A. 14-172.

P.A. 06-115 An Act Concerning Bullying Policies in Schools and Notices Sent to Parents or Legal Guardians.

P.A. 11-232 An Act Concerning the Strengthening of School Bullying Laws.

P.A. 13-3 An Act Concerning Gun Violence Protection and Safety.

P.A. 14-172 An Act Concerning Improving Employment Opportunities through Education and Ensuring Safe School Climates.

P.A. 14-234 An Act Concerning Domestic Violence and Sexual Assault.

Policy adopted: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and extend across the width of the page. There are no margins, text, or other markings on the paper.

Indicate if there are witnesses, who can provide more information regarding your complaint. If the witnesses are not school district staff or students, please provide contact information.

Name	Address	Telephone Number
_____	_____	_____
_____	_____	_____
_____	_____	_____

Have there been previous incident (circle one)? Yes No

If “yes”, please describe the behavior of concern, the approximate dates and the location:

Were these incidents reported to school personnel (circle one)? Yes No

If “yes”, to whom was it reported?_____

Was the report verbal or written?_____

I certify that the above information and events are accurately depicted to the best of my knowledge.

Signature of Complainant

Date

Received By

Date

Plymouth Public Schools
Administrative Investigation Summary

School: _____ Date: _____

Location: _____

Administrator completing summary: _____

Reporter Information:

Anonymous student report _____

Staff Member report _____ Name: _____

Parent/Guardian report _____ Name: _____

Student report _____ Name: _____

Student Reported as Committing Act: _____

Student Reported as the Victim: _____

Description of Alleged Act: _____

Time and Place: _____

Names of Potential Witnesses: _____

FOR STAFF USE ONLY;

Action of Reporter: _____

Administrative Investigation Notes (Use separate sheet if necessary):

Bullying Verified (circle one)? Yes No

Remedial Action(s) Taken:

If Bullying Verified, Report Sent to Parents of Students.

Parents' Names: _____ Date Sent: _____

Parents' Names: _____ Date Sent: _____

Parents' Names: _____ Date Sent: _____

If Bullying Verified, Meetings Held with Parents of Students.

Parents' Names: _____ Date Sent: _____

Parents' Names: _____ Date Sent: _____

Parents' Names: _____ Date Sent: _____

(Attach bullying complaint, witnesses, statements, and notifications to parents of students involved if bullying is verified, invitations to parent meetings, records of parent meetings)

Plymouth Public Schools
Consent to Release Student Information

Date: _____

Name of Student: _____

School: _____

To Parent/Guardian:

A complaint of bullying has been filed on behalf of your child alleging that he/she has been the victim of bullying. In order to facilitate a prompt and thorough investigation of the complaint, the Plymouth Public Schools may need to disclose the name of your child and/or other information which may otherwise disclose your child's identity.

Please check one

- ☐ I hereby give permission for the Plymouth Public Schools to disclose my child's name, along with any other information necessary to permit the district to adequately and appropriately investigate such complaint, to third parties contacted by the district as part of its investigation.
- ☐ I do NOT give permission for the Plymouth Public Schools to disclose my child's name, along with any other information necessary to permit the district to adequately and appropriately investigate such complaint, to third parties contacted by the district as part of its investigation.

Signature of Parent/Guardian

Date

Printed Name of Parent/Guardian

Plymouth Public Schools
Parent Letter Confirming Bullying

Date:

RE:

Dear _____:

As I indicated during our conversation of *(date)*, this letter is being sent to you in response to the recent bullying incident involving your child, *(child's name)* on *(date)*. After conducting a thorough investigation of the allegations, we have determined that the complaint does involve "bullying" as defined by the district's bullying policy, 5131.911 and its administrative regulations, and as it is defined by state law.

Although we are constrained by laws ensuring student confidentiality from discussing the specifics of discipline administered to individual students, please be assured that the school has administered in accordance with the Plymouth Public Schools Code of Conduct and Board of Education Policy.

Thank you for your assistance during the inquiry. We are committed to providing a safe and respectful environment for all of our students and to maintaining a positive, collaborative relationship with parents. I encourage you to contact the school should you have further concerns.

Sincerely your,

(Administrator)

Plymouth Public Schools
Parent Letter Refuting Bullying

Date:

RE:

Dear_____:

As I indicated during our conversation of *(date)* this letter is being sent to you in response to the recent bullying incident involving your child, *(child's name)* on *(date)*. After conducting a thorough investigation of the allegations, we have determined that your child has not been subjected to “bullying” as defined by the district’s bullying policy, 5131.911 and its administrative regulations, and as it is defined by state law.

While this particular incident was not confirmed as “bullying”, I want to assure you that our school does not condone the reported behavior, and we will follow the Plymouth Public Schools disciplinary policies and regulations regarding consequences in this matter. Should you have additional concerns regarding this incident, please contact me at school.

Thank you for bringing this matter to our attention and for your assistance during this inquiry. We are committed to providing a safe and respectful environment for all of our students and to maintaining a positive, collaborative relationship with parents. I encourage you to contact the school should you have further concerns.

Sincerely yours,

(Administrator)

Plymouth Public Schools

Parent Letter for Student Who Engaged in Bullying Behavior

Date:

RE:

Dear _____:

As I indicated during our conversation of *(date)*, this letter is being sent to you in response to the recent bullying incident involving your child, *(child's name)* on *(date)*. After conducting a thorough investigation of the allegations, we have determined that the complaint does involve “bullying” as defined by the district’s bullying policy 5131.911 and its administrative regulations, and as it is defined by state law. Our investigation determined that your child was the one engaged in the act of bullying.

As we discussed, you will receive a follow-up letter which will explain the details regarding the non-disciplinary and disciplinary interventions in accordance with the Plymouth Public Schools disciplinary policies and regulations regarding bullying. We will continue to work with your child to help *(child's name)* make appropriate behavioral choices from this point forward.

The Plymouth Public Schools are committed to providing safe and respectful environments for all our students, and to maintaining positive, collaborative relationships with parents or guardians. Please contact me if you have any questions.

Sincerely yours,

(Administrator)

Students

Bullying

Model Safe School Climate Plan

Purpose/Priority Statement

The Plymouth School District is committed to providing all students with a safe learning environment that is free from bullying, cyberbullying, and teen dating violence. The goal is the establishment of a positive school climate in which norms, values, and expectations make students and adults feel socially, emotionally, intellectually and physically safe. This commitment is an integral part of our comprehensive efforts to promote learning and to prevent and eliminate all forms of bullying and teen dating violence and other harmful and disruptive behavior that can impede the learning process. The District expects that all members of the school community will treat each other in a civil manner and with respect for differences.

The Board of Education (Board) promotes a secure and happy school climate, conducive to teaching and learning that is free from threat, harassment and any type of bullying behavior. Therefore, it shall be the policy of the Board that bullying of a student by another student is prohibited.

I. Prohibition Against Bullying

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

II. Definitions

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

- A. causes physical or emotional harm to such student or damage to such student’s property,
- B. places such student in reasonable fear of harm to himself or herself, or of damage to his or her property,
- C. creates a hostile environment at school for such student,

Students

Bullying

II. Definitions (continued)

- D. infringes on the rights of such student at school, or
- E. substantially disrupts the education process or the orderly operation of a school.

Bullying shall include, but not be limited to, a written, oral or electronic communication or physical act or gesture based on any actual or perceived differentiating characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression, socioeconomic status, academic status, physical appearance, or mental, physical, developmental or sensory disability, or by association with an individual or group who has or is perceived to have one or more of such characteristics. *(The student against whom the activity is directed must be attending school in the same district as the students engaged in the activity.)*

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

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

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

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

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

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

Students

Bullying

II. Definitions (continued)

“School employee” means (a) a teacher, substitute teacher, school administrator, school Superintendent, guidance counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by a local or regional Board of Education or working in a public elementary, middle or high school; or (b) any other individual who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in a public elementary, middle or high school, pursuant to a contract with the local or regional Board of Education.

“School climate” means the quality and character of school life with a particular focus on the quality of the relationships within the school community between and among students and adults. *(It is based on people’s experiences of school and reflects norms, goals, values, interpersonal relationships, teaching and learning practices and organizational structures.)*

III. Reporting and Responding to Bullying and Retaliation (Complaint Process)

A. Publication of the Prohibition against Bullying and Related Procedures

The prohibition against bullying and teen dating violence shall be publicized by including the following statement in the student handbook of each of the district schools:

“Bullying behavior and teen dating violence by any student in the Plymouth Public Schools is strictly prohibited, and such conduct may result in disciplinary action, including suspension and/or expulsion from school. “Bullying” means the repeated use by one or more students of a written, oral or electronic communication, such as cyberbullying, directed at or referring to another student attending school in the same school district or a physical act or gesture by one or more students repeatedly directed at another student attending school in the same district that:

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

Students

Bullying

III. Reporting and Responding to Bullying and Retaliation (Complaint Process) (continued)

A. Publication of the Prohibition against Bullying and Related Procedures (continued)

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

Students who engage in any act of bullying, on school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by the Board of Education, or through the use of an electronic device or an electronic mobile device owned, leased or used by the Board of Education, and outside of the school setting if such bullying:

1. creates a hostile environment at school for the victim,
2. infringes on the rights of the victim at school, or
3. substantially disrupts the education process or the orderly operation of a school,

Students and/or parents may file verbal or written complaints concerning suspected bullying behavior, and students shall be permitted to anonymously report acts of bullying to school employees. Any report of suspected bullying behavior will be promptly reviewed. If acts of bullying are verified, prompt disciplinary action may be taken against the perpetrator, consistent with his/her rights of due process. Board policy and regulation (Plan) #5131.911 set forth this prohibition and the related procedures in detail, and are available to students and their parents/guardians upon request.

B. Appropriate School Personnel

All school employees are charged with the responsibility of taking reports of bullying or teen dating violence or if witnessing acts of bullying or teen dating violence to notify the Safe School Climate Specialist or another administrator when the Safe School Climate Specialist is not available. Reports shall be appropriately investigated by the Safe School Climate Specialist or another administrator when the Safe School Climate Specialist is not available.

Students

Bullying

III. Reporting and Responding to Bullying and Retaliation (Complaint Process)

B. Appropriate School Personnel (continued)

District Safe School Climate Coordinator

For the school year commencing July 1, 2012, and each school year thereafter, the Superintendent of Schools shall appoint, from among existing District staff, a District Safe School Climate Coordinator.

The Coordinator shall:

1. Implement the District's safe school climate plan;
2. Collaborate with safe school climate specialists, the Board, and the Superintendent to prevent, identify, and respond to bullying in District schools;
3. Provide data and information derived from the safe school climate assessments, in collaboration with the Superintendent, to the Department of Education; and
4. Meet with the safe school climate specialists at least twice during the school year to discuss bullying issues in the district and make recommended changes to the District's safe school climate plan.
5. Successfully complete, for the school year commencing July 1, 2014, the mental health first aid training provided by the Commissioner of Mental Health and Addiction Services. (Such training only required once.)

Safe School Climate Specialist

For the school year commencing July 1, 2012, and each school year thereafter, each school Principal shall serve, or designate someone to serve, as the Safe School Climate Specialist for the school.

The Specialist in each school shall:

1. Investigate or supervise the investigation of reported acts of bullying or teen dating violence in the school in accordance with the District's Safe School Climate Plan;
2. Collect and maintain records of reports and investigations of bullying and teen dating violence in the school; and
3. Act as the primary school official responsible for preventing, identifying and responding to bullying and teen dating violence reports in the school.

Students

Bullying

III. Reporting and Responding to Bullying and Retaliation (Complaint Process) (continued)

C. Annual Notification of the Complaint Process

The process by which students may make formal, informal, and anonymous complaints as set forth below shall be publicized annually, at the beginning of the school year, in the student handbook of each of the District schools. In addition, this Safe School Climate Plan shall be placed on the District website and the website of each school.

D. Formal Written Complaints

Students and/or their parents or guardians may file written reports of conduct that they consider to be bullying or teen dating violence. Such written reports shall be reasonably specific as to the actions giving rise to the suspicion of bullying or teen dating violence, including time and place of the conduct alleged, the number of such incidents, the target of such suspected bullying or teen dating violence, and the names of any potential student or staff witnesses. Such reports may be filed with any school employee, and they shall be promptly forwarded to the Safe School Climate Specialist or another school administrator, if the Safe School Climate specialist is unavailable, for review and action in accordance with Section IV below.

E. Informal/Verbal Complaints by Students

Students may make an informal complaint of conduct that they consider to be bullying or teen dating violence by verbal report to the Safe School Climate Specialist, or to any school employee, as defined, or administrator. Such informal complaints shall be reasonably specific as to the actions giving rise to the suspicion of bullying or teen dating violence, including time and place of the conduct alleged, the number of such incidents, the target of such suspected bullying or teen dating violence, and the names of any potential student or staff witnesses. A school employee, or administrator or the Safe School Climate Specialist who receives an informal complaint shall promptly reduce the complaint to writing, including the information provided. Such written report by the school employee, administrator, if not the Safe School Climate Specialist, shall be promptly forwarded to the Building Principal for review and action in accordance with Section IV below.

Students

Bullying

III. Reporting and Responding to Bullying and Retaliation (Complaint Process) (continued)

F. Anonymous Complaints

Students who make informal complaints as set forth above may request that their name be maintained in confidence by the school employee who receives the complaint. Should anonymity be requested, the Safe School Climate Specialist, if not the Principal or his/her designee, shall meet with the student to review the request for anonymity and the impact that maintaining anonymity of the complaint may have on the investigation of the complaint and/or possible remedial action. At such meeting, the student shall be given the choice as to whether to maintain the anonymity of the complaint.

Anonymous complaints shall be reviewed and reasonable action will be taken to address the situation, to the extent such action may be taken that (1) does not disclose the source of the complaint, and (2) is consistent with the due process rights of the student(s) alleged to have committed acts of bullying. No disciplinary action shall be taken solely on the basis of an anonymous report.

IV. Staff Responsibilities and Intervention Strategies

A. Teachers and Other School Staff

School employees who witness acts of bullying or teen dating violence, as defined above, or who receive reports of bullying or teen dating violence shall promptly notify the Safe School Climate Specialist or another school administrator if the Safe School Climate Specialist is unavailable, not later than one school day after such employee witnesses or receives a report of bullying or teen dating violence. A written report must be filed not later than two school days after making such an oral report concerning the events witnessed or reported.

School employees who receive student or parent reports of suspected bullying or teen dating violence shall promptly notify the Safe School Climate Specialist of such report(s). If the report is a formal, written complaint, such complaint shall be forwarded promptly (no later than the next school day) to the Safe School Climate Specialist or another school administrator if the Safe School Climate Specialist is unavailable. If the report is an informal complaint by a student that is received by a school employee, he or she shall prepare a succinct written report of the informal complaint, which shall be forwarded promptly (no later than the next school day) to the Safe School Climate Specialist or another school administrator if the Safe School Climate Specialist is unavailable.

Students

Bullying

IV. Staff Responsibilities and Intervention Strategies

A. Teachers and Other School Staff (continued)

If the report is an informal complaint by a student that is received by a school employee, this employee shall verbally report the matter to the Safe School Climate Specialist not later than the next school day. In addition to addressing both informal and formal complaints, school employees and other are encouraged to address the issue of bullying or teen dating violence in other interactions with students. Teachers and other professionals may find opportunities to educate students about bullying and teen dating violence and help eliminate bullying behavior and teen dating violence through class discussions, counseling, and reinforcement of socially-appropriate behavior. All school employees including teachers and other professional employees should intervene promptly whenever they observe student conduct that has the purpose or effect of ridiculing, humiliating or intimidating another student, even if such conduct does not meet the formal definition of “bullying.”

B. Responsibilities of the Safe School Climate Specialist

1. Investigation

The Safe School Climate Specialist shall be promptly notified of any formal or informal complaint of suspected bullying or teen dating violence received by any school employee. The Safe School Climate Specialist shall investigate or supervise the investigation of reported acts of bullying or teen dating violence in the school in accordance with the District’s Safe School Climate Plan. All such complaints shall be investigated promptly. Prompt notice must be provided to the parents/guardians of the person bullied or the victim of teen dating violence and the student alleged to have committed the act of bullying or teen dating violence that such investigation has begun. The investigation must be completed promptly after the receipt by the Safe School Climate Specialist of any written report. In order to allow the District to adequately investigate all formal complaints, the parent of the student suspected of being bullied or teen dating violence must complete a consent form that allows their District to release that student’s name to those third parties who the District contacts as part of its investigation of that complaint with regard to the investigation of informal complaints, the parent of the student suspected of being bullied or teen dating violence must complete the above-referenced consent form so long as that student has not requested anonymity.

Students

Bullying

IV. Staff Responsibilities and Intervention Strategies

B. Responsibilities of the Safe School Climate Specialist

1. Investigation

A written report of the investigation shall be prepared when the investigation is complete. Such report shall include findings of fact, a determination of whether acts of bullying were verified, and, when acts of bullying or teen dating violence are verified, a recommendation for intervention, including disciplinary action. Where appropriate, written witness statements shall be attached to the report.

The school shall notify parents or guardians of all students involved in a verified act of bullying or teen dating violence not later than forty-eight (48) hours after the completion of the investigation. The notice shall be simultaneously mailed to the parent/guardian with whom the student primarily resides and in the case of a divorced/split situation, to the other parent/guardian if requested. The notice must describe the school's response, measures being taken by the school to ensure the safety of the students against whom such act was directed, and any consequences that may result from further acts of bullying or teen dating violence.

Notwithstanding the foregoing, when a student making an informal complaint has requested anonymity, the investigation of such complaint shall be limited as is appropriate in view of the anonymity of the complainant. Such limitation of investigation may include restricting action to a simple review of the complaint (with or without discussing it with the alleged perpetrator), subject to receipt of further information and/or the withdrawal by the complaining student of the condition that his/her report be anonymous.

2. Remedial Actions

Verified acts of bullying or teen dating violence shall result in intervention by the Building Principal or his/her designee that is intended to address the acts of the perpetrator and the needs of the victim and to assure that the prohibition against bullying behavior or teen dating violence is enforced, with the goal that any such bullying behavior or teen dating violence will end as a result.

Students

Bullying

IV. Staff Responsibilities and Intervention Strategies

B. Responsibilities of the Safe School Climate Specialist

2. Remedial Actions (continued)

Bullying behavior can take many forms and can vary dramatically in how serious it is, and what impact it has on the victim and other students. Accordingly, there is no one prescribed response to verified acts of bullying. While conduct that rises to the level of “bullying” as defined above will generally warrant disciplinary action against the perpetrator of such bullying, whether and to what extent to impose disciplinary action (detention, in-school suspension; suspension or expulsion) is a matter for the professional discretion of the Building Principal (or responsible program administrator or his/her designee.) The following sets forth possible interventions for building principals to enforce the Board’s prohibition against bullying. No disciplinary action may be taken solely on the basis of an anonymous complaint.

The following sets forth permissible interventions for building principals (or other responsible program administrators) to enforce the Board’s prohibition against bullying and teen dating violence.

a. Non-disciplinary Interventions

When verified acts of bullying and teen dating violence are identified early and/or when such verified acts of bullying and teen dating violence do not reasonably require a disciplinary response, students may be counseled as to the definition of bullying or teen dating violence, its prohibition, and their duty to avoid any conduct that could be considered bullying or teen dating violence.

If a complaint arises out of conflict between students or groups of students, peer mediation may be considered. Special care, however, is warranted in referring such cases to peer mediation. A power imbalance may make the process intimidating for the victim and therefore inappropriate. In such cases, the victim should be given additional support. Alternatively, peer mediation may be deemed inappropriate to address the concern.

Students

Bullying

IV. Staff Responsibilities and Intervention Strategies

B. Responsibilities of the Safe School Climate Specialist (continued)

2. Remedial Actions (continued)

a. Non-disciplinary Interventions

In any instance in which bullying or teen dating violence is verified, the building Principal (or other responsible program administrator) shall invite the parents or guardians of the student against whom such act was directed, and the parents or guardians of a student who commits any verified act of bullying or teen dating violence, to a meeting to communicate to such parents or guardians the measures being taken by the school to ensure the student's safety and to prevent further acts of bullying or teen dating violence. The meeting of parents/guardians of the bullied student or the victim of teen dating violence and the student committing the bullying or teen dating violence shall be separate and distinct from each other.

b. Disciplinary Interventions

When acts of bullying and teen dating violence are verified and a disciplinary response is warranted, students are subject to the full range of disciplinary consequences. Anonymous complaints that are not otherwise verified, however, shall not be the basis for disciplinary action.

In-school suspension and suspension may be imposed only after informing the accused perpetrator of the reasons for the proposed suspension and giving him/her an opportunity to explain the situation, in accordance with the Board's Student Discipline policy.

Expulsion may be imposed only after a hearing before the Board of Education, a committee of the Board or an impartial hearing officer designated by the Board of Education in accordance with Board policy. This consequence shall be reserved for serious incidents of bullying and teen dating violence and/or when past interventions have not been successful in eliminating bullying or teen dating violence behavior.

Students

Bullying

IV. Staff Responsibilities and Intervention Strategies

B. Responsibilities of the Safe School Climate Specialist (continued)

2. Remedial Actions (continued)

c. Interventions for Bullied Students

The Safe School Climate Specialist/Building Principal (or other responsible program administrator) or his/her designee shall intervene in order to address repeated incidents of bullying or teen dating violence against a single individual. Intervention strategies for a bullied student or student against whom teen dating violence was directed may include the following:

- Counseling;
- Increased supervision and monitoring of student to observe and intervene in bullying or teen dating violence situations;
- Encouragement of student to seek help when victimized or witnessing victimization;
- Peer mediation where appropriate.

3. General Prevention and Intervention Strategies

In addition to the prompt investigation of complaints of bullying and teen dating violence and direct intervention when acts of bullying or teen dating violence are verified, other District actions may ameliorate any potential problem with bullying or teen dating violence in school or at school-sponsored activities. A focus will be placed on district and school efforts to improve school climate based upon the National School Climate Standards.

For the school year commencing July 1, 2012, and each school year thereafter, the Principal of each District school shall establish a new committee or designate at least one existing committee that is responsible for developing and fostering a safe school climate and addressing issues related to bullying and teen dating violence in the school. The committee must include at least one parent/guardian of a student enrolled in the school, appointed by the Principal.

Students

Bullying

IV. Staff Responsibilities and Intervention Strategies

B. Responsibilities of the Safe School Climate Specialist

3. General Prevention and Intervention Strategies (continued)

The Safe School Climate Committee shall:

1. Receive copies of completed reports following investigations of bullying and teen dating violence;
2. Identify and address patterns of bullying and teen dating violence among students in the school;
3. Implement the provisions of the school security plan and safety plan, (developed pursuant to Section 87 of PA 13-3) regarding the collection, evaluation and reporting of information relating to instances of disturbing or threatening behavior that may not meet the definition of bullying (defined in Connecticut General Statutes 10-222d) and report such information, as necessary, to the District Safe School Climate Coordinator and to the school's security and safety committee.
4. Review and amend school policies relating to bullying and teen dating violence;
5. Review and make recommendation to the District Safe School Climate Coordinator regarding the District's Safe Climate Plan based on issues and experiences specific to the school;
6. Educate students, school employees and parents and guardians of students on issues relating to bullying and teen dating violence;
7. Collaborate with the District Safe School Climate Coordinator in the collection of data regarding bullying and teen dating violence; and
8. Perform any other duties as determined by the School Principal that are related to the prevention, identification and response to school bullying and teen dating violence for the school.

Parent members of the Safe School Climate Committee are excluded from activities #1 and #3 or any other activity that may compromise the confidentiality of a student.

Students

Bullying

IV. Staff Responsibilities and Intervention Strategies

B. Responsibilities of the Safe School Climate Specialist

3. General Prevention and Intervention Strategies (continued)

- a. Adequate adult supervision of outdoor areas, hallways, the lunchroom and other specific areas where bullying or teen dating violence is likely to occur;
- b. Inclusion of grade-appropriate bullying and teen dating violence education and prevention curricula in kindergarten through high school;
- c. Individual interventions with the perpetrator, parents and school employees, and interventions with the bullied student, or student who commits teen dating violence, parents and school employees. Such interventions with the bullied child or victim of teen dating violence may include referrals to a school counselor, psychologist, or other appropriate social or mental health services, and periodic follow-up by the safe school climate specialist with the bullied child;
- d. School-wide training related to safe school climate;
- e. Promotion of parent involvement in bullying and teen dating violence prevention through individual or team participation in meetings, trainings and individual interventions;
- f. Respectful responses to bullying and teen dating violence concerns raised by students, parents or staff;
- g. Planned professional development programs addressing bully/victim and teen dating perpetrator/victim problems;
- h. Student peer training, education and support. Use of peers to help ameliorate the plight of victims and include them in group activities;
- i. Avoidance of sex-role stereotyping (e.g., males need to be strong and tough);
- j. Continuing awareness and involvement on the part of staff and parents with regards to prevention and intervention strategies;
- k. Modeling by all school employees of positive, respectful, and supportive behavior toward students;

Students

Bullying

IV. Staff Responsibilities and Intervention Strategies

B. Responsibilities of the Safe School Climate Specialist (continued)

3. General Prevention and Intervention Strategies (continued)

- l. Creating a school atmosphere of team spirit and collaboration that promotes appropriate social behavior by students in support of others;
- m. Employing classroom strategies that instruct students how to work together in a collaborative and supportive atmosphere.
- n. Utilizing a culturally competent school-based curriculum focusing on social-emotional learning, self-awareness and self-regulation.

V. Reporting Obligations

A. Report to the Parent or Guardian of the Perpetrator

If after investigation, acts of bullying or teen dating violence by a specific student are verified, not later than forty-eight (48) hours after the completion of the investigation, the Building Principal/Safe School Climate Specialist or his/her designee shall notify the parent or guardian of the perpetrator in writing of that finding. If disciplinary consequences are imposed against such student, a description of such discipline shall be included in such notification. In addition, the school shall invite the parent/guardian of a student who commits any verified act of bullying or teen dating violence (after the completion of the investigation) to a meeting to communicate to the parents/guardians the measures being taken by the school to ensure the safety and measures being taken by the school to ensure the student's safety and to prevent further acts of bullying or teen dating violence. Records will be maintained by the School Principal/Safe School Climate Specialist of the bullying and teen dating violence reports, subsequent investigations and parental/guardian meetings.

Students

Bullying

V. Reporting Obligations (continued)

B. Reports to the Targeted Student and his/her Parent or Guardian

If after investigation, acts of bullying or teen dating violence against a specific student are verified, the Building Principal/Safe Climate Specialist or his/her designee shall notify the parent or guardian of the victim of such finding, not later than forty-eight (48) hours after the completion of the investigation. In providing such notification, care must be taken to respect the statutory privacy rights of the perpetrator of such bullying or teen dating violence. The specific disciplinary consequences imposed on the perpetrator, as reflected in the student's educational records, shall not be disclosed to the parents or guardian of the victim, except as provided by law (e.g., court order/subpoena). In addition, the school shall invite the parent/guardian of the student against whom the verified act of bullying or teen dating violence was directed, after the completion of the investigation, to a meeting to communicate to the parents/guardians the measures being taken by the school to ensure the safety and measures being taken by the school to ensure the targeted student's safety and to prevent further acts of bullying or teen dating violence. Records will be maintained by the School Principal/Safe School Climate Specialist of the bullying and teen dating violence reports, subsequent investigations and parental/guardian meetings.

Notices shall be simultaneously mailed to the parent/guardian with whom the student primarily resides and the other parent/guardian if requested. This mailing requirement shall be in effect for as long as the student attends the school in which the original request is made.

C. List of Verified Acts of Bullying/Teen Dating Violence

The Principal/Safe School Climate Specialist of each school shall establish a procedure to document and maintain records relating to reports and investigations of bullying and teen dating violence in such school and maintain a list of the number of verified acts of bullying and teen dating violence in the school, and this list shall be available for public inspection upon request. The list shall be reported annually to the Department of Education in such manner as prescribed by the Commissioner of Education. Given that any determination of bullying or teen dating violence involves repeated acts over time, each report prepared in accordance with Section III (1) above that includes verified acts of bullying or teen dating violence shall be tallied as one verified act of bullying or teen dating violence unless the specific actions that are the subject of the report involve separate and distinct acts of bullying or teen dating violence. The list shall be limited to the number of such verified acts of bullying or teen dating violence in the school, and it shall not set out the particulars of each verified act, including but not limited to any personally identifiable student information, which is confidential information by law.

Students

Bullying (continued)

VI. Prohibition against Discrimination and Retaliation

A. Safety

Discrimination and/or retaliation against any person who reports bullying or teen dating violence, provides information during an investigation of an act of bullying or teen dating violence, or witnesses or has reliable information about bullying or teen dating violence is prohibited.

The continuation and perpetuation of bullying or teen dating violence of a student through the dissemination of hurtful or demeaning material by any other student is prohibited.

The District will not tolerate any unlawful or disruptive behavior, including any form of bullying or teen dating violence, cyberbullying, discrimination or retaliation in our school buildings, on school grounds, or in school related activities. All reports and complaints of bullying, teen dating violence, cyberbullying, discrimination and retaliation will be investigated promptly and prompt action will be taken to end that behavior and restore the student's against whom such bullying or teen dating violence was directed (target's) sense of safety. This commitment is to be supported in all aspects of the school community, including curricula, instructional programs, staff development, extracurricular activities, and parent/guardian involvement.

The Principal/Safe School Climate Specialist or designee will consider what adjustments, if any are needed in the school environment to enhance the student against whom such bullying or teen dating violence was directed a sense of safety and that of others as well. One strategy that the Principal/Safe School climate specialist or designee may use is to increase adult supervision at transition times and in locations where bullying or teen dating violence is known to have occurred or is likely to occur.

The Principal/Safe School Climate Specialist will implement appropriate strategies for protecting from bullying, teen dating violence or retaliation a student who has reported bullying, teen dating violence or retaliation, a student who has witnessed bullying, teen dating violence or retaliation, a student who provides information during an investigation, or a student who has reliable information about a reported act of bullying, teen dating violence or retaliation.

Students

Bullying

VI. Prohibition against Discrimination and Retaliation

A. Safety (continued)

Within a reasonable period of time following the determination and the ordering of remedial and/or disciplinary action, the Principal/Safe School Climate Specialist or designee will contact the victim to determine whether there has been a recurrence of the prohibited conduct and whether additional supportive measures are needed. If determined necessary, the Principal/Safe School Climate Specialist will work with appropriate school staff to implement them immediately.

B. Law Enforcement Notification

The School Principal or his/her designee shall notify the appropriate local law enforcement agency when such Principal or the Principal's designee believes any acts of bullying or teen dating violence constitute criminal conduct.

VII. Training Requirements for School Staff

- A. Certified staff of the District shall be provided in-service training on the prevention, identification and response to school bullying, and teen dating violence and the prevention of and response to youth suicide.
- B. Beginning teachers shall satisfactorily complete instructional modules as required by C.G.S. 10-145a which shall include a module in classroom management and climate, which shall include training regarding the prevention, identification, and response to school bullying, teen dating violence and the prevention of and response to youth suicide.
- C. Non-certified staff of the District will participate in annual training to be provided, within available appropriations, by the Connecticut State Department of Education. The training may be presented in person by mentors, offered in state-wide workshops, or through on-line courses. Such training may include, but is not limited to:
 - 1. Developmentally appropriate strategies to prevent bullying and teen dating violence among students in school and outside the school setting,
 - 2. Developmentally appropriate strategies for immediate and effective interventions to stop bullying and teen dating violence,

Students

Bullying

VII. Training Requirements for School Staff (continued)

3. Information regarding the interaction and relationship between students committing acts of bullying and teen dating violence, students against whom such acts of bullying and teen dating violence are directed and witnesses of such acts of bullying and teen dating violence,
4. Research findings on bullying, such as information about the types of students who have been shown to be at-risk for bullying and teen dating violence in the school setting,
5. Information about the incidence and nature of cyberbullying as defined in C.G.S. 10-222d, as amended, or
6. Internet safety issues as they relate to cyberbullying.

VIII. Notification Requirements

- A. A copy of this District's Safe School Climate Plan shall be provided in written or electronic format to all District employees annually at the beginning of each school year.
- B. The District's Safe School Climate Plan shall be made available on the Board's website and on the website of each individual school with the District. Such posting shall occur within thirty (30) days of the approval of such plan by the State Department of Education.
- C. The District's Safe School Climate Plan shall be included in the District's publication of the rules, procedures and standards of conduct for schools and in all student handbooks.

IX. School Climate Assessments

- A. On or after July 1, 2012, and biennially thereafter, the Board requires each school within the District to complete an assessment using the school climate assessment instruments, including uniform surveys that collect information about students' perspectives and opinions about the school climate at the school and allow students to complete and submit such surveys anonymously, approved and disseminated by the State Department of Education.
- B. Completed assessments shall be shared with the Board and then submitted by the Board to the State Department of Education.

Students

Bullying

X. Bullying Through the Use of Technology (Cyberbullying)

An emerging form of bullying is the use of technology to threaten, intimidate, ridicule, humiliate, insult, or harass. Technology enables aggressive expression toward others and does not rely on physical strength or physical contact. By using a cell phone or the Internet, a student can quickly and aggressively spread rumors, threats, hate mail, or embarrassing photos through text messages, e-mails, or instant messages.

There are a number of social networking sites (MySpace, Facebook, Twitter, etc.) available to our students that can be misused and/or abused for bullying purposes. Any alleged misuse or abuse must be reported to any staff member or the Safe School Climate Specialist.

The District's discipline policy states that misuse, on or off campus, of electronic devices, for threatening/bullying/hazing or harassment is a violation and can be the basis for discipline on or off campus. When information is received that a student or students are involved in bullying through the use of technology either as the actor or a member of a group, or the victim, the following will be considered:

- If it takes place on campus or at a school sponsored event, disciplinary action will be taken.
- If it takes place off campus a school may take disciplinary action if the incident poses a likelihood of substantial disruption to the educational process or the orderly day to day operations of the school.

XI. Relationship to Other Laws

- A. Consistent with state and federal laws, and the policies of the district and school rules, no person shall be discriminated against in admission to a public school of any town or in obtaining the advantages, privilege and courses of study of such public school on account of race, color gender, religion, national origin, or sexual orientation. Nothing in the "Plan" prevents the school or district from taking action to remediate discrimination or harassment based on a person's membership in a legally protected category under local, state, or federal law, or district policies.
- B. In addition, nothing in the "Plan" is designed or intended to limit the authority of the school or district to take disciplinary action under applicable laws, or local school or District policies in response to violent, harmful, or disruptive behavior, regardless of whether the "Plan" covers the behavior.

Students

Bullying (continued)

XII. Immunity for Board of Education, School Employees, Others

Members of the Board of Education and school employees are protected by statute against damage claims in the implementation of a safe school climate plan and, in accordance with a school district safe school climate plan, report, investigate, or respond to bullying. PA 11-232 also extends this immunity to reports of bullying incidents by parents, students, and others to a school employee according to a safe school climate plan.

To be immune, these parties must act in good faith and, in the case of a school employee or Board of Education, within the scope of their duties. The immunity does not cover gross, wanton, reckless, or willful misconduct.

MODEL ANNUAL BULLYING NOTICE

[State Law requires that boards of education notify students annually of the process by which they may anonymously report acts of bullying or teen dating violence to school employees. We suggest that this notice be included in a student handbook.]

Bullying behavior by any student in the Plymouth Public Schools is strictly prohibited, and such conduct may result in disciplinary action, including suspension and/or expulsion from school. “Bullying” means the repeated use by one or more students of a written, oral or electronic communication, such as cyberbullying, directed at or referring to another student attending school in the same school district or a physical act or gesture by one or more students repeatedly directed at another student attending school in the same school district that:

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

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

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

Students who engage in any act of bullying or teen dating violence, on school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by the Board of Education, or through the use of an electronic device or an electronic mobile device owned, leased or used by the Board of Education, and outside of the school setting if such bullying:

- A. Creates a hostile environment at school for the victim,
- B. Infringes on the rights of the victim at school, or
- C. Substantially disrupts the education process or the orderly operation of a school.

Students and/or parents may file verbal or written complaints concerning suspected bullying or teen dating violence behavior, and students shall be permitted to anonymously report acts of bullying or teen dating violence to school employees. Any report of suspected bullying or teen dating violence behavior will be promptly reviewed. If acts of bullying or teen dating violence are verified, prompt disciplinary action may be taken against the perpetrator, consistent with his/her rights of due process. Board policy and regulation #5131.911 set forth this prohibition and the related procedures in detail, and are available to students and their parents/guardians upon request.

Students

Bullying

Cyberbullying

The District's computer network and the Internet, whether accessed on campus or off campus, during or after school hours, may not be used for the purpose of harassment. All forms of harassment over the Internet, commonly referred to as cyberbullying, are unacceptable and viewed as a violation of this policy and the District's acceptable computer use policy and procedures.

Malicious use of the District's computer system to develop programs or to institute practices that harass other users or gain unauthorized access to any entity on the system and/or damage the components of an entity on the network is prohibited. Users are responsible for the appropriateness of the material they transmit over the system. Hate mail, harassment, discriminatory remarks, or other antisocial behaviors are expressly prohibited.

Cyberbullying includes, but is not limited to the following misuses of technology: harassing, teasing, intimidating, threatening, or terrorizing another person by sending or posting inappropriate and hurtful e-mail messages, instant messages, text messages, digital pictures or images, or Web site postings, including blogs. It is also recognized that the author (poster or sender) of the inappropriate material is often disguised (logged on) as someone else.

Students and community members who believe they have been the victims of such misuses of technology, as described in this policy, should not erase the offending material from the system. A copy of the material should be printed and brought to the attention of the Principal or Director of Technology.

The administration shall investigate all reports of cyberbullying.

In situations in which the cyberbullying originated from a non-school computer, but brought to the attention of school officials, any disciplinary action shall be based upon whether the conduct is determined to be severely disruptive of the educational process so that it markedly interrupts or severely impedes the day-to-day operations of a school. In addition, such conduct must also be of a violation of a publicized school policy. Such conduct includes, but is not limited to, threats, or making a threat off school grounds, to kill or hurt a teacher or student.

Disciplinary action may include, but are not limited to, the loss of computer privileges, detention, suspension, or expulsion for verified perpetrators of cyberbullying. In addition, when any kind of threat is communicated or when a hate crime is committed, this shall be reported to local law officials.

Students

Bullying

Cyberbullying (continued)

For districts participating in the federal E-Rate program:

The District recognizes its responsibility to educate students regarding appropriate behavior on social networking and chat room sites about cyberbullying. Therefore, students shall be provided instruction about appropriate online behavior, including interacting with other individuals on social networking sites and in chat rooms and cyberbullying awareness and response.”

(cf. 0521 – Nondiscrimination)

(cf. 5114 – Suspension and Expulsion/Due Process)

(cf. 5131 – Conduct)

(cf. 5131.21 – Threats or Acts of Violence)

(cf. 5131.8 – Off School Grounds Misconduct)

(cf. 5131.82 – Restrictions on Publications and Written or Electronic Material)

(cf. 5131.912 – Aggressive Behavior)

(cf. 5131.911 – Bullying)

(cf. 5144 – Discipline/Punishment)

(cf. 5145.4 – Nondiscrimination)

(cf. 5145.5 – Sexual Harassment)

(cf. 5145.51 – Peer Sexual Harassment)

Legal Reference: Connecticut General Statutes

PA 02-119, An Act Concerning Bullying Behavior in Schools and Concerning the Pledge of Allegiance

Kyle P. Packer PPA Jane Packer v. Thomaston Board of Education. (SC 15862)

Public Law 110-385 Broadband Data Improvement Act/Protecting Children in the 21st Century Act

Policy adopted: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

Students

Dress and Grooming

The community and general public often judge the quality of education by the behavior, appearance and activities of its student body. The results of one's dress, appearance and behavior generally go far beyond the individual student.

In general, attire and grooming of individual students in this school system are the responsibility of the students and their parents. There are, however, general principles of good taste and modesty which must and shall be observed.

Students' overall appearance should fall within the generally accepted definitions of neatness and cleanliness. Generally, the students are expected to dress and groom themselves for the business of school so as to neither distract other students or teachers, disrupt the education process, or pose a health or safety threat to anyone. Clothing should be clean, untorn, free from promotion of, or reference to drugs, alcohol and tobacco, and offensive signs, symbols or words. Clothing should also be free of slogans, names, titles or the like which are defamatory toward person(s), group(s), the school or other organizations or which are likely to incite or inflame.

Students whose dress or grooming is judged by the staff to be distractive, disruptive, or dangerous to personal safety will be subject to administrative action.

The intent of this policy is to encourage all concerned to dress, groom and conduct themselves in keeping with an atmosphere which reflects a sensitivity to and respect for self and others and the overall functions of the school.

The following clothing styles are specifically prohibited:

1. Black soled shoes, boots or sneakers which mark the floor
2. "See through" style and/or mesh style shirts, blouses or midriff tops
3. Flip flops or thong style sandals
4. Underwear worn as outerwear
5. Hats or caps, except those worn pursuant to established religious customs
6. Short shorts, athletic shorts and cutoffs
7. Face-coverings
8. Sunglasses
9. Any article of clothing (including jackets, shoes, hats and bandannas), jewelry, or other item which is identifiable as a known symbol of gang membership or affiliation.
10. Electronic pager or "beeper" device or portable telephone on school property without prior approval of the school principal or Superintendent of Schools.

Students

Dress and Grooming (continued)

At the secondary level (7-12) clothing which is worn in physical education shall not be worn in other classes or parts of the school nor shall clothing worn in regular classes be worn in physical education. Physical education teachers will specify the kind of clothing appropriate for their activity.

The wearing of sunglasses in school is not permitted.

Appeal Process

Students or parents may appeal student, faculty or administrative decisions, except suspensions, which are applied to them or to their child by first discussing it with the person(s) who made the decision. Any further appeal must be made in writing to the principal and the appeal must demonstrate:

1. A rule being unfairly applied; or
2. A violation or misinterpretation of a policy or rule.

The Principal will hear the appeal informally in a timely manner which he/she deems appropriate to the situation.

The Principal's decision will be final unless the decision is appealed. Any appeal beyond the principal will be conducted at the Superintendent's level. The Superintendent's decision shall be final.

Students

Married/Pregnant Students

Married students shall have the same educational opportunities as unmarried students, and the Board of Education's responsibility for the education of all school-age children includes pregnant students whether married or unmarried who shall be allowed to remain in school and provided appropriate support services as a part of the school program.

A pregnant girl may remain in her regular school program as long as her physical and emotional condition permits. Any variation from a pregnant student's continuance in regular classes shall be based upon her specific needs. Homebound and hospitalized instruction shall be provided only when a physician states that it is in the best interest of the student.

A student who is under age 16 and a mother may request permission from the Board to attend adult education class in lieu of the regular school program.

(cf. 6200 - Adult Continuing Education)

Legal Reference: Connecticut General Statutes

10-184 Duties of parents.

10-186 Duties of local and regional boards of education re school attendance.

State Board of Education Regulations

10-76a-35 Educationally exceptional children.

10-76d-15 Homebound and hospitalized instruction (subsection b4).

10-76d(e)(2) Duties and powers of boards of education to provide special education programs and services.

Title IX of the Education Amendments of 1972, 2 U.S.C. 55 1681-1688.

Policy adopted: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

Students

Married/Pregnant Students

There are occasions when students either become pregnant or suspect they are pregnant. Depending upon the situation, including the age of the student, knowledge of either may or may not be shared with a student's parent or guardian.

In case of pregnancy or suspected pregnancy, the school's attitude must always be one of concern for:

- A. Continuation of an appropriate educational program.
- B. Appropriate counseling to the student and maintenance of confidence with the student.
- C. Immediate involvement of the student's parent or guardian.
- D. Appropriate medical advice to the student.

In all instances of pregnancy or suspected pregnancy, the above four concerns reflect the extent of the schools responsibility in such matters. Within the constraints of these responsibilities various situations are possible which can create difficult decisions for school personnel. These situations will be guided by the procedures outlined in the following scenarios.

Suspected Pregnancy

Situation: The student indicates to a staff member that she suspects she is pregnant and is desirous of obtaining advice on a course of action. She has not and does not want to communicate this information to her parent or guardian.

School Actions:

1. Counseling should be provided and the student encouraged to convey this information to her parent or guardian and to consult the family physician. If this route is successfully followed, the school's next action is one of follow-up; i.e., concern for the appropriate educational program in the event the student is pregnant and appropriate follow-up counseling whether or not the student was pregnant.
2. If, after counseling, the student refuses to share her suspected condition with her parents or guardians, she should be advised that appropriate medical facilities are available for performing tests to establish the fact of pregnancy. Information as to medical facilities available for performing such tests will be provided the student. At this point, the school's responsibility is one of follow-up.
 - A. If the student has appropriate tests conducted and is determined not to be pregnant, the school should provide appropriate follow-up counseling.

Students

Married/Pregnant Students

Suspected Pregnancy (continued)

- B. If the student has appropriate tests conducted and is determined to be pregnant, the school should continue to encourage involvement of parents or guardian and the handling of the matter through the parents or guardian and the family physician. If the student refuses, she should be advised of appropriate medical facilities and counseling facilities which are available, and she should be encouraged to make contact with any one of these sources. Furthermore, the student must be advised that the school will be compelled to inform her parents or guardians of her condition, when after consultation with the School Medical Advisor, it is deemed necessary to change the educational program because of the student's pregnancy.

If a pregnant student does go to a professional source for advice and/or medical care, the professional source will be notified by the school, after consultation with the School Medical Advisor, that the parents or guardian will be informed of the student's condition when in the opinion of the school a change in educational program is necessary because of the student's pregnancy.

Confirmed Pregnancy

Situation: The student indicates to a staff member that she is pregnant and is desirous of obtaining advice on a course of action. She has not and does not want to communicate this information to her parent or guardian.

School Action:

1. The same procedure should be followed as mentioned under 2.B., "Suspected Pregnancy".
2. If, after counseling, the student refuses to share knowledge of her parents or her guardian, she should be advised of appropriate medical facilities and counseling facilities which are available and she should be encouraged to make contact with any one of these sources. At this point the school's responsibility is one of follow-up.
 - A. Student contacts a professional source for assistance.
 - (1) School should continue to encourage involvement of parents or guardian and the handling of the matter through the parents or guardian. If the student refuses this advice she must be advised that the school will be compelled to inform her parents or guardian of her condition, when after consultation with the School Medical Advisor, it is deemed necessary to change the educational program because of the student's pregnancy.

Students

Married/Pregnant Students

Confirmed Pregnancy (continued)

- B. Student does not contact a professional source for assistance.
 - (1) Same action as in the case where the student does contact a professional source for assistance.

Staff members are reminded of the "first line" of medical advice is available through the school nurse. Whenever possible, and as early as possible, it is wise to help the student develop confidence in the nurse. If this confidence cannot be established, the staff member should seek assistance from the nurse as deemed most appropriate.

Students

Student Health Services

The Board of Education recognizes its legal and moral responsibility to provide school health services which will promote, protect, and maintain the health of the students. Such school health services should therefore be an integral part of the total school program, and should assist each student to attain and maintain his/her optimum state of health so that he/she may benefit to the maximum degree from his/her educational experiences.

Parents, however, have the primary and ultimate responsibility for the health of the student. The school health services program is founded on this premise, recognizing that the educational system has an obligation to assist parents, without fulfilling the responsibility for them, and to assist students to develop competence in dealing with health problems they will face during their school years and in the future.

The administration shall observe the requirements of State Law, as well as state and local health department regulations, and shall take such action as may be necessary for safeguarding the health of students and teachers in the schools. Specifically, the administration shall recommend that the Board of Education exclude from school within 30 calendar days of the first day of attendance, all newly entering and continuing students who do not present evidence of compliance with the required schedule of physical examinations unless exemption is given according to religious belief or medical advice. Students who are in violation of Board requirements for health assessments and immunizations will be excluded from school after appropriate parental notice and warning.

Each child shall be immunized, as required by law, before entering the Plymouth Public Schools unless duly exempted on religious or medical grounds.

(cf. 5125.11 - Health/Medical Records HIPAA)
(cf. 5142 - Student Safety)
(cf. 5141.4 - Child Abuse and Neglect)
(cf. 5141.5 - Suicide Prevention)
(cf. 6142.1 - Family Life and Sex Education)
(cf. 6145.2 - Interscholastic/Intramural Athletics)
(cf. 6171 - Special Education)

Legal Reference: Connecticut General Statutes
 10-203 Sanitation.
 10-204a Required immunizations, as amended by PA 15-174 & PA 15-242
 10-204c Immunity from liability
 10-205 Appointment of school medical advisors.

Students

Student Health Services

Legal Reference: Connecticut General Statutes (continued)

- 10-206 Health assessments.
- 10-206a Free health assessments.
- 10-207 Duties of medical advisers, (as amended by P.A. 12-198)
- 10-208 Exemption from examination or treatment.
- 10-208a Physical activity of student restricted; boards to honor notice.
- 10-209 Records not to be public. (as amended by P.A. 03-211)
- 10-210 Notice of disease to be given parent or guardian.
- 10-212 School nurses and nurse practitioners.
- 10-212a Administration of medicines by school personnel.
- 10-213 Dental hygienists.
- 10-214 Vision, audiometric and postural screening: When required; notification of parents re defects; record of results. (As amended by PA 96-229 An Act Concerning Scoliosis Screening)
- 10-214a Eye protective devices.
- 10-214b Compliance report by local or regional board of education.
- 10-217a Health services for children in private nonprofit schools. Payments from the state, towns in which children reside and private nonprofit schools.

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

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).

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

Policy adopted: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

Students

Administering Medication

The purpose of this policy is for the Board of Education (Board) to determine who shall administer medications in a school and the circumstances under which self-administration of medication by students shall be permitted.

The Board of Education allows students to self-administer medication and school personnel to administer medication to students in accordance with the established procedures, and applicable state regulations, sections 10-212a-1 through 10-212a-10 inclusive. In order to provide immunity afforded to school personnel who administer medication, the Board of Education, with the advice and approval of the School Medical Advisor and the school nurse supervisor, shall review and/or revise this policy and regulation biennially concerning the administration of medications to District students by a nurse, or in the absence of a nurse, by qualified personnel for schools. The District's School Medical Advisor (or other qualified physician) shall approve this policy, its regulations and any changes prior to adoption by the Board.

Definitions

Administration of medication means any one of the following activities: handling, storing, preparing or pouring of medication; conveying it to the student according to the medication order; observing the student inhale, apply, swallow, or self-inject the medication, when applicable; documenting that the medication was administered; and counting remaining doses to verify proper administration and use of the medication.

Advanced practice registered nurse means an individual licensed pursuant to C.G.S. 20-94a.

Authorized prescriber means a physician, dentist, optometrist, advanced practice registered nurse or physician assistant, and for interscholastic and intramural athletic events only, a podiatrist.

Before-and after-school program means any child care program operated and administered by a local or regional Board of Education or municipality exempt from licensure by the Office of Early Childhood. Such programs shall not include public or private entities licensed by the Office of Early Childhood or Board of Education enhancement programs and extra-curricular activities.

Board of Education means a local or regional Board of Education, a regional educational service center, a unified school district, the regional vocational-technical school system, an approved private special education facility, the Gilbert School, the Norwich Free Academy, Woodstock Academy or a non-public school whose students receive services pursuant to Section 10-217a of the Connecticut General Statutes.

Students

Administering Medications

Definitions (continued)

Cartridge injector means an automatic prefilled cartridge injector or similar automatic injectable equipment used to deliver epinephrine in a standard dose for emergency first aid response to allergic reaction.

Controlled drugs means those drugs as defined in Connecticut General Statutes Section 21a-240.

Cumulative health record means the cumulative health record of a student mandated by Connecticut General Statutes Section 10-206.

Director means the person responsible for the operation and administration of any school readiness program or before- and after-school program.

Eligible student means a student who has reached the age of eighteen or is an emancipated minor.

Error means:

- (1) the failure to do any of the following as ordered:
 - (a) administer a medication to a student;
 - (b) administer medication within the time designated by the prescribing physician;
 - (c) administer the specific medication prescribed for a student;
 - (d) administer the correct dosage of medication;
 - (e) administer medication by the proper route; and/or
 - (f) administer the medication according to generally accepted standards of practice; or
- (2) the administration of medication to a student which is not ordered by an authorized prescriber, or which is not authorized in writing by the parent or guardian of such student, except for the administration of epinephrine for the purpose of emergency first aid pursuant to Connecticut General Statutes 10-212a and Section 10-212a-2 of the Regulations of Connecticut State Agencies.

Extracurricular activities means activities sponsored by local or regional Boards of Education that occur outside of the school day, are not part of the educational program, and do not meet the definition of before- and after-school programs and school readiness programs.

Guardian means one who has the authority and obligations of guardianship of the person of a minor, and includes: (1) the obligation of care and control; and (2) the authority to make major decisions affecting the minor's welfare, including, but not limited to, consent determinations regarding marriage, enlistment in the armed forces and major medical, psychiatric or surgical treatment.

Students

Administering Medications

Definitions (continued)

Intramural athletic events means tryouts, competition, practice, drills, and transportation to and from events that are within the bounds of a school district for the purpose of providing an opportunity for students to participate in physical activities and athletic contests that extend beyond the scope of the physical education program.

Interscholastic athletic events means events between or among schools for the purpose of providing an opportunity for students to participate in competitive contests which are highly organized and extend beyond the scope of intramural programs and includes tryouts, competition, practice, drills, and transportation to and from such events.

Investigational drug means any medication with an approved investigational new drug (IND) application on file with the Food and Drug Administration (FDA), which is being scientifically tested and clinically evaluated to determine its efficacy, safety and side effects and which has not yet received FDA approval.

Licensed athletic trainer means a licensed athletic trainer employed by the school district pursuant to Chapter 375a of the Connecticut General Statutes.

Medication means any medicinal preparation including over-the-counter, prescription and controlled drugs, as defined in Connecticut General Statutes Section 21a-240. This definition includes Aspirin, Ibuprofen or Aspirin substitutes containing Acetaminophen.

Medication emergency means a life-threatening reaction of a student to a medication.

Medication plan means a documented plan established by the school nurse in conjunction with the parent and student regarding the administration of medication in school. Such plan may be a stand-alone plan, part of an individualized health care plan, an emergency care plan or a medication administration form.

Medication order means the written direction by an authorized prescriber for the administration of medication to a student which shall include the name of the student, the name and generic name of the medication, the dosage of the medication, the route of administration, the time of administration, the frequency of administration, the indications for medication, any potential side effects including overdose or missed dose of the medication, the start and termination dates not to exceed a 12-month period, and the written signature of the prescriber.

Nurse means an advanced practice registered nurse, a registered nurse or a practical nurse licensed in Connecticut in accordance with Chapter 378 of the Connecticut General Statutes.

Students

Administering Medications

Definitions (continued)

Occupational therapist means an occupational therapist employed full time by the local or regional board of education and licensed in Connecticut pursuant to Chapter 376a of the Connecticut General Statutes.

Paraprofessional means a health care aide or assistant or an instructional aide or assistant employed by the local or regional Board of Education who meets the requirements of such Board for employment as a health care aide or assistant or instructional aide or assistant.

Physical therapist means a physical therapist employed full time by the local or regional Board of Education and licensed in Connecticut pursuant to Chapter 376 of the Connecticut General Statutes.

Physician means a doctor of medicine or osteopathy licensed to practice medicine in Connecticut pursuant to Chapters 370 and 371 of the Connecticut General Statutes, or licensed to practice medicine in another state.

Physician assistant means an individual licensed to prescribe medications pursuant to Section 20-12d of the Connecticut General Statutes.

Principal means the administrator in the school.

Qualified medical professional, as defined in C.G.S. 10-212, means a physician licensed under Chapter 370, an optometrist licensed to practice optometry under Chapter 380, an advanced practice registered nurse licensed to prescribe in accordance with Section 20-94a or a physician assistant licensed to prescribe in accordance with Section 20-12d.

Qualified personnel for schools means (a) a qualified school employee who is a full time employee or is a coach, athletic trainer, or school paraprofessional or for school readiness programs and before and after school programs, means the director or director's designee and any lead teachers and school administrators who have been trained in the administration of medications. For school readiness programs and before- and after-school programs, Directors or Director's designee, lead teachers and school administrators who have been trained in the administration of medication may administer medications pursuant to Section 10-212a-10 of the State regulations.

Qualified school employee, as defined in C.G.S. 10-212, means a principal, teacher, licensed athletic trainer, licensed physical or occupational therapist employed by a school district, coach or school paraprofessional.

Research or study medications means FDA-approved medications being administered according to an approved study protocol. A copy of the study protocol shall be provided to the school nurse along with the name of the medication to be administered and the acceptable range of dose of such medication to be administered.

Students

Administering Medications

Definitions (continued)

School means any educational facility or program which is under the jurisdiction of the Board excluding extracurricular activities.

School medical advisor means a physician appointed pursuant to C.G.S. 10-205.

School nurse means a nurse appointed in accordance with Connecticut General Statutes Section 10-212.

School nurse supervisor means the nurse designated by the local or regional Board of Education as the supervisor or, if no designation has been made by the Board, the lead or coordinating nurse assigned by the Board.

School readiness program means a program that receives funds from the State Department of Education for a school readiness program pursuant to subsection (b) of Section 10-16p of the Connecticut General Statutes and exempt from licensure by the Office of Early Childhood pursuant to subdivision (1) of subsection (b) of Section 19a-77 of the Connecticut General Statutes.

Self-administration of medication means the control of the medication by the student at all times and is self-managed by the student according to the individual medication plan.

Supervision means the overseeing of the process of the administration of medication in a school.

Teacher means a person employed full time by a Board of Education who has met the minimum standards as established by that Board for performance as a teacher and has been approved by the School Medical Advisor and school nurse to be designated to administer medications pursuant to the Regulations of Connecticut State Agencies Sections 10-212a-1 through 10-212a-7.

General Policies on Administration of Medication

A child with diabetes may test his/her own blood glucose level per the written order of a physician stating the need and the capacity of such child to conduct self-testing along with written authorization of the parent/guardian. Such self-testing shall be pursuant to guidelines promulgated by the Commissioner of Education. The time or place where a student with diabetes may test his/her blood-glucose level on school grounds shall not be restricted provided the student has written parental/guardian permission and a written order from a physician licensed in Connecticut.

Students

Administering Medication

General Policies on Administration of Medication (continued)

The school nurse or school principal shall select a qualified school employee willing to volunteer, under certain conditions, give a glucagon injection to a student with diabetes who may require prompt treatment to protect him/her from serious harm or death. The nurse or principal must have the written authority from the student's parent/guardian and a written order from the student's Connecticut-licensed physician. The authorization shall be limited to situations when the school nurse is absent or unavailable. No qualified school employee shall administer this medication unless he/she has annually completed any training required by the school nurse and school medical advisor in the administration of medication with injectable equipment used to administer glucagon, the school nurse and school medical advisor must attest that the qualified school employee has completed such training and the qualified school employee voluntarily agrees to serve as a qualified school employee. The injections are to be given through an injector or injectable equipment used to deliver an appropriate dose of glucagon as emergency first aid response to diabetes.

A child diagnosed with asthma or an allergic condition, pursuant to State Board of Education regulations, may carry an inhaler or an EpiPen or similar device in the school at all times if he/she is under the care of a physician, physician assistant, or advanced practice registered nurse (APRN) and such practitioner certifies in writing to the Board of Education that the child needs to keep an asthmatic inhaler or EpiPen at all times to ensure prompt treatment of the child's asthma or allergic condition and protect the child against serious harm or death. A written authorization of the parent/guardian is also required.

A school nurse may administer medication to any student pursuant to the written order of an authorized prescriber (physician, dentist, optometrist, an advanced practice registered nurse, or a physician assistant and for interscholastic and intramural athletic events only, a podiatrist) and the written authorization of a parent or guardian of such child or eligible student and the written permission of the parent/guardian for the exchange of information between the prescriber and the school nurse necessary to ensure the safe administration of such medication.

In the absence of a school nurse, any other nurse licensed pursuant to the provisions of Chapter 378, including a nurse employed by, or providing services under the direction of the Board of Education at a school-based clinic, only qualified personnel for schools who have been properly trained may administer medications to students as delegated by the school nurse upon approval of the School Medical Advisor and the school nurse may administer medication to any student in the school following the successful completion of specific training in administration of medication and satisfactory completion of the required criminal history check.

Students

Administering Medication

General Policies on Administration of Medication (continued)

Medications with a cartridge injector may be administered by qualified personnel for schools only to a student with a medically diagnosed allergic condition which may require prompt treatment to protect the student against serious harm or death. Qualified personnel for schools, as defined, may administer oral, topical, intranasal, or inhalant medication in the absence of a licensed nurse. Investigational drugs or research or study medications may not be administered by qualified personnel for schools.

Coaches and licensed athletic trainers during intramural and interscholastic events may administer medications pursuant to Section 10-212a-9 of the Regulations of Connecticut State Agencies and as described in this policy and in the administrative regulations to this policy.

In compliance with all applicable state statutes and regulations, parents/guardians may administer medications to their own children on school grounds.

Administration of Medication by Paraprofessionals

A specific paraprofessional, through a plan approved by a school nurse supervisor and School Medical Advisor, may administer medications including medications administered with a cartridge injector, to a specific student with a medically diagnosed allergic condition that may require prompt treatment in order to protect the student against serious harm or death pursuant to Section 10-212a-9 of the Regulations of Connecticut State Agencies and as described in the administrative regulations. The approved plan also requires the written authorization of the student's parent/guardian and pursuant to the written order from the student's authorized prescriber licensed to prescribe medication.

Administration of Medications in School Readiness Programs and Before- and After-School Programs

Directors, or their designees, who may include lead teachers or school administrators, who have been properly trained, may administer medications to students as delegated by the school nurse or other registered nurse, in school readiness programs and before- and after-school programs that are child care programs. Such programs must either be District-administered or administered by a municipality exempt from licensure by the Department of Public Health and are located in a District public school. Medicine may be administered pursuant to the Regulations of Connecticut State Agencies, Section 10-212a-10, to children enrolled in these programs.

Students

Administering Medication

Administration of Medications in School Readiness Programs and Before- and After-School Programs (continued)

Administration of medications shall be provided only when it is medically necessary for program participants to access the program and maintain their health status while attending the program. A child attending any before- or after-school program, defined as any child care program operated and administered by the Board in any building or on the grounds of any district school, upon the request and with the written authorization of the child's parent/guardian and pursuant to the written order from the student's authorized prescriber, will be supervised by the District staff member (Director or designee, lead teacher, school administrator) trained to administer medication including a cartridge injector. Such administration shall be to a particular student medically diagnosed with an allergy that may require prompt treatment to avoid serious harm or death.

Investigational drugs or research or study medications may not be administered by Directors or their designees, lead teachers or school administrators.

Properly trained Directors, Directors' designees, lead teachers or school administrators may administer medications to students as delegated by the school nurse or other registered nurse. They may administer oral, topical, intranasal, or inhalant medications. No medication shall be administered without the written order of an authorized prescriber and the written approval of the parent/guardian.

The selected staff member shall be trained in the use of a cartridge injector by either a licensed physician, physician's assistant, advanced practice registered nurse or registered nurse. *(Optional: The selected staff member is also required to complete a course in first aid offered by the American Red Cross, the American Heart Association, the National Ski Patrol, the Department of Public Health or any Director of Health.)*

The administration shall determine, in cooperation with the School Medical Advisor and school nurse [supervisor] whether additional school nursing services/nurses are required based on the needs of the program and the participants in the program. This determination shall include whether a licensed nurse is required on site. The recommendation shall be subject to Board approval.

The Board will allow students in the school readiness and before- and after-school programs to self-administer medication according to the student's individual health plan and only with the written order of an authorized prescriber, written authorization of the child's parent or guardian, written approval of the school nurse (The nurse has evaluated the situation and deemed it appropriate and safe and has developed a plan for general supervision of such self-medication.), and with the written permission of the parent or guardian for the exchange of information between the prescriber and the school nurse necessary to ensure the safe administration of such medication.

Students

Administering Medication

Administration of Medications in School Readiness Programs and Before- and After-School Programs (continued)

An error in the administration of medication shall be reported immediately to the school nurse, the parents/guardians and the prescribing physician. In case of an anaphylactic reaction or the risk of such reaction a school nurse may administer emergency oral and/or injectable medication to any child in need thereof on school grounds, or in the school building, according to the standing order of the School Medical Advisor or the child's private physician. However, in an emergency any other person trained in CPR and First Aid may administer emergency oral and/or injectable medication to any child in need on school grounds, or in the school building. In addition, local poison control center information shall be readily available at the sites of these programs. The Program Director or his/her designee shall be responsible for decision making in the absence of the nurse.

In the event of a medical emergency, the following will be readily available: (1) local poison information center contact information; (2) the physician, clinic or emergency room to be contacted in such an emergency; and (3) the name of the person responsible for the decision making in the absence of a school nurse.

All medications shall be handled and stored in accordance with the provisions of subsection (a) to (k) inclusive of the Regulations of Connecticut State Agencies, as outlined in the accompanying administrative regulation to this policy.

Where possible, a separate supply of the child's medication shall be stored at the site of the before- or after-school program or school readiness program. If this is not possible, a plan should be in place to ensure the timely transfer of the medication from the school to the program and back on a daily basis.

Documentation and record keeping shall be done in compliance with the stipulations outlined in the administrative regulation accompanying this policy.

THE PORTION OF THIS POLICY PERTAINING TO THE ADMINISTRATION OF MEDICATION IN SCHOOL READINESS PROGRAMS AND BEFORE- AND AFTER-SCHOOL PROGRAMS SHALL BE REVIEWED BY THE BOARD ON AN ANNUAL BASIS WITH INPUT FROM THE SCHOOL MEDICAL ADVISOR OR A LICENSED PHYSICIAN AND THE SCHOOL NURSE SUPERVISOR.

Administration of Medication by Coaches and Licensed Athletic Trainers During Intramural and Interscholastic Events

During intramural and interscholastic athletic events, a coach or licensed athletic trainer who has been trained in the general principles of medication administration applicable to receiving, storing, and assisting with inhalant medications or cartridge injector medications and documentation, may administer medication for select students for whom self-administration plans are not viable options as determined by the school nurse.

Students

Administering Medication

Administration of Medication by Coaches and Licensed Athletic Trainers During Intramural and Interscholastic Events (continued)

The medication which may be administered is limited to: (1) inhalant medications prescribed to treat respiratory conditions and (2) medication administered with a cartridge injector for students with a medically diagnosed allergic condition which may require prompt treatment to protect the student against serious harm or death.

The school nurse is responsible for the student's individualized medication plan and shall provide the coach with a copy of the authorized prescriber's order and the parental/guardian permission form. Parents are responsible for providing the medication, such as the inhaler or cartridge injector, to the coach or licensed athletic trainer, which shall be kept separate from the medication stored in the school health office during the school day.

Medications to be used in athletic events shall be stored in containers for the exclusive use of holding medications; in locations that preserve the integrity of the medication; under the general supervision of the coach or licensed athletic trainer trained in the administration of medication; and in a locked secure cabinet when not in use at athletic events.

The agreement of the coach or licensed athletic trainer is necessary for the administration of emergency medication and the implementation of the emergency care plan.

Coaches and athletic trainers are required to fulfill the documentation requirements as outlined in the administrative regulations accompanying this policy. Errors in the administration of medication shall be addressed as specified in Section 10-212a-6 of the Regulations of Connecticut State Agencies, and detailed in the administrative regulation pertaining to this policy. If the school nurse is not available, a report may be submitted by the coach or licensed athletic trainer to the school nurse on the next school day.

Storage and Administration of Epinephrine

Storage and Use of Epinephrine Cartridge Injectors (Emergency Administration of Epinephrine to Students without Prior Written Authorization)

A school nurse or, in the absence of a school nurse, a "qualified school employee" who has completed the training required by PA 14-176, shall maintain epinephrine in cartridge injectors for the purpose of emergency first aid to students who experience allergic reactions, who were not previously known to have serious allergies and who do not have a prior written authorization of a parent/guardian or a prior written order of a qualified medical professional for the administration of epinephrine.

<p>Note: Epipens expire yearly. Therefore, schools are responsible for refilling their prescriptions annually. It is estimated that each school would require two to three two-pack epipens.</p>

Students

Administering Medication

Storage and Administration of Epinephrine (continued)

The school nurse or school principal shall select qualified school employees who voluntarily agree to be trained to administer such epinephrine as emergency first aid. There shall be at least one such qualified school employee on the grounds of each District school during regular school hours in the absence of the school nurse. Each school must maintain a supply of epinephrine in cartridge injectors (epipens) for such emergency use.

Note: This requirement pertains only during regular school hours and does not include after-school activities.

The school shall fulfill all conditions and procedures promulgated in the regulations established by the State Board of Education (Section 10-212a-2) for the storage and administration of epinephrine by school personnel to students for the purpose of emergency first aid to students who experience allergic reaction and do not have prior written authorization for epinephrine administration.

The school nurse or, in the absence or unavailability of such school nurse, such qualified school employee may administer epinephrine to a student experiencing a life-threatening undiagnosed allergic reaction as emergency first aid, to students who do not have a prior written authorization from a parent or guardian or a prior written order from a qualified medical professional for the administration of epinephrine. A qualified school employee must annually complete the required training program in order to be permitted to administer epinephrine utilizing an epipen.

Following the emergency administration of epinephrine by a qualified school employee to a student who does not have a prior written authorization of a parent/guardian or a prior written order of a qualified medical professional, such administration must be reported immediately to the school nurse or medical advisor, the student's parent/guardian by the school nurse or the qualified school employee and a medication administration record shall be submitted by the qualified school employee at the earliest possible time, but not later than the next school day. Such record must be filed in or summarized on the student's cumulative health record.

The parent/guardian of a student may submit, in writing, to the school nurse and school medical advisor, if any, that epinephrine shall not be administered to his/her child permitted by statute. The District shall annually notify parents/guardians of the need to provide such written notice.

The Board of Education, recognizing this emergency use of epinephrine for previously undiagnosed students, per the statute, is to take place during "regular school hours" establishes such hours to be from the arrival of the first students to the school site to the departure of the last bus serving the school at the conclusion of the day's instructional programs.

Students

Administering Medication (continued)

Administration of Anti-Epileptic Medications to Students

With the written authorization of a student's parent/guardian, and pursuant to the written order of a physician, a school nurse (and a school medical advisor, if any), shall select and provide general supervision to a qualified school employee, who voluntarily agrees to serve as a qualified school employee, to administer anti-epileptic medication, including by rectal syringe, to a specific student with a medically diagnosed epileptic condition that requires prompt treatment in accordance with the student's individual seizure action plan. Such authorization is limited to situations when the school nurse is absent or unavailable. No qualified school employee shall administer such medication unless he/she annually completes the training program developed by the State Department of Education, in consultation with the School Nurse Advisory Council.

In addition, the school nurse (and school medical advisor, if any), shall attest, in writing, that such qualified school employee has completed the required training. The qualified school employee shall also receive monthly reviews by the school nurse to confirm his/her competency to administer anti-epileptic medication. For purposes of the administration of anti-epileptic medication, a "qualified school employee" means a principal, teacher, licensed athletic trainer, licensed physical or occupational therapist employed by the District, coach or school paraprofessional.

(cf. 4112.5/4212.5 – Security Check/Fingerprinting)

(cf. 5141 – Student Health Services)

(cf. 5141.23 – Students with Special Health Care Needs)

Legal Reference: Connecticut General Statutes

10-206 Health Assessment

10-212 School nurses and nurse practitioners. Administration of medications by parents or guardians on school grounds. Criminal history; records check.

10-212a Administration of medications in schools. (as amended by PA 99-2, and June Special Session and PA 03-211, PA 04-181, PA 07-241, PA 07-252, PA 09-155, PA 12-198, PA 14-176 and PA 15-215)

10-220j Blood glucose self-testing by children. Guidelines. (as amended by PA 12-198)

19a-900 Use of cartridge injector by staff member of before- or after-school program, day camp or day care facility.

21a-240 Definitions

29-17a Criminal history checks. Procedure. Fees.

Students

Administering Medication

Legal Reference: Connecticut General Statutes (continued)

52-557b Immunity from liability for emergency medical assistance first aid or medication by injection. School personnel not required to administer or render. (as amended by PA 05-144, An Act Concerning the Emergency Use of Cartridge Injectors)

Connecticut Regulations of State Agencies 10-212a-1 through 10-212a-10, inclusive, as amended.

Code of Federal Regulations: Title 21 Part 1307.2

20-12d Medical functions performed by physician assistants. Prescription authority.

20-94a Licensure as advanced practice registered nurse.

PA 07-241 An Act Concerning Minor Changes to the Education Statutes

29-17a Criminal history checks. Procedure. Fees.

Students

Administering Medication to Students

Regular School Day

The Board of Education (Board) allows students to self-administer medication and qualified personnel for schools to administer medication to students in accordance with the following established procedures. These procedures shall be reviewed and/or revised and approved by the School Medical Advisor, the school nurse and the Board of Education. The District's School Medical Advisor (or other qualified physician) will approve this policy, its regulations and any changes prior to submission to the Board of Education for its approval.

The administration of medication includes the activities of handling, storing, preparing or pouring of medication, conveying it to the student according to the medication order, observing the student inhale, apply, swallow, or self-inject the medication, when applicable; documenting that the medication was administered; and counting remaining doses to verify proper administration and use of the medication.

A student who is required to receive medication or wants to take aspirin, ibuprofen, or an aspirin substitute containing acetaminophen during school hours must provide:

1. The authorized prescriber's (physician, dentist, optometrist, advanced practice registered nurse, or physician assistant; and a podiatrist in the case of interscholastic or intramural athletic events) orders for medication or aspirin, ibuprofen, or an aspirin substitute containing acetaminophen on a school district form which specifies the student's name, condition for which the drug is being administered, name of drug and method of administration and dosage of drug. For students receiving medicine the time of administration and duration of the order, side effects to be observed (if any) and management of such effects, and student allergies to food and/or medicine is also required on the form. This medical order must be renewed yearly if a student is to be administered medication by school personnel.
2. Written authorization from his or her parent or guardian allowing school personnel to administer said medication. This authorization shall be renewed yearly and shall include parental consent for school personnel to destroy said medication if not repossessed by the parent or guardian within a seven (7) day period of notification by school authorities.
3. The medication must have its original correct label from the pharmacy or manufacturer.

Students who are able to self-administer medication may do so provided:

1. An authorized prescriber provides a written order for self-administration of said medication.
2. There is written authorization for self-administration of medication from the student's parent or guardian.

Students

Administering Medications to Students

Regular School Day (continued)

3. The school nurse has evaluated the situation and deemed it to be safe and appropriate; has documented this on the student's cumulative health record, and has developed a plan for general supervision.
4. The student and school nurse have developed a plan for reporting and supervision of self-administration and notification of teachers.
5. The principal and appropriate teachers are informed that the student is self-administering prescribed medication.
6. Such medication is transported to the school and maintained under the student's control within these guidelines.

In addition, the Board permits those students who have a verified chronic medical condition and are deemed capable to self-administer prescribed emergency medication, including rescue asthma inhalers and cartridge injectors for medically-diagnosed allergies, to self-administer such medications and may permit such students to self-administer other medications, excluding controlled drugs, as defined in Connecticut General Statute 21a-240. Such students must provide:

1. An authorized prescriber's written medication order including the recommendation for self-administration; and
2. A written authorization for self-administration of medication from the student's parent or guardian.

Further, the school nurse shall assess the student's competency for self-administration in the school setting and deem it to be safe and appropriate, including that a student:

1. is capable of identifying and selecting the appropriate medication by size, color, amount, or other label identification;
2. knows the frequency and time of day for which the medication is ordered;
3. can identify the presenting symptoms that require medication;
4. administers the medication properly;
5. maintains safe control of the medication at all times;
6. seeks adult supervision whenever warranted; and
7. cooperates with the established medication plan.

In the case of inhalers for asthma and cartridge injectors for medically-diagnosed allergies, the school nurse's review of a student's competency to self-administer inhalers for asthma and cartridge injectors for medically-diagnosed allergies in the school setting shall not be used to prevent a student from retaining and self-administering inhalers for asthma and cartridge injectors for medically-diagnosed allergies. Students may self-administer such medications only with the written authorization of an authorized prescriber and written authorization from the student's parent or guardian or eligible student.

Students

Administering Medications to Students

Regular School Day (continued)

The school nurse is responsible for:

1. Reviewing the medication order and parental authorizations;
2. Developing an appropriate plan for self-administration;
3. Documenting the medication plan in the student's or participant's health record; and
4. Informing qualified personnel for schools and other staff regarding the student's self-administration of prescribed medication.

The medication shall be transported to school by the student and maintained under the student's control in accordance with the District's policy on self-medication by students and the individual student plan.

Self-administration of controlled medication may be considered for extraordinary situations such as international field trips. Such self-administration must be approved by the school nurse supervisor and the School Medical Advisor in advance and an appropriate plan shall be developed.

Medication may be administered by a licensed nurse, or in absence of such licensed personnel, any other nurse licensed pursuant to the provisions of Chapter 378, including a nurse employed by, or providing services under the direction of the Board of Education at a school-based clinic, qualified personnel for schools (principals, teachers, licensed physical or occupational therapists and coaches and licensed athletic trainers during intramural and/or interscholastic athletics) trained in the administration of medication. They shall not be held liable for any personal injuries which may result from acts or omissions constituting ordinary negligence.

A licensed practical nurse may administer medications to students if he/she can demonstrate evidence of one of the following:

1. Training in administration of medications as part of their basic nursing program;
2. Successful completion of a pharmacology course and subsequent supervised experience;
3. Supervised experience in medication administration while employed in a health care facility.

Licensed practical nurses shall **not** train or delegate the administration of medication to another individual. Such nurses shall only administer medications after the medication plan has been established by the school nurse or registered nurse.

Students

Administering Medications to Students

Regular School Day (continued)

Medication will be administered according to the following procedures:

1. The school nurse will develop a medication administration plan for each student before medication may be administered by any staff member. The school nurse will also review regularly all documentation pertaining to the administration of medication for students.
2. The qualified personnel for schools approved by the School Medical Advisor and school nurse will be formally trained by the school nurse or School Medical Advisor prior to administering medication. The school nurse, acting as designee and under the direction of the School Medical Advisor, will annually instruct such staff members in the administration of medication. The training shall include, but not be limited to:
 - A. The generic principles of safe administration of medications.
 - B. Review of state statute and school regulations regarding administration of medication by school personnel.
 - C. Procedural aspects of the administration of medication, including the safe handling and storage of medication, and documentation.
 - D. Specific information related to each student's medication and each student's medication plan including the name and generic name of the medication, indications for medication, dosage, routes, time and frequency of administration, therapeutic effects of the medication, potential side effects, overdose or missed dose of the medication, and when to implement emergency interventions.
3. A list of qualified personnel successfully trained and approved to administer medication along with documentation of the annual update of trainees shall be submitted to the Superintendent by the nursing supervisor on October 31 of each year. All such individuals including school nurses and nurse practitioners must have also satisfactorily passed the criminal background check. The documentation shall include the dates of general and student-specific training, the content of the training, individuals who have successfully completed general and student-specific administration of medication training for the current school year, and names and credentials of the nurse or School Medical Advisor trainer or trainers.
4. A current list of those authorized to give medication shall be maintained in the school.

A child with diabetes may test his/her own blood glucose level per the written order of a Connecticut-licensed physician stating the need and the capacity of such child to conduct self-testing, along with the written authorization of the parent/guardian. The time and location of such blood glucose self-testing by a child with diabetes on school grounds shall not be restricted. Such self-testing shall be pursuant to guidelines promulgated by the Commissioner of Education.

Students

Administering Medications to Students

Regular School Day (continued)

The school nurse or school principal shall select a qualified school employee to, under certain conditions, give a glucagon injection to a student with diabetes who may require prompt treatment to protect him/her from serious harm or death. The nurse or principal must have the written authority from the student's parent/guardian and a written order from the student's Connecticut-licensed physician. The authorization shall be limited to situations when the school nurse is absent or unavailable. No qualified school employee shall administer this medication unless he/she has annually completed any training required by the school nurse and school medical advisor in the administration of medication with injectable equipment used to administer glucagon, the school nurse and school medical advisor must attest that the qualified school employee has completed such training and the qualified school employee voluntarily agrees to serve as a qualified school employee. The injections are to be given through an injector or injectable equipment used to deliver an appropriate dose of glucagon as emergency first aid response to diabetes.

A specific paraprofessional, in the absence of a school nurse, may only administer medications to a specific student in order to protect that student from harm or death due to a medically diagnosed allergic condition according to the following:

- A. only with the approval of the School Medical Advisor and school nurse, in conjunction with the school nurse supervisor, and under the supervision of the school nurse;
- B. with a proper medication authorization from the authorized prescriber in conformity with Connecticut General Statute 10-212a;
- C. with parental/guardian permission to administer the medication at school;
- D. only medication necessary for prompt treatment of an allergic reaction, including, but not limited to, a cartridge injector, and
- E. the paraprofessional shall have received proper training and supervision from the school nurse as detailed in Section 10-212a-3 and Section 10-212a-7 of the Regulations of Connecticut State Agencies.

Storage and Administration of Epinephrine

Definitions (For purposes of this subsection of this policy)

Cartridge injector means an automatic prefilled cartridge injector or similar automatic injectable equipment used to deliver epinephrine in a standard dose for emergency first aid response to allergic reactions.

Qualified school employee means a principal, teacher, licensed athletic trainer, licensed physical or occupational therapist employed by the school district, coach or school paraprofessional.

Students

Administering Medications to Students

Definitions (For purposes of this subsection of this policy) (continued)

Qualified medical professional means a licensed physician, optometrist, advanced practice registered nurse, or a physician assistant.

Storage and Use of Epinephrine Cartridge Injectors (Emergency Administration of Epinephrine to Students without Prior Written Authorization)

A school nurse or, in the absence of a school nurse, a “qualified school employee” shall maintain epinephrine in cartridge injectors for the purpose of emergency first aid to students who experience allergic reactions, who were not previously known to have serious allergies and therefore do not have a prior written authorization of a parent/guardian or a prior written order of a qualified medical professional for the administration of epinephrine.

The school nurse or school principal shall select qualified school employees who voluntarily agree to be trained annually to administer such epinephrine as emergency first aid, pursuant to PA 14-176. There shall be at least one such qualified school employee on the grounds of each District school during regular school hours in the absence of the school nurse. Each school must maintain a store of epipens for such emergency use.

Note: This requirement pertains only during regular school hours and does not include after-school activities.

No qualified school employee shall administer epinephrine unless he/she annually completes the training program regarding emergency first aid to students who experience allergic reactions, developed by the Departments of Education and Public Health in consultation with the School Nurse Advisory Council. The training program shall include instruction in cardiopulmonary resuscitation; first aid; food allergies; the signs and symptoms of anaphylaxis; prevention and risk-reduction strategies regarding allergic reactions; emergency management and administration of epinephrine; follow-up and reporting procedures after a student has experienced an allergic reaction; and any other relevant issues and topics related to emergency first aid to students who experience allergic reactions.

The school shall fulfill all conditions and procedures promulgated in the regulations established by the State Board of Education for the storage and administration of epinephrine by school personnel to students for the purpose of emergency first aid to students who experience allergic reaction and do not have prior written authorization for epinephrine administration.

Students

Administering Medications to Students

Storage and Use of Epinephrine Cartridge Injectors (Emergency Administration of Epinephrine to Students without Prior Written Authorization) (continued)

The school nurse or, in the absence or unavailability of such school nurse, such qualified school employee may administer epinephrine to a student experiencing a life-threatening undiagnosed allergic reaction, as emergency first aid to students who do not have prior written authorization from a parent or guardian or a prior written order from a qualified medical professional for the administration of epinephrine. A qualified school employee must annually complete the required training program in order to be permitted to administer epinephrine utilizing an epipen.

The parent/guardian of a student may submit, in writing, to the school nurse and school medical advisor, if any, that epinephrine shall not be administered to his/her child permitted by statute. The school district shall annually notify parents/guardians of the need to provide written notice if they do not want emergency administration of epinephrine to be given to their child. Such notice shall be given to the school nurse or school medical advisor.

The person responsible for decision-making in the absence of the school nurse shall be the qualified school employee administering the epinephrine.

The school nurse, when the need exists to be absent or unavailable from his/her school assignment, shall notify the Principal or his/her designee and the trained qualified school employee(s) who shall be responsible for the emergency administration of epinephrine. Each school shall have a sufficient number of trained qualified school employees to ensure that there is at least one qualified and trained employee on the grounds of each school during regular school hours in the absence of the school nurse.

Emergency administration of epinephrine with a cartridge injector must be reported immediately to the school nurse and the student's parent/guardian. A separate administration of medication form for each student shall be maintained and submitted to the school nurse at the earliest possible time but not later than the next day and filed in or summarized on the student's cumulative health record.

Medication errors shall be reported immediately to the school nurse, nurse supervisor, medical advisor, and the student's parent or guardian. Documentation of the medication error shall be submitted to the school nurse at the earliest possible time but not later than the next school day and filed in or summarized on the student's cumulative health record.

The principal's/nurse's office shall notify the persons who will administer epinephrine as emergency first aid to students who experience allergic reactions but do not have prior written authorization of a parent/guardian and from a qualified medical professional of the students whose parents have refused the emergency administration of epinephrine.

Students

Administering Medications to Students

Storage and Use of Epinephrine Cartridge Injectors (Emergency Administration of Epinephrine to Students without Prior Written Authorization) (continued)

Following the emergency administration of epinephrine by a qualified school employee to a student without a prior authorization or medication order, such administration shall be reported immediately to the school nurse or school medical advisor and the student's parent or guardian. A medication record shall be submitted to the school nurse not later than the next school day and filed in or summarized on the student's cumulative health record.

Handling and Storage of Medications

All medication, except those approved for keeping by students for self-medication and epinephrine intended for emergency administration to students who do not have a prior written authorization or order, must be delivered by the parent or other responsible adult and shall be received by the nurse assigned to the school or, in the absence of such nurse, by other qualified personnel for schools trained in the administration of medication and assigned to the school. The school nurse must:

- A. Examine on site any new medication, medication order and parent/guardian authorization and except for epinephrine intended for emergency administration to students who do not have written prior authorization or order, to insure that it shall be properly labeled with dates, name of student, medication name, dosage and physician's name, and that the medication order and permission form are complete and appropriate.
- B. Develop an administration of medication plan for the student before any medication is given by qualified personnel for schools.
- C. Review all medication refills with the medication order and parent/guardian written authorization prior to the administration of medication except for epinephrine intended for emergency administration to students who do not have written prior authorization or order.
- D. Except as indicated by a student's emergency care plan, emergency medications shall be stored in an unlocked, clearly labeled and readily accessible cabinet or container during school hours under the supervision of the nurse or the principal or principal's designee trained in the administration of medication.
- E. Emergency medications shall be locked beyond the regular school day or program hours except as otherwise determined by a student emergency care plan.
- F. Record on the Student's Individual Medication Record the date the medication is delivered and the amount of medication received.

Students

Administering Medications to Students

- G. Store medication requiring refrigeration in a refrigerator at no less than 36 degrees Fahrenheit and no more than 46 degrees Fahrenheit. The refrigerator shall be located in a health office maintained for health service purposes with limited access. Non-controlled medications may be stored directly on the shelf of the refrigerator with no further protection needed. Controlled medications shall be stored in a locked box affixed to the refrigerator shelf.
- H. Store prescribed medicinal preparations in securely locked storage compartment. Controlled substances shall be contained in separate compartments, secured and locked at all times. At least two sets of keys for the medication containers or cabinets shall be maintained for each school building or before- and after-school programs and school readiness programs. The school nurse shall maintain one set of keys. The additional set shall be under the direct control of the Principal and, if necessary, the Program Director or lead teacher trained in the administration of medication shall also have a set of keys.

All medication, except those approved for keeping by students for self-medication, shall be kept in a designated locked container, cabinet or closet used exclusively for the storage of medication.

In the case of controlled substances, they shall be stored separately from other drugs and substances in a separate, secure, substantially constructed, locked metal or wood cabinet.

No more than a three-month supply of a medication for a student shall be stored at the school. All medications, prescriptions and non-prescription, shall be delivered and stored in their original containers and in such a manner as to render them safe and effective. No medication for a student shall be stored at a school without a current written order from an authorized prescriber.

Access to all stored medications shall be limited to persons authorized to administer medications. Each school or before- and after-school program and school readiness program shall maintain a current list of those persons authorized to administer medications.

Destruction/Disposal of Medication

At the end of the school year or whenever a student's medication is discontinued by the authorized prescriber, the parent or guardian is to be contacted and requested to repossess the unused medication within a seven (7) school day period. If the parent/guardian does not comply with this request, all medication (non-controlled drugs) is to be destroyed by the school nurse in the presence of at least one witness (school physician, principal, teacher) according to the following procedures:

Students

Administering Medications to Students

Destruction/Disposal of Medication (continued)

1. Medication will be destroyed in a non-recoverable fashion. (*Procedure below recommended by Connecticut Department of Environmental Protection, Office of Pollution Prevention.*)
 - A. **Keep the medication in its original container.**
 - To protect privacy and discourage misuse of the prescription, cross out the patient's name with a permanent marker or duct tape or remove the label. (Chemotherapy drugs may require special handling. Work with your healthcare provider on proper disposal options for this type of medication.)
 - B. **Modify the medications to discourage consumption.**
 - For solid medications: such as pills or capsules: add a small amount of water to at least partially dissolve them.
 - For liquid medications: add enough table salt, flour, charcoal, or nontoxic powdered spice, such as turmeric or mustard to make a pungent, unsightly mixture that discourages anyone from eating it.
 - For blister packs: wrap the blister packages containing pills in multiple layers of duct or other opaque tape.
 - C. **Seal and conceal.**
 - Tape the medication container lid shut with packing or duct tape.
 - Place it inside a non-transparent bag or container such as an empty yogurt or margarine tub to ensure that the contents cannot be seen.
 - **Do not** conceal medicines in food products because animals could inadvertently consume them.
 - D. **Discard the container in your trash can.**
 - E. **Schools that want to dispose of controlled substances should call the Drug Control Division of the CT Department of Consumer Protection for assistance at 860-713-6055.**
2. The following information is to be charted on the student's health folder and signed by the school nurse and witness:
 - A. Date of destruction.
 - B. Time of destruction.
 - C. Name, strength, form and quantity of medication destroyed.
 - D. Manner of destruction of medication.

Students

Administering Medications to Students

Destruction/Disposal of Medication (continued)

3. Controlled substances shall not be destroyed by the school nurse. Controlled substances shall be destroyed pursuant to Section 21a-262-3 of the Regulations of the Connecticut State Agencies. In the event that any controlled substance remains unclaimed, the school nurse or Supervisor of Nursing shall contact the Connecticut Commissioner of Consumer Protection to arrange for proper disposition. Destruction may also be conducted by a Connecticut licensed pharmacist in the presence of another pharmacist acting as a witness.
4. Any accidental destruction or loss of controlled drugs must be verified in the presence of a second person, including confirmation of the presence or absence of residue and jointly documented on the student medication administration record and on a medication error form pursuant to Connecticut General Statute 10-212a(b). If no residue is present notification must be made to the Department of Consumer Protection (DEP) pursuant to Section 21a-262-3 of the Regulations of Connecticut State Agencies.
5. The completed medication administration record for non-controlled medications may be destroyed in accordance with Section M8 of the Connecticut Municipality Retention Schedule, provided it is superseded by a summary on the student health record.

Documentation and Record Keeping

Record keeping of medication administration shall either be in ink and shall not be altered or shall be recorded electronically, in a record that cannot be altered, on the individual student's medication record form which, along with the parental authorization form and the authorized prescriber's order, becomes part of the student's permanent record. Records shall be made available to the Connecticut State Department of Education upon request, for review until destroyed pursuant to C.G.S. 11-8a and C.G.S. 10-212a(b) for controlled medications.

Each school readiness or before- and after-school program where medications are administered shall maintain an individual medication administration record for each student who receives medication during regular school or program hours. A medication administration record shall include the:

- A. Name of the student;
- B. Name of medication;
- C. Dosage of medication;
- D. Route of administration;
- E. Frequency of administration;
- F. Name of the authorized prescriber, or in the case of aspirin, ibuprofen, or an aspirin substitute containing acetaminophen being given to a student, the name of the parent or guardian requesting the medication to be given;

Students

Administering Medications to Students

Documentation and Record Keeping (continued)

- G. Dates for initiating and terminating the administration of the medication, including extended year programs;
- H. Quantity received which shall be verified by the adult delivering the medication;
- I. Student allergies to food and/or medicine;
- J. Date and time of administration or omission including reason for omission;
- K. Dose or amount of drug administered;
- L. Full written or electronic signature of the nurse or qualified personnel for schools administering the medication; and
- M. For controlled medications, a medication count which shall be conducted and documented at least once a week and co-signed by the assigned nurse and a witness.

The completed medication administration record for controlled medications shall be maintained in the same manner as the non-controlled medications. In addition, a separate medication administration record needs to be maintained in the school for three years, pursuant to Connecticut General Statute 10-212a(b).

The written order of the authorized prescriber, the written authorization of the parent or guardian to administer the medication and the written parental/guardian permission for the exchange of information by the prescriber and school nurse to ensure the safe administration of such medication shall be filed in the student's cumulative health record or, for before- and after-school programs and school readiness programs, in the child's program record.

Record of the medication administered shall be entered in ink on an individual student medication record form and filed in the student's cumulative health folder. If the student is absent, it shall be so recorded. If an error is made in recording, a single line shall be run through the error and initialed.

An authorized prescriber's verbal order, including a telephone order, for a change in any medication may be received only by a school nurse. Such verbal order must be followed by a written order within three (3) school days.

1. An error in the administration of medication shall be reported to the school nurse who will initiate appropriate action and documentation in a student incident report and on his/her cumulative record.
2. Untoward reactions to medication shall be reported to the school nurse, the parent, and the student's physician.

Students

Administering Medications to Students

Documentation and Record Keeping (continued)

3. Records of controlled substances shall be entered in the same manner as other medications with the following additions:
 - A. The amount of controlled drug shall be counted and recorded on the individual student medication record form after each dose given.
 - B. A true copy (carbon or NCR) of the forms shall be retained by the school for 3 years and the original filed in the student's permanent health record.
 - C. Loss, theft or destruction of controlled substances shall be immediately, upon discovery, reported to the Supervisor of Nursing Services who will contact the Connecticut Commissioner of Consumer Protection.

In the absence of a licensed nurse, only qualified personnel for schools who have been properly trained may administer medication to students. Qualified personnel for schools may administer oral, topical, or inhalant medications. Medications with a cartridge injector(s) may be administered by qualified personnel only to a student with a medically diagnosed allergic condition which may require prompt treatment to protect the student against serious harm or death.

Investigational drugs may not be administered by qualified personnel for schools.

In the case of the administration of a medication with a cartridge injector in an after-school readiness program or child-care program, such administration shall be reported to the school nurse no later than the next school day.

Medication Errors

An error in the administration of medication shall be reported immediately to the school nurse, the school nurse supervisor, the parent/guardian, and the authorized prescriber, verbally and followed by a written statement to all parties within one (1) school day.

A medication error includes any failure to administer medication as prescribed for a particular student, including failure to administer the medication:

- Within the appropriate timeframe.
- In the correct dosage.
- In accordance with accepted practice.
- To the correct student.

Students

Administering Medications to Students

Documentation and Record Keeping (continued)

In the event of a medication error, the school nurse shall notify the parent or guardian. The nurse shall document the effort to reach the parent or guardian. If there is a question of potential harm to the student and medical treatment may be required, the nurse and/or building administrator shall also notify the student's authorized prescriber or the School Medical Advisor. In a severe emergency, 911 should be called. Contact the Poison Control Center as deemed necessary.

Any errors in the administration of a medication shall be documented by the nurse in the student's cumulative health record or, for before- and after-school programs and school readiness programs, in the child's program record. A written report shall also be made using a medication error form authorized by the Board of Education. The report must include any corrective action taken.

In case of an anaphylactic reaction or the risk of such reaction, a school nurse (or any other person trained in CPR and First Aid) may administer emergency oral and/or injectable medication to any student in need thereof on the school grounds, in the school building, or at a school function according to the standing order of the School Medical Advisor or the student's private physician.

Administration of Emergency Medication under Connecticut General Statute 10-212a

In the absence of a school nurse, any other nurse licensed pursuant to provisions of Chapter 378 including a nurse providing services at a school-based health clinic, qualified personnel for schools may give emergency medication orally or by injection to students with a medically diagnosed allergic condition which would require such prompt treatment to protect the child from serious harm or death so long as the administrator or teacher has completed training in administration of such medication.

A school nurse or, in the absence of a school nurse, a "qualified employee" shall maintain epinephrine in cartridge injectors for the purpose of emergency first aid to students who experience allergic reactions who were not previously known to have serious allergies and therefore do not have a prior written authorization of a parent/guardian or a prior written order of a qualified medical professional for the administration of epinephrine. (*See section of this regulation titled, "Storage and Use of Epinephrine Cartridge Injectors."*)

Whenever a student has an untoward reaction to administration of a medication, resolution of the reaction to protect the student's health and safety shall be the foremost priority. The school nurse and the authorized prescriber shall be notified immediately, or as soon as possible in light of any emergency medical care that must be given to the student.

Students

Administering Medications to Students

Administration of Emergency Medication under Connecticut General Statute 10-212a (continued)

Emergency medical care to resolve a medication emergency includes but is not limited to the following, as appropriate under the circumstances or: *(in the event of a medication emergency, the following will be readily available:)*

- A. The use of the 911 emergency response system;
- B. The contact of a local poison information center;
- C. The physician, clinic or emergency room to be contacted in such an emergency;
- D. The name of the person responsible for the decision-making in the absence of the school nurse;
- E. The application by properly trained and/or certified personnel of appropriate emergency medical care techniques, such as cardio-pulmonary resuscitation;
- F. Administration of emergency medication in accordance with policy #5141.21 and this administrative regulation; and
- G. Transporting the student to the nearest available emergency medical care facility that is capable of responding to a medication emergency.

As soon as possible, in light of the circumstances, the Principal shall be notified of the medication emergency. The Principal shall immediately thereafter contact the Superintendent or the Superintendent's designee.

The school nurse is responsible for notifying the parent or guardian, advising of the existence and nature of the medication emergency and all steps taken or being taken to resolve the emergency and protect the health and safety of the student, including contact with the authorized prescriber and/or any other medical action(s) that are being or have been taken.

Supervision

The school nurse is responsible for general supervision of administration of medications in the school(s) to which that nurse is assigned. The school nurse's duty of general supervision includes, but is not limited to the following:

1. Availability on a regularly scheduled basis to:

- a. review orders or changes in orders, and communicate these to personnel designated to administer medication for appropriate follow-up;
- b. set up a plan and schedule to ensure medications are given;
- c. provide training to qualified personnel for schools and other licensed nursing in the administration of medications, and assess that the qualified personnel for schools are competent to administer medications;

Students

Administering Medications

Supervision (continued)

1. Availability on a regularly scheduled basis to: (continued)

- d. support and assist other licensed nursing personnel and qualified personnel for schools to prepare for and implement their responsibilities related to the administration of specific medications during school hours; and,
- e. provide consultation by telephone or other means of telecommunications. (In the absence of the school nurse, an authorized prescriber or other nurse may provide this consultation.)

2. In addition, the school nurse shall be responsible for:

- a. implementing policies and procedures regarding the receipt, storage, and administration of medications;
- b. reviewing, on a monthly basis, all documentation pertaining to the administration of medications for students;
- c. observing the competency to administer medication by qualified personnel for schools; and
- d. conducting periodic reviews, as needed, with licensed nursing personnel and qualified personnel for schools, regarding the needs of any student receiving medication.

Before- and After-School Programs and School Readiness Programs

Directors, or their designees, who may include lead teachers or school administrators, who have been properly trained, may administer medications to students as delegated by the school nurse or other registered nurse, in school readiness programs and before- and after-school programs that are child care programs. (Such programs must either be District-administered or administered by a municipality exempt from licensure by the Department of Public Health and are located in a District public school). Medicine may be administered pursuant to the Regulations of Connecticut State Agencies, Section 10-212a-10, to children enrolled in these programs.

Administration of medications shall be provided only when it is medically necessary for program participants to access the program and maintain their health status while attending the program. Investigational drugs or research or study medications may not be administered by Directors or their designees, lead teachers or school administrators. Properly trained Directors, Directors' designees, lead teachers or school administrators may administer medications to students as delegated by the school nurse or other registered nurse. They may administer oral, topical, intranasal, or inhalant medications. No medication shall be administered without the written order of an authorized prescriber and the written approval of the parent/guardian.

Students

Administering Medications

Before- and After-School Programs and School Readiness Programs (continued)

A child attending any before- or after-school program, as defined in policy #5141.21, upon the request and with the written authorization of the child's parent/guardian and pursuant to the written order from the student's authorized prescriber, will be provided medication and supervised by the District staff member (Director or designee, lead teacher, school administrator) trained to administer medication with a cartridge injector. Such administration shall be to a particular student who is medically diagnosed with an allergy that may require prompt treatment to avoid serious harm or death.

The selected staff member shall be trained in the use of a cartridge injector by either a licensed physician, physician's assistant, advanced practice registered nurse or registered nurse.

The administration has determined, in cooperation with the School Medical Advisor and school nurse, the level of nursing services that is required on site based on the needs of the program and its participants.

Students in the school readiness and before- and after-school programs may self-administer medication according to the student's individual health plan and only with the written order of an authorized prescriber, written authorization of the child's parent or guardian, written approval of the school nurse.

The nurse shall evaluate the situation and deem it appropriate and safe and has developed a plan for general supervision of such self-medication. The written permission of the parent or guardian for the exchange of information between the prescriber and the school nurse is required in order to ensure the safe administration of such medication.

Any error in the administration of medication shall be reported immediately to the school nurse, the parents and the prescribing physician. In case of an anaphylactic reaction or the risk of such reaction a school nurse may administer emergency oral and/or injectable medication to any child in need thereof on school grounds, or in the school building, according to the standing order of the School Medical Advisor or the child's private physician. In addition, local poison control center information shall be readily available at the sites of these programs.

In the event of a medical emergency, the following will be readily available: (1) local poison information center contact information; (2) the physician, clinic or emergency room to be contacted in such an emergency; and (3) the name of the person responsible for the decision making in the absence of a school nurse.

Students

Administering Medications

Before- and After-School Programs and School Readiness Programs (continued)

All medications shall be handled and stored as outlined in this administrative regulation. Where possible, a separate supply of the child's medication shall be stored at the site of the before- or after-school program or school readiness program. If this is not possible, a plan must be developed and implemented to ensure the timely transfer of the medication from the school to the program and back on a daily basis.

Documentation and record keeping shall be done in compliance with the stipulations outlined in this administrative regulation.

A separate administration of medication record for each student in the program shall be maintained. All instances of the administration of medication shall be reported to the school nurse according to the student's individual plan or at least on a monthly basis. The administration of a medication with a cartridge injector shall be reported to the school nurse no later than the next school day. The administration of medication record shall be submitted to the school nurse at the end of the school year and filed in or summarized on the student's cumulative health record.

A child attending any before- and after-school programs or school readiness programs operated and administered by the Board or municipality in any building or on the grounds of any District school, upon the request and with the written authorization of the child's parent/guardian or eligible student and pursuant to the written order from the student's authorized prescriber, will be supervised by a District staff member trained to administer medication with a cartridge injector. Such administration shall be to a particular student diagnosed with an allergy that may require prompt treatment to avoid serious harm or death. The selected staff member shall be trained in the use of a cartridge injector by either a licensed physician, physician's assistant, advanced practice registered nurse or registered nurse.

Supervision of the administration of medication in before- and after-school and school readiness programs shall be pursuant to the "Supervision" section of these administrative bylaws.

Administration of Medication During Intramural and Interscholastic Athletics

A coach or licensed athletic trainer, trained in the general principles of medication administration applicable to receiving, storing, and assisting with inhalant medications or cartridge injector medications and documentation, may administer medication for select students, according to the student's individualized medication plan, for whom self-administration plans are not viable options as determined by the school nurse.

Students

Administering Medications (continued)

Administration of Medication During Intramural and Interscholastic Athletics

The medication which may be administered is limited to: (1) inhalant medications prescribed to treat respiratory conditions and (2) medication administered with a cartridge injector for students with a medically diagnosed allergic condition which may require prompt treatment to protect the student against serious harm or death.

The school nurse, responsible for the student's individualized medication plan, shall provide the coach with a copy of the authorized prescriber's order and the parental/guardian permission form. Parents are responsible for providing the coach or licensed athletic trainer the medication, such as the inhaler or cartridge injector, which shall be kept separate from the medication stored in the school health office during the school day.

Medications to be used in athletic events shall be stored in containers for the exclusive use of holding medications; in locations that preserve the integrity of the medication; under the general supervision of the coach or licensed athletic trainer trained in the administration of medication; and in a locked secure cabinet when not in use at athletic events.

The coach or licensed athletic trainer's agreement is necessary for the administration of emergency medication and the implementation of the student's emergency care plan.

Coaches and licensed athletic trainers are required to fulfill the documentation requirements as outlined in these administrative regulations. A separate medication administration record for each student shall be maintained in the athletic area. Errors in the administration of medication shall be addressed as specified in Section 10-212a-6 of the Regulations of Connecticut State Agencies, and detailed in these administrative regulations. If the school nurse is not available, a report may be submitted by the coach or licensed athletic trainer to the school nurse on the next school day.

An administration of medication record shall be submitted to the school nurse at the end of each sport season and filed in the student's cumulative health record.

Legal Reference: Connecticut General Statutes

10-206 Health assessment

10-212 School nurses and nurse practitioners. Administration of medications by parents or guardians on school grounds. Criminal history; records check

10-212a Administration of medicines by school personnel. (as amended by P.A. 03-211, PA 04-181, PA 09-155 and 14-176)

Students

Administering Medications (continued)

Legal Reference: Connecticut General Statutes

10-22j Blood glucose self-testing by children. Guidelines (as amended by PA 12-198)

19a-900 Use of cartridge injector by staff member of before- or after-school program, day camp or day care facility

21a-240 Definitions

29-17a Criminal history checks. Procedure. Fees

52-557b Immunity from liability for emergency medical assistance first aid or medication by injection. School personnel not required to administer or render. (as amended by PA 05-144 – An Act Concerning the Emergency Use of Cartridge Injectors)

Connecticut Regulations of State Agencies

10-212a-1 through 10-212a-10 Administration of Medication by School Personnel and Administration of Medication During Before- and After-School Programs and School Readiness Programs, as amended

1307.21 Code of Federal Regulation

Regulation approved: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

STUDENTS

Student Sunscreen Use

The Board of Education (Board) believes in promoting sun safety to ensure that children are protected from skin damage caused by harmful ultra-violet rays in sunlight. The Board believes that by encouraging sun safe behavior and teaching children about the risks of sunlight, they can be protected from skin damage and lessen the risk of skin cancer.

The purpose of this policy is to allow any student who is six years of age or older, to possess and self-apply an over-the-counter sunscreen product while in school prior to engaging in any outdoor activity, provided a written authorization is signed by the student's parent-guardian and is submitted to the school nurse. The written permission from an authorized health care provider is not necessary.

Implementing Procedures:

1. Students are allowed to carry and use sunscreen, during school hours, without a physician's note or prescription on school property or at a school-sponsored activity provided the student's parent/guardian has provided written authorization to the school nurse
2. Students/Parents/Guardians are to provide the sunscreen product for school use. The sunscreen must be:
 - a. Clearly marked with the child's name.
 - b. Replenished by the parent/guardian as needed.
 - c. A product regulated by the U.S. Food and Drug Administration for over-the-counter use.
3. Aerosol sunscreens, as well as combined sunscreen and insect repellents are prohibited.
4. The District is not responsible for ensuring that the non-aerosol topical sunscreen product is applied by the student.
5. The sunscreen product is to be stored in the student's book bag/back pack or other location designated by the teacher.
6. Students are not to share sunscreen with other students.
7. The student must be able to apply his/her own sunscreen.
8. School personnel are not expected to assist students in the application of sunscreen.
9. Subject to the provisions of the dress code policy, students are allowed to wear articles of sun-protective clothing, including hats and glasses, when not in school buildings. Clothing that protects the skin should be worn, particularly for outdoor activities and school trips.

STUDENTS

Student Sunscreen Use

Implementing Procedures: (continued)

10. It is recommended that the sunscreen used by students be a high factor sunscreen with a sun protection factor (SPF) rating of 15 or higher.
11. Parents/guardians of children with allergies or skin sensitivities should check with a health care provider before providing a sunscreen.
12. Parents/guardians are encouraged to provide instruction to their children on the use of sunscreen.

Renovation or Restriction of permission to Use Sunscreen

A school entity may revoke or restrict the possession, application or use of a non-aerosol topical sunscreen product by a student if any of the following occurs:

1. The student fails to comply with the school rules concerning the possession, application or use of the non-aerosol topical sunscreen product.
2. The student shows an unwillingness or inability to safeguard the non-aerosol topical sunscreen product from access by other students.

When a school entity revokes or restricts the possession, application or use of a non-aerosol topical sunscreen by a student, a written notice of such action shall be provided to the student's parent/guardian.

(cf. 5132 – Student Dress Code)

(cf. 5141.21 – Administration of Medication)

Legal Reference: Connecticut General Statutes
 P.A. 19-60 An Act Allowing Students to Apply sunscreen Prior to Engaging in
 Outdoor Activities.

Policy adopted: March 11, 2020

Sunscreen Use Parent/Guardian Form
Plymouth Public Schools

P.A. 19-60 allows school students, six years of age or older, to possess and self-apply an over-the-counter sunscreen product while in school prior to engaging in any outdoor activity, provided a written authorization is signed by a student's parent/guardian and is submitted to the school nurse.

The sunscreen must be non-aerosol and must be approved by the FDA for over-the-counter use for purposes of limiting ultraviolet light-induced sun damage.

The Board of Education adopted policy #5141.214, "Student Sunscreen Use," pertaining to this new legislation.

As a parent/guardian, I attest to the following:

- My child has demonstrated to me that he/she is capable of self-applying the non-aerosol sunscreen product.
- I understand that I am responsible to provide the non-aerosol sunscreen product for school use, clearly marked with my child's name and replenished as needed.
- I understand that the Plymouth School District is not responsible for ensuring that the sunscreen product is applied by my child.
- I understand that my child is not to share his/her sunscreen product with other students.
- I recognize that school personnel are not expected to assist my child in the application of sunscreen.
- I understand that the school may revoke or restrict possession, application, and use of sunscreen by my child if my child fails to comply with school rules related to the sunscreen product or if my child shows an unwillingness or inability to safeguard the non-aerosol sunscreen product from access by other students.

Student's Name: _____ Grade Level: _____ Teacher: _____

Parent/Guardian Name (printed): _____

Parent/Guardian Signature: _____ Date: _____

Please return this completed form to your child's teacher or school nurse.

Students

Communicable/Infectious Diseases

The Board of Education has established reasonable health requirements as prerequisites to admission or attendance, including the requirement that students undergo physical examination prior to admission.

Where it can be medically established that a student suffers from a serious infectious disease and there is a significant risk of transmission of the disease to others because of the nature of the disease or personal characteristics of the student carrier, it may be appropriate to exclude the student from the regular classroom. The determination of exclusion of any student will be made on a case by case basis with the appropriate procedural due process safeguards. However, where the risk of transmission is relatively low or appropriate procedures can be adopted to reduce the risk of transmission exclusion is not warranted.

A child with an infectious disease may be considered disabled, if the condition presents such physical impairment that limits one or more major life activities. Therefore, Section 504 of the Rehabilitation Act may apply. The parent, guardian or the school administration may make a referral for determination whether the student is entitled to protection under Section 504. The Planning and Placement Team will determine whether the student is qualified within the meaning of Section 504. The student will be educated in the least restrictive environment.

(cf. 5141.3 - Health Assessments and Immunizations)

Legal Reference: Connecticut General Statutes
 “Education for Children with Disabilities”, 20 U.S.C. 1400, et seq. Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 706(7)(b)
 “Americans with Disabilities Act”
 The Family Educational Rights and Privacy Act of 1974, (FERPA), 20 U.S.C. 1232g, 45 C.F.R. 99.10-76(d)(15) Duties and powers of boards of education to provide special education programs and services.
 10-154a Professional communications between teacher or nurse and student.
 10-207 Duties of medical advisors.
 10-209 Records not to be public.
 10-210 Notice of disease to be given parent or guardian.
 19a-221 Quarantine of certain persons.
 19a-581-585 AIDS testing and medical information.

Policy adopted: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

Students

Communicable/Infectious Diseases

A. Definition

A communicable disease listed as such by the Connecticut State Department of Health.

B. Procedural Requirements

1. The school nurse shall immediately inform the building administrator when a student or employee is suspected of having a communicable disease.
2. The parent or guardian of the student suspected of having a communicable disease shall be notified and instructed to have the student examined by a physician.
3. The student or employee suspected of having a communicable disease shall be examined by a physician before being permitted to continue in attendance at school.
4. All decisions made by school personnel concerning incubation periods, periods of communicability, and minimum control measures shall conform to the regulations and guidelines of the Connecticut State Department of Health.
5. The school administrator shall immediately notify the Superintendent of Schools when the existence of a communicable disease in such school has been identified.
6. When necessary and appropriate, the school nurse with the recommendation of the school medical advisor and the Director of Public Health, shall notify parents or guardians of students who are suspected of having come into contact with a communicable disease. The school nurse is authorized to determine when such students must be examined by a physician before being permitted to return to school.

Students

Pediculosis

The Board of Education (Board) is committed to maximizing students' academic performance and physical well-being in a healthy and safe environment. The Board recognizes that head lice infestations do not pose a health hazard, are not a sign of uncleanliness, and are not responsible for the spread of any disease. However, archaic policies cause many unnecessary absences from school with potential negative effects on academic performance. Misinformation about head lice causes anxiety for parents/guardians and school staff. The goals of providing a healthy and safe environment for students with head lice are to (1) maximize academic performance; and (2) minimize absences due to unnecessary exclusion from school of students with head lice.

Screening

Based on recommendations from the American Academy of Pediatrics and Centers for Disease Control and Prevention, the Board recognizes that school-wide screening for nits alone is not an accurate way of predicting which children will become infested with head lice, and screening for live lice has not been proven to have a significant decrease on the incidence of head lice in a school community.

The school nurse will periodically provide information to families of all children on the diagnosis, treatment, and prevention of head lice. Parents are encouraged to check their children's heads for lice if the child is symptomatic. The school nurse may check a student's head if the student is demonstrating symptoms.

Management on the Day of Diagnosis

The Board recognizes that head lice infestation poses little risk to others and does not result in additional health problems. The management of pediculosis should proceed so as to not disrupt the education process. Nonetheless, any staff member who suspects a student has head lice will report this to the school nurse or Principal. Students known to have head lice will remain in the class provided the student is comfortable. If a student is not comfortable, he/she may report to the school nurse or the Principal's office. Such students will be discouraged from close direct head contact with others and from sharing personal items with other students. District employees will act to ensure that student confidentiality is maintained in order to avoid embarrassment.

The Principal or school nurse will notify the parent/guardian by telephone or other available means if their child is found to have head lice. Verbal and written instructions for treatment will be given to the family of each identified student. Based upon the school nurse's recommendation, other children who were most likely to have had direct head-to-head contact with the assessed child may be screened for head lice.

Students

Pediculosis (continued)

Criteria for Return to School

Students will be allowed to return to school after proper treatment as recommended by the school nurse. The Board recognizes that The American Academy of Pediatrics and the National Association of School Nurses discourage “no nit” policies. Therefore, no student will be excluded from attendance solely based on grounds that nits may be present. The school nurse may recheck a child’s head. In addition, the school nurse is encouraged to offer extra help or information to families of children who are repeatedly or chronically infested.

Legal Reference: American Academy of Pediatrics, Clinical Report on Head Lice Infestation, September 2002, Revised February 2007.

Student

Pediculosis Guidelines

Identification

If a teacher or other school employee views the following symptoms, the student is to be referred to the school nurse or school health aide for a pediculosis screening.

- A. Excessive scratching of the scalp.
- B. Observation of nits (ivory colored eggs approximately 1/32 inch in length) or lice in hair.

Procedures Regarding Individual Students

1. If live lice or nits appearing in close proximity to scalp (1/4 inch or less) are observed the student is to be considered to have pediculosis. In this situation the school nurse is to notify the parent/guardian by the end of the school day and instruct them on treatment procedures and precautions to prevent spreading. Head checks for the presence of lice will be conducted outside the classroom to maintain student privacy and minimize disruption of the educational process. The student will return to class. The nurse will notify the classroom teacher and advise as to proper precautions to prevent further spread of the infestation. The student is not to use any shared headphones, helmets, hats or clothing.
2. The nurse or school aide will do head checks on any students who are siblings of the infested student. Examination consists of sectioning and parting of hair using wooden applicator sticks. If a case of head lice is confirmed, the school nurse may check individual students as deemed necessary. If the student has siblings in other schools, the nurse will notify the school nurse of that school so that the sibling may be screened.

If the infested student is in prekindergarten or kindergarten, the nurse may screen the student's classmates.

It is the parent's/guardian's responsibility to treat the infested student at home and to accompany the student to school the next day. The school nurse will examine the student and readmit the student to school if no active infestation is present. If the examination discloses an active infestation, the parent/guardian will take the student home for further treatment. An infested student will be excluded from school until proper treatment has been completed.
3. Identified students are to be rescreened seven to ten days after readmittance to school.
4. If there are nits which are not close to the scalp in a student's hair and there is a question as to whether there is a currently active infestation, implementation of the above-stated procedure will be strongly recommended to the parents. This is to be done in the best interest of the student and the school community.

Students

Pediculosis Guidelines

Procedures Regarding Individual Students (continued)

5. To ensure confidentiality, the names of the students who have pediculosis will not be shared with other parents/guardians and will be shared with only those staff members who the Principal (or school nurse) deems to have a reason to know. No parents/guardians other than those of a student in question will be present when a student is being individually rechecked by the nurse or health aide.
6. If a student's pediculosis problem does not appear to be eliminated by the standard medical treatment, the school medical advisor will collaborate with the school Principal and school nurse to determine further treatment recommendations. The school nurse may, at his/her discretion exclude a student with repeated infestation of live lice or viable nits.

Procedures Regarding the School Community

1. If a count of active pediculosis cases exceeds ten percent of the school enrollment during a ten (10) calendar day period of time, the nurse or school health aide is to check the entire school. This decision is to be made by the school nurse and the school Principal with the recommendation of the School Medical Advisor.
2. If a student has been declared an inactive case and becomes infected at another point in time, he or she will be reclassified as an unduplicated active case when the new ten percent count is being calculated.
3. The school Principal and nurse are to assess the extent of the problem and form a plan of action regarding notification of parents of non-afflicted students.

Pediculosis (Head Lice) Prevention Plan

1. Educate staff, parents/guardians and students on ways to prevent head lice.
2. Avoid stacking/piling or hanging coats on top of each other.
3. Encourage students to keep hats and scarves in their coat sleeves.
4. Remind students not to share combs, brushes, scrunchies, barrettes, hats and scarfs
5. Avoid sharing earphones and helmets.
6. Watch for signs such as frequent head scratching.
7. Encourage families to inform any of their children's contacts regarding exposure such as friends, overnight guests, relatives, and sports teams (especially those teams that share hats or helmets).
8. Families who require repeated treatment should consult with their family physician.

Students

Prohibition on Recommendation for Psychotropic Drugs

The Plymouth Board of Education prohibits school personnel from recommending the use of psychotropic drugs for any child. For the purposes of this policy, the term “recommend” shall mean to directly or indirectly suggest that a child should use psychotropic drugs.

Notwithstanding the foregoing, school medical staff may recommend that a child be evaluated by an appropriate medical practitioner.

Nothing in this policy shall be construed to prohibit a planning and placement team from discussing with parents and/or guardians of a child the appropriateness of consultation with, or evaluation by, medical practitioners; or to prohibit school personnel from consulting with appropriate medical practitioners with the consent of the parents and/or guardians of a child.

Legal Reference: Connecticut General Statutes
 10-212b Policies prohibiting the recommendation of psychotropic drugs
 by school personnel. (as amended by PA 03-211)
 46b-120 Definitions
 10-76a Definitions. (as amended by PA 00-48)
 10-76b State supervision of special education programs and services.
 10-76d Duties and powers of boards of education to provide special
 education programs and services. (as amended by PA 97-114 and PA 00-
 48)
 10-76h Special education hearing and review procedure. Mediation of
 disputes. (as amended by PA 00-48)
 State Board of Education Regulations.
 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.
 Rehabilitation Act of 1973, Section 504, 29 U.S.C. §794.

Policy adopted: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

Students

Health Assessments and Immunizations

I. Assessments

The Plymouth Board of Education requires each student enrolled in the Plymouth Public Schools to have health assessments as mandated by state law. The purpose of such health assessments shall be to ascertain whether a student has any physical disability tending to prevent him/her from receiving the full benefit of schoolwork and to ascertain whether schoolwork should be modified in order to prevent injury to the student or to secure a suitable program of education for him/her. Such health assessments must be conducted by a legally qualified practitioner of medicine, an advanced practice registered nurse or registered nurse, who is licensed under state statute, a physician assistant, who is licensed under state statute, the school medical advisor, or a legally qualified practitioner of medicine, an advanced practice registered nurse or a physician assistant stationed at any military base. The Board of Education will provide written prior notice of the health assessments required under these administrative regulations to the parent or guardian of each student subject to assessment. The parent or guardian shall be provided a reasonable opportunity to be present during such assessment or he/she may provide for such assessment him/herself. No health assessment shall be made of any public school student unless it is made in the presence of the parent or guardian or in the presence of another school employee. Any student who fails to obtain the health assessments required by these administrative regulations may be denied continued attendance in the Plymouth Public Schools.

II. Assessments Required

Prior to enrollment in the Plymouth Public Schools, each student must undergo a health assessment, which shall include:

- (a) a physical examination which includes hematocrit or hemoglobin tests, height, weight, blood pressure, and a chronic disease assessment which shall include; but not be limited to, asthma as defined by the Commissioner of Public Health pursuant to subsection (c) of section 1 9a-62a of the Connecticut General Statutes. The assessment form shall include (A) a check box for the provider conducting the assessment, to indicate an asthma diagnosis, (B) screening questions relating to appropriate public health concerns to be answered by the parent or guardian, and (C) screening questions to be answered by such provider;
- (b) an updating of immunizations as required by state law;
- (c) vision, hearing, speech and gross dental screenings;
- (d) such other information, including health and developmental history, as the physician feels is necessary and appropriate.

Students

Health Assessments and Immunizations

II. Assessments Required (continued)

The pre-enrollment assessment may include tests for tuberculosis, sickle cell anemia or Cooley's anemia, and tests for lead levels in the blood if, after consultation with the school medical advisor and the local health department, the Board determines that such tests are necessary. Such tests must be conducted by a registered nurse acting pursuant to the written order of a physician, or physician's assistant, licensed under state law, or an advanced practice registered nurse, licensed under state law.

Each student enrolled in the Plymouth Public Schools in grade 6 or 7 and in grade 9 or 10 must undergo a health assessment, which shall include:

- (a) a physical examination which includes hematocrit or hemoglobin tests, height, weight, blood pressure, and a chronic disease assessment which shall include; but not be limited to, asthma as defined by the Commissioner of Public Health pursuant to subsection (c) of section 19a-62a of the Connecticut General Statutes. The assessment form shall include (A) a check box for the provider conducting the assessment, to indicate an asthma diagnosis, (B) screening questions relating to appropriate public health concerns to be answered by the parent or guardian, and (C) screening questions to be answered by such provider;
- (b) an updating of immunizations as required by state law;
- (c) vision, hearing, postural and gross dental screenings;
- (d) such other information, including health and developmental history, as the physician feels is necessary and appropriate.

The grade 6/7 and grade 9/10 assessments may include tests for tuberculosis, and sickle cell anemia or Cooley's anemia if, after consultation with the school medical advisor and the local health department, the Board determines that such tests are necessary. Such tests must be conducted by a registered nurse acting pursuant to the written order of a physician, or physician's assistant, licensed under state law, or of an advanced practice registered nurse, licensed under state law.

The Board of Education shall provide such assessments free of charge to students whose parents or guardians meet the eligibility requirements for free and reduced price meals under the National School Lunch Program or for free milk under the special milk program.

Students

Health Assessments and Immunizations (continued)

III. Screenings Required

The Board of Education will provide annually to each student enrolled in kindergarten and grades one and three to five, inclusive, a vision screening. The Superintendent or designee shall give written notice to the parent or guardian of each student (1) who is found to have any defect of vision or disease of the eyes, with a brief statement describing the defect or disease, and (2) who did not receive such vision screening, with a brief statement explaining why such pupil did not receive such vision screening.

The Board of Education will provide annually to each student enrolled in kindergarten and grades 1 and 3 through 5, inclusive, audiometric screening for hearing. The Superintendent or designee shall give written notice to the parent or guardian of each student (1) who is found to have any impairment or defect of hearing, with a brief statement describing the impairment or defect, and (2) who did not receive an audiometric screening for hearing, with a brief statement explaining why such student did not receive an audiometric screening for hearing.

The Board of Education will provide postural screenings for (1) each female student in grades 5 and 7, and (2) each male student in grade eight or nine. The Superintendent or designee shall give written notice to the parent or guardian of each student (A) who evidences any postural problem, with a brief statement describing such evidence, and (B) who did not receive a postural screening, with a brief statement explaining why such student did not receive such postural screening.

All of the screenings required under these administrative regulations will be performed in accordance with regulations applicable to such screenings as adopted by the State Board of Education.

IV. Assessment/Screening Results

The results of each assessment and screening required by these administrative regulations shall be recorded on forms supplied by the State Board of Education. Each physician, advanced practice registered nurse, registered nurse, or physician assistant performing health assessments under these administrative regulations shall sign each form and any recommendations concerning a student shall be in writing. Assessment/screening forms shall be included in the cumulative health record of each student and they shall be kept on file in the school attended by the student. If a student transfers to another school district in Connecticut, his/her original cumulative health record shall be sent to the chief administrative officer of the new school district and a true copy retained by the Plymouth Board of Education. For a student leaving Connecticut, a copy of the records, if requested, should be sent and the original maintained.

Students

Health Assessments and Immunizations

IV. Assessment/Screening Results (continued)

Appropriate school health personnel shall review the results of each assessment and screening. If the reviewing school health personnel judge that a student is in need of further testing or treatment, the Superintendent or designee shall give written notice to the parent or guardian of such student and shall make reasonable efforts to ensure that such further testing or treatment is provided. Reasonable efforts shall include determination of whether the parent or guardian has obtained the necessary testing or treatment for the student, and, if not, advising the parent or guardian how such testing or treatment may be obtained. The results of such further testing or treatment shall be recorded, kept on file and reviewed by appropriate school health personnel in the same manner as the results of the health assessments and screenings required under these administrative regulations.

V. Exemption

Nothing in these administrative regulations shall be construed to require any student to undergo a physical or medical examination or treatment, or be compelled to receive medical instruction, if the parent or legal guardian of such student or the student, if he/she is an emancipated minor or is eighteen (18) years of age or older, notifies the teacher or principal or other person in charge of such student in writing that he/she objects on religious grounds to such physical or medical examination or treatment or medical instruction.

VI. Other Non-Emergency Invasive Physical Examinations and Screenings:

- (a) In addition to the screenings listed above, the district may, from time to time, require students to undergo additional non-emergency, invasive physical examination(s)/screening(s).
- (b) A non-emergency, invasive physical examination or screening is defined as:
 - 1. any medical examination that involves the exposure of private body parts; or
 - 2. any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening; and
 - 3. is required as a condition of attendance, administered by the school and scheduled by the school in advance; and
 - 4. is not necessary to protect the immediate health and safety of the students.

Students

Health Assessments and Immunizations

IV. Assessment/Screening Results (continued)

- (c) If the district elects to conduct any such examinations, then, at the beginning of the school year, the administration shall give direct notice to parents of affected students of the district's intent to conduct the non-emergency invasive physical examination(s) and/or screening(s) described in this subsection. Such notice shall include the specific or approximate dates during the school year of the administration of such non-emergency invasive physical examination(s)/screening(s).
- (d) Upon request, the administration shall permit parents or students over the age of eighteen (18) (or emancipated minors) to opt out of participation in the non-emergency invasive physical examination(s)/screening(s) described in this subparagraph.

VII. School Representative to Receive Information Concerning Health Assessments

The Board of Education designates the responsible school nurse as the representative for receipt of reports from health care providers concerning student health assessments.

Immunizations

In accordance with state law and accompanying regulations, the Plymouth Board of Education requires each child to be protected by adequate immunization against diphtheria, pertussis, tetanus, poliomyelitis, measles, mumps, rubella, hemophilus influenzae type B, hepatitis A, hepatitis B, varicella, pneumococcal diseases, meningococcal disease and any other vaccine required by the schedule for active immunization as determined by the Commissioner of Public Health pursuant to Conn. Gen. Stat. §19a-7f, prior to enrolling in any program or school under its jurisdiction.

Among other requirements, before being permitted to enter seventh grade, the Board requires each child to be vaccinated against meningococcal disease. The Board further requires each child to receive a second immunization against measles and tetanus, diphtheria and pertussis (Tdap) before being permitted to enter seventh grade.

Further, each child must have received two doses of immunization against varicella before being permitted to enter kindergarten and seventh grade, and each child must have received two doses of immunization against rubella and mumps before being permitted to enter grades kindergarten through 12.

Students

Health Assessments and Immunizations

Immunizations (continued)

Before being permitted to enter the seventh grade, the parents or guardian of any child who is exempt on religious grounds from the immunization requirements, pursuant to subsection (3) above, shall present to the Board a statement that such immunization requirements are contrary to the religious beliefs of such child or the parents or guardian of such child, which statement shall be acknowledged in the same manner as required by subsection (3) above.

In accordance with state law, the Plymouth Board of Education shall not be liable for civil damages resulting from an adverse reaction to a non-defective vaccine required to be administered by state law.

The Board of Education designates the responsible school nurse as the representative for receipt of reports from health care providers concerning student immunizations.

The regulations concerning required immunizations for elementary (including preschool), middle and high school students can be found at: [http://www.ct.gov/dph/lib/dph/school regulations 2010O.pdf](http://www.ct.gov/dph/lib/dph/school%20regulations%20100.pdf)

Legal Reference: Connecticut General Statutes

- 10-204a Required immunizations (as amended by PA 15-174 and PA 15-242)
- 10-204c Immunity from liability
- 10-205 Appointment of school medical adviser
- 10-206 Health assessments
- 10-206a Free health assessments
- 10-207 Duties of medical advisors
- 10-208 Exemption from examination or treatment
- 10-208a Physical activity of student restricted; board to honor notice
- 10-209 Records not to be public. Provision of reports to schools.
- 10-212 School nurses and nurse practitioners
- 10-214 Vision, audiometric and postural screenings. When required. Notification of parents re defects; record of results.

Students

Health Assessments and Immunizations

Legal Reference: Connecticut General Statutes (continued)
Department of Public Health, Public Health Code, 10-204a-2a, 10-204a-3a, 10-204a-4
Section 4 of P.A. 14-231
Every Student Succeeds Act
Federal Family Educational Rights and Privacy Act of 1974 (section 438 of the General Education Provisions Act, as amended, added by section 513 of P.L. 93-568, codified at 20 U.S.C. 1232g)
42 U.S.C. 1320d-1320d-8, P.L. 104-191, Health Insurance Portability and Accountability Act of 1996 (HIPAA)

Policy adopted: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

Students

Health Examinations for Middle School Athletic Participation

Every athlete who participates in any CIAC-sanctioned activity (practice and/or contest) must be determined physically fit through a pre-participation evaluation performed within the past 13 months. Students must have their examination completed on the Sports Participation Health Form, which can be downloaded from the district website, and the Parent/Guardian page must also be completed.

All students must have a physical exam on file with the school nurse **BEFORE** trying out for any sport at Eli Terry Jr. Middle School and Terryville High School. Physicals may be completed by an athlete's own doctor or by the school doctor.

In order to assist athletes, appointments are made available for physicals to be completed at school by the school medical advisor. Dates for free school sports physicals are announced on the district website in the Health Services Departments Section. Additionally, students are notified via school communication methods such as E-blasts, and the local newspaper.

Procedure for School Sports Physical

Once dates have been announced:

1. Download, print out and complete the parent/student section of the Sports Physical Form **BEFORE** coming to your appointment. *Students who do not have a completed and signed form cannot be examined by the doctor. Forms require both parent/guardian and student signatures.* Forms are available by link in the Health Services section of the website.
2. During the school year you can schedule an appointment with the Terryville High School Nurse at 860-314-2777. During summer please call Central Office at 860-314-8005 to schedule your physical. You must have an appointment, no walk ins will be accepted.
3. Appointments are made on a first come, first served basis. If you unable to keep your appointment, please contact Central Office (August) or the high school nurse (November) as soon as possible. We will try to reschedule if possible.
4. Please arrive at the Terryville High School Nurse's Office at least 10 minutes before your scheduled time, with the Sports Physical Form completed and signed by both athlete and parent.

Additional Information for Grades 6 and 10 Students

A physical examination must be performed and recorded on the State of Connecticut Blue Physical Form during the 6th and 10th grade years. Blue Physical Forms are acceptable for sports participation. If you have questions regarding this, please refer to the information regarding Mandatory Physicals on the Health Services page of this website or contact your school nurse.

Students

Reporting of Child Abuse/Neglect or Sexual Assault

a. What Must be Reported

A report must be made when any mandated reporter of the Board of Education, in his/her professional capacity, has reasonable cause to suspect or to believe that a child under the age of eighteen: *(Mandated reporters include all school employees, the Superintendent, administrators teachers, substitute teachers, guidance counselors, school paraprofessionals, coaches of intramural and interscholastic athletics, as well as licensed nurses, physicians, psychologists and social workers either employed by the Board or working in one of the District schools, or any other person who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in District schools.)*

1. Is in danger of being or has been abused;
2. Has had non-accidental physical injuries or physical injuries which are at variance with the history given for them, inflicted by a person responsible for the child's health, welfare or care, or by a person given access to such child by a responsible person;
3. Has been neglected;
4. Has been sexually assaulted; or
5. Has been placed in imminent risk of serious harm.

A mandated reporter's suspicions may be based on such factors as observations, allegations, and facts by a child, victim or third party. Suspicion or belief does not require certainty or probable cause.

Definitions

“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.

Students

Reporting of Child Abuse, Neglect and Sexual Assault

The Board of Education (Board) recognizes its legal and ethical obligations in the reporting of suspected child abuse, neglect and sexual assault. Any person applying for employment with the Board shall submit to a record check of the Department of Children and Families Child Abuse and Neglect Registry before the person may be hired. Mandated reporters include all school employees, specifically Superintendent, administrators, teachers, substitute teachers, guidance counselors, school counselors, paraprofessionals, coaches of intramural and interscholastic athletics, as well as licensed nurses, physicians, psychologists, social workers and licensed behavior analyst either employed by the Board or working in one of the District schools, or any other person who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in District schools. Such individual(s) who have reasonable cause to suspect or believe that a child has been abused, neglected, placed in imminent risk of serious harm, or sexually assaulted by a school employee is required to report such abuse, neglect or risk and/or sexual assault.

A mandated reporter's suspicions may be based on factors including, but not limited to, observations, allegations, facts by a child, victim or third party. Suspicion or belief does not require certainty or probable cause.

A mandated reporter shall make an oral report, by telephone or in person, to the Commissioner of Children and Families or a law enforcement agency as soon as possible, but no later than twelve (12) hours after the reporter has reasonable cause to suspect the child has been abused or neglected. In addition, the mandated reporter shall inform the building principal or his/her designee that he/she will be making such a report. Not later than forty-eight hours of making the oral report, the mandated reporter shall file a written report with the Commissioner of Children and Families or his/her designee. (The Department of Children and Families has established a 24-hour Child Abuse and Neglect Hotline at 1-800-842-2288 for the purpose of making such oral reports.)

The oral and written reports shall include, if known; (1) the names and addresses of the child and his/her parents/guardians or other persons responsible for his/her care; (2) the child's age; (3) the child's gender; (4) the nature and extent of the child's injury or injuries, maltreatment or neglect; (5) the approximate date and time the injury or injuries, maltreatment or neglect occurred; (6) information concerning any previous injury or injuries to, or maltreatment or neglect of, the child or his/her siblings; (7) the circumstances in which the injury or injuries, maltreatment or neglect came to be known to the reporter; (8) the name of the person(s)

Students

Reporting of Child Abuse, Neglect and Sexual Assault (continued)

suspected to be responsible for causing such injury or injuries, maltreatment or neglect; (9) the reasons such person or persons are suspected of causing such injury or injuries, maltreatment or neglect; (10) any information concerning any prior cases in which such person or persons have been suspected of causing an injury, maltreatment or neglect of a child; and (11) whatever action, if any, was taken to treat, provide shelter or otherwise assist the child. (For purposes of this section pertaining to the required reporting, a child includes any victim under eighteen years of age educated in a technical high school or District school. Any person who intentionally and unreasonably interferes with or prevents the making of the required report or attempts to conspire to do so shall be guilty of a class D felony, unless such individual is under eighteen years of age or educated in the technical high school system or in a District school, other than part of an adult education program.)

If the report of abuse, neglect or sexual assault involves an employee of the District as the perpetrator, the District may conduct its own investigation into the allegation, provided that such investigation shall not interfere with or impede any investigation conducted by the Department of Children and Families or by a law enforcement agency.

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

The Board, recognizing its responsibilities to protect children and in compliance with its statutory obligations, shall provide to each employee in-service training regarding the requirements and obligations of mandated reporters. District employees shall also participate in training offered by the Department of Children and Families. Each school employee is required to complete a refresher training program, not later than three years after completion of the initial training program and shall thereafter retake such refresher training course at least once every three years.

Students

Reporting of Child Abuse, Neglect and Sexual Assault (continued)

The Principal of each school in the district shall annually certify to the Superintendent that each school employee working at such school has completed the required initial training and the refresher training.

State law prohibits retaliation against a mandated reporter for fulfilling his/her obligations to report suspected child abuse or neglect. The Board shall not retaliate against any mandated reporter for his/her compliance with the law and Board policy pertaining to the reporting of suspected child abuse and neglect.

In accordance with the mandates of the law and consistent with its philosophy, the Board in establishing this policy directs the Superintendent of Schools to develop and formalize the necessary rules and regulations to comply fully with the intent of the law.

This policy will be distributed annually to all employees. Documentation shall be maintained that all employees have, in fact, received the written policy and completed the required initial and refresher training related to mandated reporting of child abuse and neglect as required by law.

The Board of Education will post the telephone number of the Department of Children and Families' child abuse hotline, Careline, and the Internet web address that provides information about the Careline in each District school in a conspicuous location frequented by students. Such posting shall be in various languages most appropriate for the students enrolled in the school.

Establishment of the Confidential Rapid Response Team

The Board of Education shall establish a confidential rapid response team to coordinate with DCF to (1) ensure prompt reporting of suspected child abuse or neglect; or 1st, 2nd, 3rd, or 4th degree sexual assault; 1st degree aggravated sexual assault; or 3rd degree sexual assault with a firearm of a student not enrolled in adult education by a school employee and (2) provide immediate access to information and individuals relevant to DCF's investigation of such cases.

The confidential rapid response team shall consist of (1) a local teacher and the Superintendent, (2) a local police officer, and (3) any other person the Board of Education deems appropriate.

DCF, along with a multidisciplinary team, is required to take immediate action to investigate and address each report of child abuse, neglect or sexual abuse in any school.

Students

Reporting of Child Abuse, Neglect, and Sexual Assault (continued)

Hiring Prohibitions

The Board of Education will not employ anyone who was terminated or resigned after a suspension based on DCF's investigation, if he or she has been convicted of (1) child abuse or neglect or (2) 1st, 2nd, 3rd, or 4th degree sexual assault; 1st degree aggravated sexual assault; or 3rd degree sexual assault with a firearm of a student who is not enrolled in adult education.

The Boards of Education will not employ an individual who was terminated or resigned, if he or she (1) failed to report the suspicion of such crimes when required to do so or (2) intentionally and unreasonably interfered with or prevented a mandated reporter from carrying out this obligation or conspired or attempted to do so. This applies regardless of whether an allegation of abuse, neglect, or sexual assault has been substantiated.

(cf. 4112.6/4212.6 – Personnel Records)

(cf. 5145.511 – Sexual Abuse Prevention and Education Program)

Legal Reference: Connecticut General Statutes

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

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

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

17a-28 Definitions. Confidentiality of and access to records; exceptions. Procedure for aggrieved persons. Regulations (as amended by PA 11-93 and PA 14-186)

17a-101 Protection of children from abuse. Reports required of certain professional persons. When child may be removed from surroundings without court order. (as amended by PA 96-246, PA 00-220, PA 02-106, PA 03-168, PA 09-242, PA 11-93, PA 15-205, PA 18-15 and PA 18-17)

17a-101a Report of abuse or neglect by mandated reporters. (as amended by PA 02-106, PA 11-93, and PA 15-205, PA 18-15 and PA 18-17)

17a-102 Report of danger of abuse. (as amended by PA 02-106)

Students

Reporting of Child Abuse, Neglect, and Sexual Assault

Legal Reference: Connecticut General Statutes (continued)

17a-106 Cooperation in relation to prevention, identification and treatment of child abuse/neglect.

10-151 Teacher Tenure Act.

P.A. 11-93 An Act Concerning the Response of School Districts and the Departments of Education and Children and Families to Reports of Child Abuse and Neglect and the Identification of Foster Children in a School District.

P.A. 15-205 An Act Protecting School Children.

P.A. 14-186 An Act Concerning the Department of Children and Families and the Protection of Children.

Policy Adopted: December 12, 2018

Students

Reporting of Child Abuse/Neglect or Sexual Assault

Definitions (continued)

“School employee” (a) a teacher, substitute teacher, school administrator, school superintendent, guidance counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by the Board or who is working in an 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 Plymouth Public Schools, pursuant to a contract with the Board.

“Sexual assault” means for the purposes of mandatory reporting laws and this policy; a violation of Sections 53a-70a, 53a-71, 53a-72a, 53a-72b or 53a-73a of the Connecticut General Statutes.

“Statutory mandated reporter” means an individual by CGS Sec. 17a-101 to report suspected abuse and/or neglect of children or sexual assault by a school employee. The term, “statutory mandated reporter” includes all school employees, as defined above.

b. Reporting Procedures for Statutory Mandated Reporters

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

1. When an employee of the Board of Education suspects or believes that a child has been abused, neglected, has been placed in imminent risk of serious harm, or sexually assaulted by a school employee, the following steps shall be taken:
 - (a) The employee shall immediately, upon having reasonable cause to suspect or believe that a child has been abused, neglected, or placed in imminent danger of serious harm, or has had non-accidental physical injury or injury which is at variance with the history or such injury, or sexually assaulted by a school employee and in no case later than twelve (12) hours after having such a suspicion or belief, make an oral report by telephone or in person to the Commissioner of Children and Families or the local law enforcement agency. The Department of Children and Families has established a 24 hour Child Abuse and Neglect Hotline at 1-800-842-2288 for the purpose of making such oral reports.
 - (b) The employee shall also immediately make an oral report to the Building Principal or his/her designee and/or the Superintendent or his/her designee. If the building principal is the alleged perpetrator of the abuse/neglect, then the employee shall notify the Superintendent or his/her designee directly.
 - (c) If a report prepared in accordance with Section (a) above concerns suspected abuse, neglect or sexual assault 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.

Students

Reporting of Child Abuse/Neglect or Sexual Assault

b. Reporting Procedures for Statutory Mandated Reporters (continued)

- (d) Not later than 48 hours of making an oral report, the employee shall submit a written report to the Commissioner of Children and Families, or his/her representative, containing all of the required information. The written reports should be submitted on the DCF-136 form or any other form designated for that purpose.
- (e) The employee shall immediately, submit a copy of the written report to the Principal and/or Superintendent or the Superintendent's designee.
- (f) If a report prepared in accordance with Section (c) above, concerns suspected abuse, neglect or sexual assault by a school employee who possesses a certificate, permit or authorization issued by the State Board of Education, the Superintendent shall submit a copy of the written report to the Commissioner of Education, or his/her representative.

c. Contents of Reports

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

1. The names and addresses of the child and his/her parents or other persons responsible for his/her care;
2. The age of the child;
3. The gender of the child;
4. The nature and the extent of the child's injury or injuries, maltreatment or neglect;
5. The approximate date and time the injury or injuries, maltreatment or neglect occurred;
6. Information concerning any previous injury or injuries to, or maltreatment or neglect of, the child or his/her siblings;
7. The circumstances in which the injury or injuries, maltreatment or neglect came to be known to the reporter;
8. The name of the person or persons suspected to be responsible for causing such injury or injuries, maltreatment or neglect;
9. The reasons such person or persons are suspected of causing such injury or injuries, maltreatment or neglect;
10. Any information concerning any prior cases in which such person or persons have been suspected of causing an injury, maltreatment or neglect of a child; and
11. Whatever action, if any, was taken to treat, provide shelter or otherwise assist, the child.

Students

Reporting of Child Abuse/Neglect or Sexual Assault

c. Contents of Reports (continued)

For purposes of this section pertaining to the required reporting, a child includes any victim under eighteen years of age educated in a technical high school or District school. Any person who intentionally and unreasonably interferes with or prevents the making of the required report or attempts to conspire to do so shall be guilty of a class D felony, unless such individual is under eighteen years of age or educated in the technical high school system or in a district school, other than part of an adult education program. The mandatory reporting requirement regarding the sexual assault of a student by a school employee applies based on the person's status as a student, rather than his or her age.

d. Investigation of the Report

If the suspected abuser is a school employee, the Superintendent or his/her designee shall thoroughly investigate the report, provided that such investigation does not interfere with or impede the investigation by the Department of Children and Families or by a law enforcement agency. To the extent feasible, this investigation shall be coordinated with the Commissioner of Children and Families 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. When investigating a report, the Superintendent or his/her designee shall endeavor to obtain, when possible, the consent of parents or guardians or other persons responsible for the care of the child, to interview the 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 or the alleged abusers.

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.

A person reporting child abuse, neglect or sexual assault shall provide any person authorized to conduct an investigation into such claim with all information related to the investigation that is in the possession or control of the person reporting child abuse, neglect, or sexual assault except as expressly prohibited by state or federal law.

Students

Reporting of Child Abuse/Neglect or Sexual Assault

d. Investigation of the Report (continued)

1. **Evidence of Abuse by Certain School Employees.** After an investigation has been completed, if the Commissioner of Children and Families, based upon the results of such investigation, has reasonable cause to believe that a child has been abused, neglected or sexually assaulted by an employee who has been entrusted with the care of a child or has recommended that such employee be placed on the Department of Children and Families abuse and neglect registry, the Commissioner shall notify within five (5) working days after the completion of the investigation into child abuse, neglect or sexual assault by a school employee, the Superintendent, the school employee, and the Commissioner of Education of such finding and shall provide records, whether or not created by the Department of Children and Families, concerning such investigation to the Superintendent and the Commissioner of Education. The Superintendent shall suspend the employee, if not previously suspended, with pay and without diminution or termination of benefits if DCF has reasonable cause that the employee abused or neglected a child and recommends the employee be placed on the DCF child abuse and neglect registry. Not later than 72 hours after such suspension, the Superintendent shall notify the Board of Education and the Commissioner of Education, or his/her representative, of the reasons for the conditions of suspension. The Superintendent shall disclose records received from the Department of Children and Families to the Commissioner of Education and the Board of Education, or its attorney, for the purposes of review of employment status, certification, permit or authorization. Any decision of the Superintendent concerning such suspension shall remain in effect until the Board of Education Acts, pursuant to the provisions of Connecticut General Statutes. The Commissioner of Education shall also be notified if such certified person resigns from his/her employment in the District. Regardless of the outcome of any investigation by 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 by a certified, permit or authorized school staff member.

If the contract of employment of a certified school employee holding a certificate, permit or authorization issued by the State Board of Education 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/her representative, within 72 hours of such termination.

Students

Reporting of Child Abuse/Neglect or Sexual Assault

d. Investigation of the Report (continued)

2. **Evidence of Abuse by Other School Staff.** If the investigation by the Superintendent and/or Commissioner of Children and Families did produce evidence that a child has been abused 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.
3. The District shall maintain records of allegations, investigations and reports that a child has been abused or neglected by a school employee. Such records will be maintained in the District's Central Office. The records shall include any reports made to the Department of Children and Families. The State Department of Education is to have access to all such records.
4. The Board shall provide to the Commissioner of Children and Families, upon request for the purposes of an investigation by the Commissioner of Children and Families of suspected child abuse or neglect by a teacher employed by the Board, any records maintained or kept in District files. 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 such board of education, and records of the personal misconduct of such teacher. (*"Teacher" includes each certified professional employee below the rank of Superintendent employed by a Board of Education in a position requiring a certificate issued by the State Board of Education.*)
5. The Board of Education shall permit and give priority to any investigation conducted by the Commissioner of Children and Families or the appropriate local law enforcement agency that a child has been abused or neglected. The Board shall conduct its own investigation and take any disciplinary action, in accordance with the provisions of section 17a-101i of the general statutes, as amended, upon notice from the Commissioner or the appropriate local law enforcement agency that the Board's investigation will not interfere with the investigation of the Commissioner or such local law enforcement agency.
6. The Department of Children and Families will review, at least annually, with the State Department of Education all records and information relating to reports and investigations that a child has been abused and neglected by a school employee, in the Department of Children and Families' possession to ensure that records and information are being shared properly.

Students

Reporting of Child Abuse/Neglect or Sexual Assault (continued)

e. 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.

f. Special Reporting Procedures Concerning Suspected Abuse or Neglect of Intellectually Disabled Persons

In addition to the reporting procedures set forth above, Connecticut General Statutes require that certain school personnel, including teachers, licensed nurses, psychologists and social workers, report any suspected abuse or neglect of intellectually disabled persons over the age of 18. It is policy of the Board of Education to require ALL EMPLOYEES of the Board of Education to comply with the following procedures in connection with the suspected abuse or neglect, as defined below, of any person with an intellectual disability over the age of 18.

1. Definitions. For the purposes of this policy:

“Abuse” means the willful infliction of physical pain or injury or willful deprivation by a caretaker of services which are necessary to the person’s health or safety.

“Neglect” means a situation where an intellectually disabled person either is living alone or is not able to provide for him/herself the services which are necessary to maintain his/her physical and mental health, or is not receiving such necessary services from the caretaker.

2. Reporting Procedures. If an employee has reasonable cause to suspect that an intellectually disabled person has been abused or neglected, he/she shall, within five calendar days, make an oral report to the Disability Rights Connecticut or the appropriate designated office, to be followed by a written report within five additional calendar days, or shall immediately notify the Superintendent in order for the Superintendent to make such oral and written reports to the Disability Rights Connecticut or the appropriate designated office. In the event that an employee makes a report to the Disability Rights Connecticut or the appropriate designated office, the employee shall immediately notify the Superintendent.

Students

Reporting of Child Abuse/Neglect or Sexual Assault

f. Special Reporting Procedures Concerning Suspected Abuse or Neglect of Intellectually Disabled Persons (continued)

3. Contents of Report. Any such report shall contain the following information:

- (a) The name and address of the allegedly abused or neglected person;
- (b) A statement from the reporter indicating a belief that the person is intellectually disabled, together with information indicating that the person is unable to protect himself or herself from abuse or neglect;
- (c) Information concerning the nature and extent of the abuse or neglect; and
- (d) Any additional information, which the reporter believes, would be helpful in investigating the report or in protecting the intellectually disabled person.

4. Investigation of Report. If the suspected abuser is a school employee, the Superintendent shall thoroughly investigate the report following the procedures regarding the investigation of reports of child abuse set forth in paragraph e above.

If the investigation by the Superintendent and/or the Office of Protection and Advocacy produces evidence that an intellectually disabled person has been abused by a school employee, the Superintendent and/or the Board, as appropriate, may take disciplinary Action, up to and including termination of employment.

g. Disciplinary Action for Failure to Follow Policy

Any employee who fails to comply with the requirements of this policy shall be subject to discipline, up to and including termination of employment.

h. Non-Discrimination Policy

The Board of Education 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.

i. Training

All District employees are required to complete a training program pertaining to the accurate and prompt reporting of abuse and neglect, made available by the Commissioner of Children and Families. In addition, all employees must complete a refresher program at least once every three years. Employees hired before July 1, 2011 must complete the refresher training program by July 1, 2012 and must retake it once every three years thereafter.

Students

Reporting of Child Abuse/Neglect or Sexual Assault

i. Training (continued)

The School Principal shall annually certify to the Superintendent that each school employee working at his/her school has completed the required initial training and the refresher training.

j. Foster Care

Upon request of the Board of Education, the Department of Children and Families shall provide the name, date of birth and school of origin for each child in the custody of the Department of Children and Families who has been placed in foster care and is attending a District school.

Confidential Rapid Response Team

The District will establish, not later than January 1, 2016, a confidential rapid response team to coordinate with DCF to (1) ensure prompt reporting of suspected child abuse or neglect; or 1st, 2nd, 3rd, or 4th degree sexual assault; 1st degree aggravated sexual assault; or 3rd degree sexual assault with a firearm of a student not enrolled in adult education by a school employee; and (2) provide immediate access to information and individuals relevant to DCF's investigation of such cases.

The confidential rapid response team consists of a local teacher, the Superintendent, a local police officer, and any other person the Board of Education deems appropriate.

DCF, along with a multidisciplinary team, is required to take immediate action to investigate and address each report of child abuse, neglect or sexual abuse in any school.

Hiring Prohibitions

The Board of Education will not employ anyone who was terminated or resigned after a suspension based on DCF's investigation, if he or she has been convicted of (1) child abuse or neglect; or (2) 1st, 2nd, 3rd, or 4th degree sexual assault; 1st degree aggravated sexual assault; or 3rd degree sexual assault with a firearm of a student who is not enrolled in adult education.

The Board of Education will not employ an individual who was terminated or resigned, if he or she (1) failed to report the suspicion of such crimes when required to do so; or (2) intentionally and unreasonably interfered with or prevented a mandated reporter from carrying out this obligation or conspired or attempted to do so. This applies regardless of whether an allegation of abuse, neglect, or sexual assault has been substantiated.

Students

Reporting of Child Abuse/Neglect or Sexual Assault (continued)

Posting of DCF's "Careline"

The Board of Education will post the telephone number of the Department of Children and Families' child abuse hotline, Careline, and the Internet web address that provides information about the Careline in each District school in a conspicuous location frequented by students. Such posting shall be in various languages most appropriate for the students enrolled in the school.

(cf. 4112.5/4212.6 – Personnel Records)

(cf. 5145.511 – Sexual Abuse Prevention and Education Program)

Legal Reference: Connecticut General Statutes

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

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

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

17a-28 Definitions. Confidentiality of and access to records; exceptions. Procedure for aggrieved persons. Regulations (as amended by PA 11-93 and PA 14-186)

17a-101 Protection of children from abuse. Reports required of certain professional persons. When child may be removed from surroundings without court order. (as amended by PA 96-246, PA 00-220, PA 02-106, PA 03-168, PA 09-242, PA 11-93 and PA 15-205)

17a-101a Report of abuse or neglect by mandated reporters. (as amended by PA 02-106, PA 11-93, and PA 15-205)

17a-101i Abuse of child by school employee or staff member of public or private institution or facility providing care for children. Suspension. Notification of state's attorney re: conviction. Boards of education to adopt written policy re: reporting of child abuse by school employee.

17a-102 Report of danger of abuse. (as amended by PA 02-106)

17a-106 Cooperation in relation to prevention, identification and treatment of child abuse/neglect.

10-151 Teacher Tenure Act

Students

Reporting of Child Abuse/Neglect or Sexual Assault

Legal Reference: Connecticut General Statutes (continued)

PA 11-93 An Act Concerning the Response of School Districts and the Departments of Education and Children and Families to Reports of Child Abuse and Neglect and the Identification of Foster Children in a School District

PA 14-186 An Act Concerning the Department of Children and Families and the Protection of Children

PA 15-112 An Act Concerning Unsubstantiated Allegations of Abuse and Neglect by School Employees

PA 15-205 An Act Protecting School Children

Regulation approved: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

Students

Suicide Prevention/Intervention

It is the policy of the Plymouth Board of Education that staff shall respond to any situation in which school staff become aware that a student has indicated intent to attempt suicide or to physically harm himself/herself.

The Board recognizes that suicide is a complex issue and that, while school may recognize a potentially suicidal youth, and mental health staff in school will assess risk, it cannot provide in-depth counseling but will, as needed, refer the youth to an appropriate setting for further assessment or counseling.

Therefore, any school employee who has knowledge of a suicide threat or intent shall report this information to the school Principal or his/her designee. Immediate contact shall be made with a parent or guardian. A conference shall be held and/or an appropriate referral shall be made as soon as feasible and staff will work to provide for the student's safety while at school.

As prescribed by state law, the Board's program of instruction shall include teaching on mental and emotional health, including youth suicide prevention. Through such education, students will be strongly encouraged to report any information regarding a suicide threat or intent. Board staff will receive in-service training on health and mental health risk reduction education, including but not limited to, youth suicide.

Each school shall establish a crisis intervention team that will be prepared to respond to information about a potentially suicidal youth, an attempted suicide or a suicide.

Legal Reference: Connecticut General Statutes
 10-221(e) Boards of education to prescribe rules, policies and procedures.
 10-16b Prescribed courses of study.
 10-220a In-service training. Professional development. Institutes for
 educators. Cooperating teacher program, regulations.
 10-145a Certificates of qualification. Specific components of teacher
 preparation programs.
 17a-101 Protection of children from abuse. Mandated reporters.
 Educational and training programs.
 FERPA 20 U.S.C. §1232g; 34 C.F.R. § 99.31
 Plymouth Suicide Prevention/Intervention Procedural Guidelines.

Policy adopted: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

Students

Suicide Prevention/Intervention Procedural Guidelines

Prevention Procedures

The Plymouth Board of Education is committed to providing a learning environment that promotes the physical and mental health of all students and staff. Students will receive mental health education as part of the curriculum, in compliance with state law. Schools will also conduct outreach to students through school assemblies and public awareness campaigns aimed at suicide prevention. Students will be strongly encouraged to report any information regarding a possible suicide threat. The Board will reach out to parents/guardians and parent groups through individual meetings, lectures/speakers, or written material as appropriate to raise awareness and educate parents/guardians regarding their role in suicide prevention.

Staff will receive in-service trainings on a yearly basis regarding student health issues, which will include youth suicide prevention. Such trainings shall cover risk factors for suicide, including how to recognize symptoms of stress, coping difficulties, depression and self-destructive behaviors; how to talk with at-risk students; and accessing school and community resources. Trainings shall delineate specific school personnel and the procedural guidelines to follow whenever a student is identified as a student at risk for suicide.

Students who are vulnerable to suicidal ideation or behaviors include, but are not limited to, students who are subjected to bullying or harassment, students who have recently lost a close friend or family member, students struggling with sexual identity issues, students experiencing significant stress at home, students who have recently ended a boyfriend/girlfriend relationship, or students exhibiting signs of depression.

School personnel shall identify a potential network of community mental health providers with whom they can collaborate. No personally identifiable information regarding students will be shared with any community mental health providers without signed consent from parents/guardians, except in cases of emergency or exigent circumstances.

Intervention Procedures for At-Risk or Suicidal Students

For purposes of this procedure, the word Principal shall mean either the building Principal or his/her designee.

All school district personnel have an obligation to immediately share with a building Principal either observations of student behavior which appear to be related to the possibility of suicide, including if a student has actually attempted to commit suicide while at school, or any information indicating a suicide threat. This must be done even if the student has confided in the staff person and asked the staff person to keep their discussion confidential.

Students

Suicide Prevention/Intervention Procedural Guidelines

Prevention Procedures (continued)

In such cases, the staff member must explain that he/she cannot maintain confidentiality in these circumstances. The staff person will not leave the student alone and will locate another staff person, if necessary, to stay with the student while he/she informs the building Principal who will activate the following procedures. In the event that a third party reports information regarding a possible suicide, the staff member shall immediately locate the at-risk student with the assistance of other staff as necessary, and follow these procedures.

In the event that a staff member believes that the student has taken action which creates a medical emergency, the school nurse and Principal will be notified immediately and emergency medical procedures will be followed as appropriate. If the student requires immediate medical attention, staff will call 911 and/or the student will be transported to an area hospital. The Principal will contact the student's parent/guardian, who will be informed to meet the student at the hospital.

The building Principal shall immediately convene the crisis intervention team. At the elementary level, the crisis intervention team will normally consist of a building administrator, classroom teacher, school social worker, school psychologist, school nurse, and parent/guardian. At the secondary level, the crisis intervention team will normally consist of a building administrator, classroom teacher, school psychologist, school counselor, social worker, school nurse, and parent/guardian.

If there is no medical emergency, the school mental health professional will meet with the student immediately for the purpose of establishing sequential facts or events leading to the crisis and assessing the situation. The building administrator on the crisis intervention team will notify the student's parents/guardians of the situation, who will be invited to the school that same day to function as part of the crisis intervention team.

The school mental health professional will then meet with the other members of the crisis intervention team in order to share relevant data about the student and situation, develop a preliminary assessment plan, and identify each team member's responsibilities. If the parent/guardian is on his/her way to the school, the team shall wait for the parent/guardian to arrive to discuss the situation and plan for the student's safety. Otherwise, if the parent/guardian cannot come to the school at that time, he/she will be informed of the situation over the telephone.

If the student has a private mental health provider or physician, and the parent/guardian provides consent to consult, then the school mental health professional will contact the private provider regarding the need for further assessment.

Students

Suicide Prevention/Intervention Procedural Guidelines

Prevention Procedures (continued)

The team should also confer with other key personnel, such as a teacher or coach who has a special relationship with the student. If the school mental health professional, in conjunction with the rest of the team, determines that the student is at high risk for suicide, and the private provider or physician cannot be reached or the student does not have a private provider, the team may decide to transport the student to the emergency room or contact mobile crisis unit. At no time during this process is the student to be left alone.

If the student is not transported to the hospital or to his/her private provider for further assessment and is instead released into the care of the parent/guardian, community resources will be identified and suggestions will be provided to the parent/guardian.

Under no circumstances is an at-risk student allowed to go home alone. The student must be released only to a parent, guardian, or other responsible adult with the parent or guardian's permission. If reasonable attempts to reach the parent/guardian into whose custody the student may be released are not successful, or the parent/guardian refuses to come to school, the case will be treated as a medical emergency and arrangements will be made to transport the student to an area hospital emergency room or mental health facility. Staff shall utilize the student's emergency contact information.

In cases where the parent/guardian refuses to come to school after receiving notification that their child may be suicidal, the school staff will inform such parent/guardian that failure on the part of the family to take seriously and provide for the safety of the student will be considered emotional neglect and reported to the Department of Children and Families. In a case where there is clearly no risk for suicide, the team will document the referral and the outcome and contact the parent/guardian.

A member of the crisis intervention team, as assigned by the building administrator, will document the referral and all actions taken by team members, contacts with the student and parent/guardian, as well as any outcomes or needed follow-up. To the extent that the district does not already have a signed release, the crisis intervention team will request that the parent/guardian sign a consent form that allows school personnel to speak with the student's private provider or physician, in order to monitor the student's needs and plan appropriately for the student's re-entry to school.

The crisis intervention team shall consider the need for a referral to special education, or if the student is already identified as eligible for special education services, the team shall consider the need to revise the IEP.

Students

Suicide Prevention/Intervention Procedural Guidelines

Prevention Procedures (continued)

In communication with the parent/guardian and/or the student's private provider or physician, the crisis intervention team shall ascertain the date on which the student will return to school. Based on the available information, the team will formulate a re-entry plan with appropriate support services for the student, which may include individual or group counseling and/or a joint school and community based program. The re-entry plan may also include monitoring and daily documentation of the student's behavior and actions, as well as ongoing communication with the parent and/or student's private providers.

Intervention Procedures after School Hours

The Board shall create a list with contact information of building Principals and other district administrators to be used in case of emergency. If a staff member becomes aware of a potentially suicidal student during after-school hours, he/she should immediately contact the building Principal. If the Principal is unavailable, the staff member will contact the next administrator on the list. The Principal or other administrator may then contact the parents/guardians of the student and/or the police, as appropriate. In addition, the Principal, in conjunction with the parent/guardian, may contact a 24-hour crisis center or the student's therapist, if the school has consent to speak with such therapist.

If the student attends school the following day, the Principal shall convene the crisis intervention team and follow the procedures above to the extent appropriate.

Post-Intervention Planning

In the event that a staff person learns that a student has attempted or committed suicide outside of school, the staff person will immediately contact the building Principal. The Principal will contact the student's parents/guardians to verify the information and what actions they have taken, and offer support as needed. The Principal will determine if the situation warrants informing the full faculty. If the Principal needs to inform the full faculty, such as in the case of a completed suicide, the Principal will give staff members as much notice as possible and provide them with a script that explains what to say to students. In such situations, the Principal may consider sending a letter home to all parents/guardians. Any communication should not provide details as to the cause of death, but should focus on resources for supporting grieving members of the community. If appropriate, information will be shared with the Principal of a sibling's school.

Students

Suicide Prevention/Intervention Procedural Guidelines

Prevention Procedures (continued)

Sometimes a suicide attempt or completed suicide will trigger other suicide attempts. The best preventive measures against such contagion involve the careful identification and monitoring of students who may be in a risk category, efforts to reduce glamorization of the suicide and carefully planned follow-up activities.

If an attempted suicide or suicide causes distress among students, the Board will make school counselors, psychologists, and social workers available to meet with students. The Board may make outside professional grief counselors available during and following crisis periods to offer support to individuals or groups as needed. The Principal may convene an after-school staff meeting to identify other at-risk students and discuss concerns. The Principal, in conjunction with the crisis intervention team, will develop a plan to monitor and support students perceived to be at-risk.

The week, month or year anniversary of the death may trigger a delayed grief reaction or a suicide attempt modeled after the first. School personnel should be sensitive to this and intensify monitoring of students at these times.

If a suicide occurs at school, the Principal shall keep the students at school where they will have adult support systems available to them. If the students ask to leave school early, students should only be released to their parents/guardians.

In the event of such a tragedy, the Principal shall immediately notify the Superintendent, the student's family, and the police. The suicide scene should not be disturbed until permission is received from appropriate authorities. Students should be kept as far away from the suicide scene as possible.

The building Principal shall maintain communication with the Superintendent of Schools about all suicides or suicide attempts and shall call on the Superintendent for advice on how to proceed if any situation warrants. In turn, the Superintendent will keep the Board informed about suicide-related issues as appropriate. Any and all communications containing personally identifiable information about a student shall be kept confidential within the requirements of FERPA. The Principal and other school personnel shall not release any statements to the media concerning a suicide or suicide attempt without prior consultation with the Superintendent.

Students

Suicide Prevention/Intervention Procedural Guidelines

Prevention Procedures

Legal Reference: Connecticut General Statutes
 10-221(e) Boards of education to prescribe rules, policies and procedures.
 10-16b Prescribed courses of study.
 10-220a In-service training. Professional development. Institutes for
educators. Cooperating teacher program, regulations.
 10-145a Certificates of qualification. Specific components of teacher
preparation programs.
 17a-101 Protection of children from abuse. Mandated reporters.
Educational and training programs.
 FERPA 20 U.S.C. § 1232g; 34 C.F.R. § 99.31
 Plymouth Suicide Prevention/Intervention Procedural Guidelines.

Students

Student Sports – Concussions

The Board of Education recognizes that concussions and head injuries are commonly reported injuries in children and adolescents who participate in sports and other recreational activities. The Board acknowledges the risk of catastrophic injuries or deaths are significant when a concussion or head injury is not properly evaluated and managed.

Only coaches holding a permit issued by the State Board of Education who have completed an approved initial training course regarding concussions and subsequent review of current and relevant information on this topic and required refresher courses shall be permitted to coach intramural and/or interscholastic athletics for the District.

The District will also utilize protocols developed by the State Board of Education in consultation with the Commissioner of Public Health, the Connecticut Interscholastic Athletic Association (CIAC), and appropriate organizations representing licensed athletic trainers and county medical associations to inform and educate coaches, youth athletes and their parents and/or guardians of the nature and risk of concussions or head injuries, including the dangers associated with continuing to engage in athletic activity after a concussion, of the proper method of allowing a student athlete who has sustained a concussion to return to athletic activity.

Annually the District will distribute a head injury and concussion information sheet to all parents/guardians of student participants in competitive sport activities. The parent/guardian and student must return a signed acknowledgement indicating that they have reviewed and understand the information provided before the student participates in any covered activity. This acknowledgement form must be returned and be on file with the District in order for the student to be allowed to practice or compete in the sports activity.

All coaches will complete training pertaining to the District's procedures.

The required refresher course regarding concussions shall include, but not be limited to, an overview of key recognition and safety practices, an update of medical developments, current best practices in the field of concussion research, and prevention and treatment. Said refresher course shall also contain an update on new relevant federal, state and local laws and regulations, and for football coaches, current best practices regarding coaching the sport of football, including, but not limited to, frequency of games and full contact practices and scrimmages as identified by the governing authority for intramural and interscholastic athletics (CIAC).

The District, after January 1, 2015, shall implement the “**Concussion Education Plan and Guidelines for Connecticut Schools,**” developed by the State Board of Education per the stipulations of P.A. 14-66. Written materials, online training or videos, or in person training shall address, at a minimum, the recognition of signs or symptoms of concussion, means of obtaining proper medical treatment for a person suspected of sustaining a concussion, the nature and risks of concussions, including the danger of continuing to engage in athletic activity after sustaining a concussion, proper procedures for return to athletic activity and current best practices in the prevention and treatment of a concussion.

Students

Student Sports – Concussions (continued)

The Board recognizes that commencing July 1, 2015, the CIAC prohibits student athletes from participation in any intramural or interscholastic activity unless the student athlete and his/her parent/guardian completes the concussion education plan of the State Board of Education and its contributing organizations to such plan. Prior to participating in any intramural or interscholastic athletic activity students must (1) read written materials, (2) view online training videos, or (3) attend in-person training regarding the District's concussion education plan provided by the Board of Education.

Prior to participating in any intramural or interscholastic athletic activity for the school year beginning July 1, 2015 and thereafter, a parent/guardian of each student athlete must (1) read written materials, (2) view online training videos, or (3) attend in-person training regarding the District's concussion education plan.

The District, commencing July 1, 2015, will utilize the consent form developed or approved by the State Board of Education with parent/guardians of student athletes in intramural or interscholastic activities regarding concussions. This form shall provide a summary of the concussion education plan developed or approved by the State Board of Education and a summary of the Board's policy regarding concussions. The consent form shall be returned to the appropriate school authorities, signed by the parent/guardian, attesting to the receipt of such form and authorizing the student athlete to participate in the athletic activity.

Further, in compliance with applicable state statutes, the coach of any intramural or interscholastic athletics shall immediately remove any student athlete participating in intramural or interscholastic athletics who (1) is observed to exhibit signs, symptoms or behaviors consistent with a concussion following an observed or suspected blow to the head or body during a practice, game or competition, (2) is diagnosed with a concussion, or (3) is otherwise suspected of having sustained a concussion because such student athlete is observed to exhibit signs, symptoms or behaviors consistent with a concussion regardless of when such concussion or head injury may have occurred. Upon such removal, the coach or other qualified school employee defined in Connecticut General Statutes 10-212a, shall notify the student athlete's parent/guardian that the student athlete has exhibited such signs, symptoms, or behaviors consistent with a concussion or has been diagnosed with a concussion. Such notification shall be provided not later than twenty-four hours after such removal. However, a reasonable effort shall be made to provide such notification immediately after such removal.

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

Students

Student Sports – Concussions (continued)

Following medical clearance, the coach shall not permit such student athlete to participate in any full, unrestricted supervised athletic activities without limitations on contact or physical exertion, including, but not limited to, practices, games or competitions and such student athlete (1) no longer exhibits signs, symptoms or behaviors consistent with a concussion at rest or with exertion, and (2) receives written clearance to participate in such full, unrestricted supervised athletic activities from a licensed health care professional trained in the evaluation and management of concussions.

*“licensed health care professional” means a physician licensed pursuant to Chapter 370 of the General Statutes, a physician assistant licensed pursuant to Chapter 370 of the General Statutes, an advanced practice registered nurse licensed pursuant to Chapter 378 of the General Statutes or an athletic trainer licensed pursuant to Chapter 375a of the General Statutes.

The Board, as required, for the school year beginning July 1, 2014 and annually thereafter, will collect and report to the State Board of Education all occurrences of concussion. The report shall contain, if known, the nature and extent of the concussion and the circumstances in which it was sustained.

Legal Reference: Connecticut General Statutes

PA 10-62 An Act Concerning Student Athletes and Concussions

P.A. 14-66 An Act Concerning Youth Athletics and Concussions

“Concussion Education Plan and Guidelines for Connecticut Schools”
adopted by the State Board of Education, January 7, 2015.

Policy adopted: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

Students

Student Sports – Concussions

Concussion Management in Student Sports

A. Duties of the Athletic Director or Administrator in Charge of Athletics:

1. Annually, each spring, the Athletic Director or the administrator in charge of athletics, if there is no Athletic Director, shall review, with the District's Medical Advisor and athletic trainer, any changes that have been made regarding the management of concussion injuries.
2. By the conclusion of the school year, the Athletic Director or administrator in charge of athletics will identify the competitive sport activities in the District for which compliance with the concussion policy is required. A list of competitive sports activities and the District's policy and procedures will be distributed to all members of the coaching staff.
3. The Athletic Director or the administrator in charge of athletics, if there is no Athletic Director, shall be responsible for determining that all coaches of intramurals or interscholastic sports have fulfilled the required initial training and subsequent follow-up regarding concussions prior to the coach's commencement of his/her assignment.

B. Training of Coaches

All coaches shall undergo training in head injuries and concussion management as required by state statute in a program approved by the State Board of Education. The Connecticut State Board of Education's ***"Concussion Education Plan and Guidelines for Connecticut Schools"*** provides guidance on this topic. In addition, the Centers for Disease Control and Prevention (CDC) has made available a tool kit, *"Heads Up: Concussion in High School Sports,"* which can provide additional information for coaches, athletes, and parents.

C. Parent/Student Information Sheet

On a yearly basis, a concussion consent and information sheet shall be signed and returned by the student athlete and the athlete's parent/guardian prior to the student athlete's initiating practice or competition. This information sheet may be incorporated into the parent permission sheet which permits students to participate in extracurricular athletics. Beginning with the school year commencing July 1, 2015, the District will utilize the informed consent form developed or approved and made available by the State Board of Education.

Students

Student Sports – Concussions

Concussion Management in Student Sports (continued)

D. Coaches Responsibility

1. Based on mechanism of injury, observation, history and unusual behavior and reactions of the athlete, even without loss of consciousness, assume a concussion has occurred if the head was hit and even the mildest of symptoms occur. The student athlete who is suspected of sustaining a concussion or head injury in a practice or game shall be immediately removed from play. (Refer to Appendix D: Concussion Symptoms)
2. If confusion, unusual behavior or responsiveness, deteriorating condition, loss of consciousness, or concern about neck and spine injury exists, the athlete should be referred at once for emergency care.
3. If no emergency is apparent, the athlete should be monitored every 5 to 10 minutes regarding mental status, attention, balance, behavior, speech and memory until stable over a few hours. If appropriate medical care is not available, an athlete even with mild symptoms should be sent for medical evaluation.
4. Upon removal from the athletic activity, the coach or other qualified school employee shall notify the athlete's parent/guardian that the student athlete has exhibited the signs, symptoms or behaviors consistent with a concussion or has been diagnosed with a concussion. Every reasonable effort shall be made to immediately provide such notification, but not later than twenty-four hours after such removal.
5. No athlete suspected of having a concussion should return to the same practice or contest, even if symptoms clear in 15 minutes, no sooner than twenty-four hours after removal and only after the athlete and his/her parent/guardian completes the State Board of Education concussion education plan and the athlete receives written clearance from a licensed health care professional trained in the evaluation and management of concussions.

E. Return to Play after Concussions

1. A student athlete who has been removed from play may not participate in any supervised team activities involving physical exertion, including, but not limited to practices, games, or competitions, sooner than twenty-four hours* after such athlete was removed from play until the athlete is evaluated by a licensed health care provider trained in the evaluation and management of concussions and receives a written clearance to return to play from that health care provider. [or: Any athlete removed from play because of a concussion must have written medical clearance from an appropriate health care professional before he/she can resume practice or competition and not until the student athlete and his/her parent/guardian completes the State Board of Education concussion education plan.] (Refer to Appendix E: "The Proper Procedures for Allowing a Student Athlete Who Has Sustained a Concussion to Return to Athletic Activity.")

Students

Student Sports – Concussions

Concussion Management in Student Sports

E. Return to Play after Concussion (continued)

Note: CIAC requirements indicate that no athlete shall return to participation on the same day of concussion.

**P.A. 10-62 does not require a 24 hour waiting period before an athlete may return to participate in team activities. However, the law does require written clearance from a licensed health care professional.*

2. After medical clearance, the return to play by the athlete should follow a step-wise protocol with provisions for delayed return to play based on return of any signs or symptoms.
3. The medical clearance return to play protocol is as follows:
 - a. No exertional activity until asymptomatic.
 - b. When the athlete appears clear, begin low-impact activity such as walking, stationary bike, etc.
 - c. Initiate aerobic activity fundamental to the specific sport such as skating, or running and may also begin progressive strength training activities.
 - d. Begin non-contact skill drills specific to sport such as dribbling, fielding, batting, etc.
 - e. Full contact in practice setting.
 - f. If athlete remains asymptomatic, he/she may return to game/play.

F. Best Practices

Refer to Appendix H, “Current Best Practices in the Prevention and Treatment of a Concussion” for information pertaining to current best practices to consider and utilize.

Students

Relations with Non-Custodial Parents

The Board of Education, unless informed otherwise, assumes that there are no restrictions regarding the non-custodial parent's right to be kept informed of the student's school progress and activities. If restrictions are made relative to these rights, the custodial parent will be required to submit a certified copy of the court order, to the school administrator, which curtails these specific rights.

Unless there are specific court-imposed restrictions, such as a final divorce decree which includes specific denial of visitation rights or a restraining order denying such rights, the non-custodial parent, upon written request may view the student's educational, medical or similar records maintained in such student's cumulative record, receive school progress reports, visit the child briefly at school and have an opportunity to conference with the student's teacher(s).

The Board of Education presumes that the person who enrolls a student in school is the student's custodial parent. Further, the parent with whom the student resides is known as the custodial parent unless a legal document or signed parental agreement indicates otherwise. Verification may be required from the custodial parent.

While both parents can visit the student at school, only the custodial parent has the right to remove the student from school property. Only a verified note from the custodial parent will be cause for exception to this provision. If school personnel anticipate a possible student abduction, law enforcement personnel are to be notified immediately.

The custodial parent has the responsibility to keep the school office informed as to the address of residence, in a manner determined by the school, and how he/she may be contacted at all times. Any legal documents which restrict the rights of the non-custodial parent must be provided by the custodial parent.

(cf. 5113.2 - Attendance and Excuses)
(cf. 5118 - Nonresident Students)
(cf. 5124 - Reporting to Parents)
(cf. 5125/5125.1 - Student Records/Confidentiality)
(cf. 5145.8 Emancipation of Minors)
(cf. 5142.2 - Student Dismissal Precautions)

Legal Reference: Connecticut General Statutes
 10-15b Access of parent or guardian to student's records
 46b-56 Access of records of minor children by non-custodial parent
 Federal Family Educational Rights and Privacy Act of 1974
 Department of Education 34 C.F.R. Part 99 (May 9, 1980 45FR 30802) regs.
 implementing
 FERPA enacted as part of 438 of General Education Provisions Act (20
 U.S.C. 1232g) - parent and student privacy and other rights with respect to
 educational records.

Policy adopted: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

Students

Safety: Student Dismissal Precautions

The school district is legally responsible for the safety of its students during the school day. Therefore, each building Principal will establish procedures to validate requests for early dismissal, to assure that students are released only for proper reasons, and only to authorized person(s).

Staff members shall not excuse any student from school prior to the end of the school day, or into any person's custody without the direct prior approval and knowledge of the building Principal, or his or her designee.

In keeping with these precautions, the following procedures will be adhered to:

- The building Principal or designee shall not excuse a student before the end of the school day without a request for early dismissal by the student's parent or guardian.
- Children of single-parent families will be released only upon the request to the custodial parent; i.e., the parent whom the court holds directly responsible for the child, and who is identified as such on the school record.

Additional precautions may be taken by the school administration, appropriate to the age of students, and as needs arise. Parents shall provide documentation concerning parental rights, including divorce decrees and restraining orders if any.

Students

Student Dismissal Precautions

The building principal of each school in the district shall maintain lists of individuals who are authorized to obtain the release of students in attendance at the school. No student may be released in the custody of any individual, not the parent or guardian of the student, unless the individual's name appears upon the list.

Parents or guardians may submit a list of individuals authorized to obtain the release of their children from school at the time of the child's enrollment.

A parent or guardian may amend a list submitted pursuant to this regulation at any time, in writing.

Certified copies of any court orders or divorce decrees provided by the custodial parent, which restrict a parent's ability to seek the release of their child, shall be maintained by the principal of each school.

If any individual seeks the release from school of a student he or she must report to the school office and present identification deemed satisfactory by the building principal. The principal must check the authorized list and relevant court orders or divorce decrees before a student may be released.

In the event of an emergency the principal may release a student to some individual not appearing on the approved list only if the parent or guardian has been contacted by the principal and has approved the release, and the principal determines that an emergency exists.

Students

Safety: Skateboard/Rollerblade/Scooter and Other Such Recreational Equipment Use

Due to the inherent dangers both to participant and non-participant, combined with the potential liability assumption, the use of skateboard/rollerblade on district grounds is not allowed. Students will be informed they are not allowed to bring their skateboards/rollerblades to school. Skateboards/rollerblades will be confiscated by school authorities and placed in the Principal's office for parents to retrieve.

Students

Safety

School Resource Officer

In order to make schools more orderly, safer and secure, the district may employ police officers to deliver security services as school resources officers (SROs).

It is understood and agreed that the Board of Education and the Police Department officials share the following goals and objectives with regard to the School Resource Officer (SRO) Program in the schools:

1. To foster educational programs and activities that will increase student's knowledge of and respect for the law and the function of law enforcement agencies;
2. To encourage SROs to attend extra-curricular activities held at schools, when possible;
3. To act swiftly and cooperatively when responding to major disruptions and flagrant criminal offenses at school, such as: disorderly conduct by trespassers, the possession and/or use of weapons on campus, the sale and/or distribution of controlled substances, and riots;
4. To report serious crimes that occur on campus and to cooperate with the law enforcement officials in their investigation of crimes that occur at school; and
5. To cooperate with law enforcement officials in their investigations of criminal offenses which occur off campus.
6. To be involved in the development of District and school safety/crisis plans.

Duties include, but are not limited to:

1. The observation and reporting of any unlawful act;
2. The prevention of theft or misappropriation of any item of value;
3. The control of access to premises being protected;
4. The maintenance of order and safety at public activities;
5. Protection of district property, students, staff and persons and property on or about district property or while attending district-sponsored activities.

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

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

Students

Safety

School Resource Officer (continued)

(cf. 5114 – Suspension/Expulsion; Student Due Process)
(cf. 5131 – Student Conduct)
(cf. 5131.2 – Assault)
(cf. 5131.21 – Terrorist Acts/Threats)
(cf. 5131.4 – School Grounds Disturbances)
(cf. 5131.41 – In-School Disturbances)
(cf. 5131.5 – Vandalism)
(cf. 5131.6 – Drugs, Tobacco, Alcohol)
(cf. 5131.61 – Inhalant Abuse)
(cf. 5131.612 – Surrender of Physical Evidenced Obtained from Students)
(cf. 5131.7 – Weapons and Dangerous Instruments)
(cf. 5131.8 – Off School Grounds Misconduct)
(cf. 5131.9 – Gang Activity or Association)
(cf. 5141.6 – Crisis Management)
(cf. 5142 – Safety)
(cf. 5144 – Use of Physical Force)
(cf. 5145.11 – Questioning and Apprehension)
(cf. 5145.12 – Search and Seizure)
(cf. 5145.121 – Vehicle Searches on School Grounds)

Legal Reference: Connecticut General Statutes
 4-176e through 4-180a. Contested Cases. Notice. Record.
 10-220 Duties of boards of education.
 10-233a through 10-233f. Suspension, removal and expulsion of students, as
 amended by PA 95-304, PA 96-244, and PA 98-139.
 53a-3 Definitions.
 53a-217b Possession of Firearms and Deadly Weapons on School Grounds.
 PA 15-168 An Act Concerning Collaboration Between Boards of Education
 and School Resource Officers and the Collection and Reporting of Data on
 School-Based Arrests
 PA 94-221 An Act Concerning School Discipline and Safety.
 GOALS 2000: Educate America Act, Pub. L. 103-227.
 18 U.S.C. 921 Definitions.
 Title III - Amendments to the Individuals with Disabilities Education Act.
 Sec. 314 (Local Control Over Violence)
 Elementary and Secondary Act of 1965 as amended by the Gun Free Schools
 Act of 1994.
 P.L. 105-17 The Individuals with Disabilities Act, Amendment of 1997.
 Kyle P. Packer PPA Jane Packer v. Thomaston Board of Education.

Policy adopted: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

Students

Use of Physical Force

Physical Restraint/Seclusion/Exclusionary Time Out

The Board of Education (Board) believes that maintaining an orderly, safe environment is conducive to learning and is an appropriate expectation of all staff members within the district. To the extent that staff actions comply with all applicable statutes and Board policy governing the use of physical force, including physical restraint of students and seclusion of students, staff members will have the full support of the Board of Education in their efforts to maintain a safe environment.

The Board recognizes that there are times when it becomes necessary for staff to use reasonable restraint or place a student in seclusion as an emergency intervention to protect a student from harming himself/herself or to protect others from harm.

Definitions

Life-threatening physical restraint means any physical restraint or hold of a person that restricts the flow of air into a person's lungs, whether by chest compression or any other means, or immobilizes or reduces the free movement of a person's arms, legs or head while the person is in the prone position.

Psychopharmacologic agent means any medication that affects the central nervous system, influencing thinking, emotion or behavior.

Physical restraint means any mechanical or personal restriction that immobilizes or reduces the free movement of a person's arms, legs or head, including, but not limited to, carrying or forcibly moving a person from one location to another. Excluded from this definition is briefly holding a person in order to calm or comfort the person; restraint involving the minimum contact necessary to safely escort a person from one area to another; medical devices including but not limited to, supports prescribed by a health care provider to achieve proper body position or balance; helmets or other protective gear used to protect a person from injuries due to a fall; helmets, mitts and similar devices used to prevent self-injury when the device is part of a documented treatment plan or individualized education program pursuant to Connecticut's special education laws or prescribed or recommended by a medical professional and is the least restrictive means to prevent such self-injury or an exclusionary timeout.

School employee means a teacher, substitute teacher, school administrator, Superintendent, guidance counselor, psychologist, social worker, nurse, physician, school paraprofessional, or coach employed by the Board of Education or working in a public elementary, middle or high school; or any other individual who, in the performance of his/her duties has regular contact with students and who provides services to or on behalf of students enrolled in the district's schools, pursuant to a contract with the board of education.

Students

Use of Physical Force

Physical Restraint/Seclusion/Exclusionary Time Out

Definitions (continued)

Seclusion means the involuntary confinement of a student in a room, from which the student is physically prevented from leaving. Seclusion does not include an exclusionary time out.

Student means a child (A) enrolled in grades kindergarten to twelve, inclusive, in a public school under the jurisdiction of a local or regional Board of Education, (B) receiving special education and related services in an institution or facility operating under contract with a local or regional Board of Education, (C) enrolled in a program or school administered by a regional education service center, or (D) receiving special education and related services from an approved private special education program, but shall not include any child receiving educational services from Unified School District #2 or the Department of Mental Health and Addiction Services.

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

Conditions Pertaining to the Use of Physical Restraint and/or Seclusion

- A. School employees shall not use a life-threatening physical restraint on a student under any circumstance.
- B. If any instance of physical restraint or seclusion of a student exceeds fifteen minutes an administrator or his/her designee, or a school health or mental health personnel, or a board certified behavioral analyst, who has received training in the use of physical restraint and seclusion shall determine whether continued physical restraint or seclusion is necessary to prevent immediate or imminent injury to the student or to others. Upon a determination that such continued physical restraint or seclusion is necessary, such individual shall make a new determination every thirty minutes thereafter regarding whether such physical restraint or seclusion is necessary to prevent immediate or imminent injury to the student or to others.
- C. No student shall be placed in seclusion unless:
 - a. The use of seclusion is as an emergency intervention to prevent immediate or imminent injury to the student or to others, provided the seclusion is not used for discipline or convenience and is not used as a substitute for a less restrictive alternative.

Students

Use of Physical Force

Physical Restraint/Seclusion/Exclusionary Time Out

Conditions Pertaining to the Use of Physical Restraint and/or Seclusion (continued)

- b. Such student is continually monitored by a school employee during the period of such student's seclusion. Any student voluntarily or involuntarily placed in seclusion or restrained shall be regularly evaluated by a school employee for indications of physical distress. The school employee conducting the evaluation shall enter each evaluation in the student's educational record. Monitor shall mean by direct observation or by observation using video monitoring within physical proximity sufficient to provide aid as may be required.
 - c. The area in which such student is secluded is equipped with a window or other fixture allowing the student a clear line of sight beyond the area of seclusion.
 - d. Seclusion shall not be utilized as a planned intervention in a student's behavioral intervention plan, individualized education program or plan pursuant to Section 504 of the Rehabilitation Act of 1973, as amended from time to time.
- D. School employees may not use a psychopharmacologic agent on a student without that student's consent except (1) as an emergency intervention to prevent immediate or imminent injury to the student or to others, or (2) as an integral part of the student's established medical or behavioral support or educational plan, as developed consistent with Section 17a-543 of the Connecticut General Statutes or, if no such plan has been developed, as part of a licensed practitioner's initial orders. The use of psychopharmacologic agents, alone or in combination, may be used only in doses that are therapeutically appropriate and not as a substitute for other appropriate treatment.
- E. In the event that physical restraint or seclusion is used on a student four or more times within twenty school days:
 - a. An administrator, one or more of such student's teachers, the parent/guardian of such student and, if any, a mental health professional shall convene for the purpose of:
 - i. Conducting or revising a behavioral assessment of the student;
 - ii. Creating or revising any applicable behavioral intervention plan; and
 - iii. Determining whether such student may require special education.
 - b. If such student is a child requiring special education or is a child being evaluated for eligibility for special education and awaiting a determination, such student's planning and placement team shall convene for the purpose of (1) conducting or revising a behavioral assessment of the student, and (2) creating or revising any applicable behavioral intervention plan, including, but not limited to, such student's individualized education plan.

Students

Use of Physical Force

Physical Restraint/Seclusion/Exclusionary Time Out

Conditions Pertaining to the Use of Physical Restraint and/or Seclusion (continued)

- F. The parent/guardian of a student who is placed in physical restraint or seclusion shall be notified not later than twenty-four hours after the student is placed in physical restraint or seclusion. A reasonable effort shall be made to provide such notification immediately after such physical restraint or seclusion is initiated.
- G. School employees shall not use a physical restraint on a student or place a student in seclusion unless he/she has received training on the proper means for performing such physical restraint or seclusion.
- H. The Board of Education, and each institution or facility operating under contract with the Board to provide special education for children, including any approved private special education program, shall:
 - a. Record each instance of the use of physical restraint or seclusion on a student;
 - b. Specify the nature of the emergency that necessitated the use of such physical restraint or seclusion; and
 - c. Include such information in an annual compilation on its use of such restraint and seclusion on students.
- I. The Board and institutions or facilities operating under contract with the Board to provide special education for children, including any approved private special education program shall provide such annual compilation to the Department of Education in order to examine incidents of physical restraint and seclusion in schools.
- J. Any use of physical restraint or seclusion on a student shall be documented in the student's educational record. The documentation shall include:
 - a. The nature of the emergency and what other steps, including attempts at verbal de-escalation, were taken to prevent the emergency from arising if there were indications that such an emergency was likely to arise; and
 - b. A detailed description of the nature of the restraint or seclusion, the duration of such restraint or seclusion and the effect of such restraint or seclusion on the student's established educational plan.
- K. Any incident of the use of restraint or seclusion that results in physical injury to a student shall be reported to the State Board of Education.

Students

Use of Physical Force

Physical Restraint/Seclusion/Exclusionary Time Out (continued)

Required Training and Prevention Training Plan

Training shall be provided by the Board to the members of the crisis intervention team for each school in the district. The Board may provide such training to any teacher, administrator, school professional or other school employee, designated by the school principal and who has direct contact with students regarding physical restraint and seclusion of students. Such training shall be provided during the school year commencing July 1, 2017 and each school year thereafter, and shall include, but not be limited to:

1. An overview of the relevant laws and regulations regarding the use of physical restraint and seclusion on students and the proper uses of physical restraint and seclusion.
2. The creation of a plan by which the Board will provide training regarding the prevention of incidents requiring physical restraint or seclusion of students.
3. The Board will create a plan, to be implemented not later than July 1, 2018, requiring training regarding the proper means of physical restraint or seclusion of a student, including, but not limited to:
 - a. Verbal defusing and de-escalation;
 - b. Prevention strategies;
 - c. Various types of physical restraint and seclusion;
 - d. The differences between life-threatening physical restraint and other varying levels of physical restraint;
 - e. The differences between permissible physical restraint and pain compliance techniques; and
 - f. Monitoring methods to prevent harm to a student who is physically restrained or in seclusion, including training in the proper means of physically restraining or secluding a student.
 - g. Recording and reporting procedures on the use of physical restraint and seclusion.

Students

Use of Physical Force

Physical Restraint/Seclusion/Exclusionary Time Out (continued)

Crisis Intervention Teams

For the school year commencing July 1, 2017 and each school year thereafter, the Board requires each school in the District to identify a crisis intervention team. Such team shall consist of any teacher, administrator, school professional or other school employee designated by the school principal and who has direct contact with student and trained in the use of physical restraint and seclusion.

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

Each member of the crisis intervention team shall be recertified in the use of physical restraint and seclusion on an annual basis. The Board shall maintain a list of the members of the crisis intervention team for each school.

Exclusionary Time Out

Not later than January 1, 2019, the Board establishes this portion of this policy regarding the use of an exclusionary time out, as defined in this policy. This policy regarding exclusionary time outs includes, but need not be limited to, the following requirements:

1. exclusionary time outs are not to be used as a form of discipline;
2. at least one school employee remain with the student, or be immediately available to the student such that the student and school employee are able to communicate verbally, throughout the exclusionary time out;
3. the space used for an exclusionary time out is clean, safe, sanitary and appropriate for the purpose of calming such student or deescalating such student's behavior;
4. the exclusionary time out period terminate as soon as possible; and
5. if such student is a child requiring special education, as defined in C.G.S. 10-76a, or a child being evaluated for special education, pursuant to C.G.S. 10-76d, and awaiting a determination, and the interventions or strategies are unsuccessful in addressing such student's problematic behavior, such student's planning and placement team shall convene as soon as is practicable to determine alternative interventions or strategies.

Students

Use of Physical Force

Physical Restraint/Seclusion/Exclusionary Time Out

Dissemination of Policy

This policy and its procedures shall be made available on the District's website and in the Board's procedural manual. The policy shall be updated not later than sixty (60) days after the adoption or revision of regulations promulgated by the State Board of Education.

(cf. 4148/4248 – Employee Protection)

(cf. 5141.23 – Students with Special Health Care Needs)

(cf. 5144.2 – Use of Exclusionary Time Out Rooms)

Legal Reference: Connecticut General Statutes
 10-76b State supervision of special education programs and services.10-76d Duties and powers of boards of education to provide special education programs and services.
 10-236b Physical restraint and seclusion of students by school employees. (as amended by PA 17-220 and PA 18-51)
 46a-150 Definitions. (as amended by PA 07-147 and PA 15-141)
 46a-152 Physical restraint, seclusion and use of psychopharmacologic agents restricted. Monitoring and documentation required.
 46a-153 Recording of use of restraint and seclusion required. Review of records by state agencies. Reviewing state agency to report serious injury or death to Office of Protection and Advocacy for Persons with Disabilities and to Office of Child Advocate. (as amended by PA 12-88)
 53a-18 Use of reasonable physical force or deadly physical force generally.
 53a-19 Use of physical force in defense of person.
 53a-20 Use of physical force in defense of premises.
 53a-21 Use of physical force in defense of property.
 PA 07-147 An Act Concerning Restraints and Seclusion in Public Schools.
 PA 15-141 An Act Concerning Seclusion and Restraint in Schools.
 State Board of Education Regulations Sections 10-76b-5 through 10-76b-11.

Students

Use of Physical Force

Physical Restraint/Seclusion/Exclusionary Time Out

The Board of Education (Board) seeks to foster a safe and positive learning environment for all students. In compliance with law, Board of Education employees will avoid the use of physical restraint or seclusion of students. However, physical restraint or seclusion of a student by trained school employees may be necessary in an emergency situation to maintain the safety of the student, where harm to the student or others is immediate or imminent.

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

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

I. Definitions

- A. **Life-threatening physical restraint** means any physical restraint or hold of a person that (restricts the flow of air into a person's lungs, whether by chest compression or any other means, or immobilizes or reduces the free movement of a person's arms, legs or head while the person is in the prone position.
- B. **Psychopharmacologic agent** means any medication that affects the central nervous system, influencing thinking, emotion or behavior.
- C. **Physical restraint** means any mechanical or personal restriction that immobilizes or reduces the free movement of a person's arms, legs or head, including, but not limited to, carrying or forcibly moving a person from one location to another. Excluded from this definition is briefly holding a person in order to calm or comfort the person; restraint involving the minimum contact necessary to safely escort a person from one area to another; medical devices including but not limited to, supports prescribed by a health care provider to achieve proper body position or balance; helmets or other protective gear used to protect a person from injuries due to a fall; helmets, mitts and similar devices used to prevent self-injury when the device is part of a documented treatment plan or individualized education program pursuant to Connecticut's special education laws or prescribed or recommended by a medical professional and is the least restrictive means to prevent such self-injury or an exclusionary time out.

Students

Use of Physical Force

Physical Restraint/Seclusion/Exclusionary Time Out

I. Definitions (continued)

- D. **School employee** means a teacher, substitute teacher, school administrator, Superintendent, guidance counselor, psychologist, social worker, nurse, physician, school paraprofessional, or coach employed by the Board of Education or working in a public elementary, middle or high school; or any other individual who, in the performance of his/her duties has regular contact with students and who provides services to or on behalf of students enrolled in the district's schools, pursuant to a contract with the Board of Education.
- E. **Seclusion** means the involuntary confinement of a student in a room from which the student is physically prevented from leaving. Seclusion does not include an exclusionary time out.
- F. **Student** means a child (A) enrolled in grades kindergarten to twelve, inclusive, in a public school under the jurisdiction of a local or regional board of education, (B) receiving special education and related services in an institution or facility operating under contract with a local or regional Board of Education, (C) enrolled in a program or school administered by a regional education service center, or (D) receiving special education and related services from an approved private special education program, but does not include any child receiving educational services from Unified School District #2 or the Department of Mental Health and Addiction Services. A special education student, ages 18 to 21 inclusive, in a transition program is also covered by these regulations.
- G. **Behavior Intervention:** Supports and other strategies developed by the Planning and Placement Team ("PPT") to address the behavior of a person at risk that impedes the learning of the person at risk or the learning of others.
- H. **Exclusionary Time Out:** A temporary, continuously monitored separation of a student from an ongoing activity in a non-locked setting, for the purpose of calming such student or deescalating such student's behavior.

Students

Use of Physical Force

Physical Restraint/Seclusion/Exclusionary Time Out

II. Procedures for Physical Restraint of Students

- A. No school employee shall under any circumstance use a life-threatening physical restraint on a student.
- B. No school employee shall use involuntary physical restraint on a student except as an emergency intervention to prevent immediate or imminent injury to the student or to others.
- C. No school employee shall use physical restraint on a student unless the school employee has received training in accordance with state law and District training plans.
- D. Physical restraint of a student shall never be used as a disciplinary measure, as a convenience, or instead of a less restrictive alternative.
- E. School employees must explore all less restrictive alternatives prior to using physical restraint on a student.
- F. School employees are barred from placing a student in physical restraint until he or she has received training in its proper use.
- G. School employees must comply with all regulations promulgated by the Connecticut State Board of Education in their use of physical restraint.
- H. **Monitoring**
 - a. A trained school employee must continually monitor any student who is physically restrained. The monitoring must be conducted by direct observation of the student, or by video provided the video monitoring occurs close enough for the monitor to provide assistance, if needed.
 - b. A trained school employee must regularly evaluate the person being restrained for signs of physical distress. The school employee must record each evaluation in the educational record of the student being restrained.

III. Procedures for Seclusion of Students

- A. No school employee shall use involuntary seclusion on a student except as follows: as an emergency intervention to prevent immediate or imminent injury to the student or to others.

Students

Use of Physical Force

Physical Restraint/Seclusion/Exclusionary Time Out

III. Procedures for Seclusion of Students

B. Use of Seclusion

1. A school employee may not use seclusion to discipline a student, because it is convenient or instead of a less restrictive alternative.
2. The area in which the student is secluded must have a window or other fixture allowing the student to clearly see beyond the seclusion area.
3. Any room used for seclusion must:
 - a. be of a size that is appropriate to the chronological and developmental age, size and behavior of the student;
 - b. have a ceiling height that is comparable to the ceiling height of the other rooms in the building in which the seclusion room is located;
 - c. be equipped with heating, cooling, ventilation and lighting systems that are comparable to the systems that are used in the other rooms of the building in which the seclusion room is located;
 - d. be free of any object that poses a danger to the student who is being placed in the seclusion room;
 - e. conform by applicable building code requirement and have a door with a lock if that lock is equipped with a device that automatically disengages the lock in case of an emergency. Any latching or securing of the door, whether by mechanical means or by a provider or assistant holding the door in place to prevent the student from leaving the room, shall be able to be removed in the case of any emergency. The locking mechanism to be used shall be a device that shall be readily released by staff as soon as possible but in no case longer than within two minutes of the onset of an emergency and is connected to the fire alarm system so that the locking mechanism is released automatically when a fire alarm is sounded. An “emergency,” for purposes of this subsection, includes but is not limited to the following:
 - i. the need to provide direct and immediate medical attention to the student;
 - ii. fire;
 - iii. the need to remove the student to a safe location during a building lockdown; or
 - iv. other critical situations that may require immediate removal of the student from seclusion to a safe location; and

Students

Use of Physical Force

Physical Restraint/Seclusion/Exclusionary Time Out

III. Procedures for Seclusion of Students/Exclusionary Time Out

B. Use of Seclusion (continued)

- f. Have an unbreakable observation window located in a wall or door to permit frequent visual monitoring of the person at risk and any provider or assistant in such room. The requirement for an unbreakable observation window does not apply if it is necessary to clear and use a classroom or other room in the school building as a seclusion room.
- g. The monitoring of students in seclusion is to be done by direct observation from another room or by video, provided the video monitoring occurs close enough for the monitor to provide aid if needed.
- h. Seclusion shall not be utilized as a planned intervention in a student's behavioral intervention plan, individualized education program (IEP) or plan pursuant to Section 504 of the Rehabilitation Act of 1973, as periodically amended.
- i. Any period of seclusion (1) shall be limited to that time necessary to allow the student to compose him or herself and return to the educational environment and (2) shall not exceed 15 minutes, except that this may be extended for additional periods of up to 30 minutes each, if the Principal or his/her designee, school health or mental health professional, or board certified behavioral analyst trained in the use of restraint and seclusion determines that continued restraint or seclusion is necessary to prevent immediate or imminent injury to the student or to others. Such authorization is to be placed in writing. Where transportation of the student is necessary, the written authorization to continue the use of seclusion is not required if immediate or imminent injury to the person at risk or to others is a concern.
- j. School employees, must explore all less restrictive alternatives prior to using seclusion for a student as an emergency intervention.
- k. School employees must comply with all regulations promulgated by the Connecticut State Board of Education in their use of seclusion for students.
- l. School employees are barred from placing a student in seclusion until he/she has received training in its proper use in accordance with state law and/or District-training plans.

Students

Use of Physical Force

Physical Restraint/Seclusion/Exclusionary Time Out (continued)

IV. Procedures for Exclusionary Time Out for Students

- a. Exclusionary time outs are not to be used as a form of discipline.
- b. At least one school employee shall remain with the student, or be immediately available to the student such that the student and school employee are able to communicate verbally, throughout the exclusionary time out.
- c. The space used for an exclusionary time out must be clean, safe, sanitary and appropriate for the purpose of calming such student or deescalating such student's behavior.
- d. The exclusionary time out period must terminate as soon as possible.
- e. If the student is a child requiring special education, as defined in C.G.S. 10-76a, or a child being evaluated for special education, pursuant to C.G.S. 10-76d, and awaiting a determination, and the interventions or strategies are unsuccessful in addressing such student's problematic behavior, such student's planning and placement team shall convene as soon as is practicable to determine alternative interventions or strategies.

V. Required Meetings

A. Students not Eligible for Special Education (and not being evaluated for eligibility for special education)

1. In the event that physical restraint or seclusion is used on a student four (4) or more times within twenty (20) school days, a team composed of an administrator, one or more of the student's teachers, a parent or guardian of the student, and, if any, a school mental health professional, shall convene to:
 - a. conduct or revise a behavioral assessment of the student;
 - b. create or revise any applicable behavior intervention plan; and
 - c. determine whether such student may require a referral for consideration for special education.

Students

Use of Physical Force

Physical Restraint/Seclusion/Exclusionary Time Out (continued)

V. Required Meetings (continued)

A. Students not Eligible for Special Education

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

B. Students Eligible for Special Education (and students being evaluated for eligibility for special education)

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

1. conduct or revise a functional behavioral assessment ("FBA");
2. create or revise any applicable behavior intervention plan ("BIP"), including but not limited to, such student's individualized education program ("IEP"); and
3. review or revise the student's IEP, as appropriate.

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

VI. Use of Psychopharmacologic Agent

- A. No school employee may use a psychopharmacologic agent on a student without that student's consent and the consent of the student's parent/guardian, except:
 1. As an emergency intervention to prevent immediate or imminent injury to the student or to others; or
 2. As an integral part of the student's established medical or behavioral support or educational plan, or, if no such plan has been developed, as part of a licensed practitioner's initial orders.
- B. The use of psychopharmacologic agents, alone or in combination, may be used only in doses that are therapeutically appropriate and not as a substitute for other appropriate treatment.
- C. Any administration of a psychopharmacologic agent must ONLY be done in accordance with applicable federal and state law and the Board of Education's Administration of Medication Policy. (5141.21)

Students

Use of Physical Force

Physical Restraint/Seclusion/Exclusionary Time Out (continued)

VII. Training of School Employees

The Board will provide training to the members of the crisis intervention team for each school in the district. The Board may provide such training to any teacher, administrator, school paraprofessional and other school employees designated by the school principal and who has direct contact with students. The training shall be provided during the school year commencing July 1, 2017 and annually thereafter.

The training will include, but not be limited to:

1. An overview of the relevant laws and regulations regarding the use of physical restraint and seclusion on students and the proper uses of physical restraint and seclusion. Such overview shall be in a manner and form as prescribed by the State Department of Education.
2. The creation of a plan by which the Board will provide training and professional development regarding the prevention of incidents requiring physical restraint or seclusion of students.
3. The Board will create a plan, to be implemented not later than July 1, 2018, requiring training regarding the proper means of physical restraint or seclusion of a student, including, but not limited to:
 - a. Verbal defusing or de-escalating;
 - b. Prevention strategies;
 - c. Various types of physical restraint and seclusion;
 - d. The differences between life-threatening physical restraint and other varying levels of physical restraint;
 - e. The differences between permissible physical restraint and pain compliance techniques;
 - f. Monitoring methods to prevent harm to a student who is physically restrained or in seclusion, including training in the proper means of physically restraining or secluding a student; and
 - g. Recording and reporting procedures on the use of physical restraint and seclusion.

Students

Use of Physical Force

Physical Restraint/Seclusion/Exclusionary Time Out (continued)

VIII. Crisis Intervention Teams

Annually, each school shall identify a crisis intervention team. Such team shall consist of any teacher, administrator, school paraprofessional or other school employee designated by the school principal and who has direct contact with students and trained in the use of physical restraint and seclusion.

The Crisis Intervention Team will respond to any incident in which the use of physical restraint or seclusion may be necessary as an emergency intervention to prevent immediate or imminent injury to a student or to others.

Each member of the crisis intervention team shall be recertified in the use of physical restraint and seclusion annually. The Board shall maintain a list of the members of the crisis interventional team for each school.

IX. Documentation and Communication

- A. After each incident of physical restraint or seclusion, and no later than the school day following the incident, a school employee must complete the standardized incident report form developed by the Connecticut State Department of Education for reporting incidents of physical restraint and seclusion. The incident form must be included in the educational file of the person at risk who was physically restrained or secluded. The information documents on the form must include the following:
1. in the case of an emergency use, the nature of the emergency and what other steps, including attempts at verbal de-escalation, were taken to prevent the emergency from arising if there were indications that such an emergency was likely to arise;
 2. a detailed description of the nature of the restraint or seclusion;
 3. the duration of the restraint or seclusion; and
 4. the effect of the restraint or seclusion on the student's established behavioral support or educational plan.

Students

Use of Physical Force

Physical Restraint/Seclusion/Exclusionary Time Out

IX. Documentation and Communication (continued)

- B. A school employee must notify the parent or guardian of a student of each incident that the student is physically restrained or placed in seclusion.
 - 1. A reasonable attempt shall be made to notify the parent or guardian of the student on the day of, but no later than twenty-four (24) hours after, physical restraint or seclusion is used as an emergency intervention to prevent immediate or imminent injury to the student or others.
 - 2. Notification may be made by telephone, e-mail, or other method which may include, but is not limited to, sending a note home with the student.
 - 3. The parent or guardian of a student who has been physically restrained or placed in seclusion shall be sent a copy of the completed standardized incident report of such action no later than two (2) business days after the emergency use of physical restraint or seclusion, regardless of whether the parent received the notification described in subsections 1 and 2 above.
- C. The Director of Special Education or his or her designee, must, at each initial PPT meeting for a student, inform the child's parent, guardian, or surrogate parent, or the student if such student is an emancipated minor or eighteen years of age or older, of the laws relating to physical restraint and seclusion as expressed through this regulation, and of the laws and regulations adopted by the Connecticut State Board of Education relating to physical restraint and seclusion.
- D. The Director of Special Education or his or her designee, shall provide to the child's parent, guardian, or surrogate parent, or the student if such student is an emancipated minor or eighteen years of age or older, at the first PPT meeting following the child's referral to special education the plain language notice of rights regarding physical restraint and seclusion developed by the Connecticut State Department of Education.
- E. The plain language notice developed by the Connecticut State Department of Education shall also be provided to the child's parent, guardian, or surrogate parent, or the student if such student is an emancipated minor or eighteen years of age or older at the first PPT meeting at which the use of seclusion as a behavior intervention is included in the child's behavioral support or education plan.
- F. The Director of Special Education or his or her designee, must be notified of the following:

Students

Use of Physical Force

Physical Restraint/Seclusion/Exclusionary Time Out

IX. Documentation and Communication (continued)

1. each use of physical restraint or seclusion on a special education student;
2. the nature of the emergency that necessitated its use;
3. if the physical restraint or seclusion resulted in physical injury to the student.

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

- A. The Director of Special Education or his or her designee, must compile annually the instances of physical restraint and seclusion within the District, the nature of each instance of physical restraint and seclusion.
- B. The Director of Special Education or his or her designee, must report to the Connecticut State Department of Education any instance of physical restraint or seclusion that resulted in physical injury to the student.

Legal References: Connecticut General Statutes

10-76b State supervision of special education programs and services.

10-76b-5 through 10-76b-11 Use of Seclusion & Restraint in Public Schools.

10-236b Physical restraint and seclusion of students by school employees.
(as amended by PA 17-220 and PA 18-51)

10-76d Duties and powers of the boards of education to provide special education programs and services.

10-220 Duties of boards of education.

46a-150-154 Physical Restraint, medication, and seclusion of persons receiving care, education, or supervision in an institution or facility.

Students

Use of Physical Force

Physical Restraint/Seclusion/Exclusionary Time Out

Legal References: Connecticut General Statutes (continued)

46a-153 Recording of use of restraint and seclusion required. Review of records by state agencies. Reviewing state agency to report serious injury or death to Office of Protection and Advocacy for Persons with Disabilities and to Office of Child Advocate. (as amended by P.A. 12-88)
53a-18 Use of reasonable physical force.

P.A. 07-147 An Act Concerning Restraints and Seclusion in Public Schools.

P.A 15-141 An Act Concerning Seclusion and Restraint in Schools

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

Students

Section 504 of the Rehabilitation Act of 1973 (Civil and Legal Rights and Responsibilities)

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

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

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

If the parent or guardian of a student disagrees with the decisions made by the professional staff of the school district with respect to the identification, evaluation, and/or educational placement of his/her child, a parent/guardian has a right to request an impartial due process hearing. The parent or guardian may also file an internal grievance on these issues or any other type of discrimination on the basis of disability by utilizing the complaint procedures outlined in the Board’s Administrative Regulations, and/or may file a complaint with the Office of Civil Rights, U.S. Department of Education.

Any student, parent, guardian or other individual who believes he/she has been discriminated against by or within the district on the basis of a disability may utilize the complaint procedures outlined in the Board’s Administrative Regulations, and/or may file a complaint with the Office of Civil Rights, U.S. Department of Education, 8th Floor, 5 Post Office Square, Suite 900, Boston, MA 02109-0111; 617-289-0111.

Anyone who wishes to file a complaint, or who has questions or concerns about this policy, should contact Director of Pupil Personnel & Special Education Services, Section 504 Coordinator for the Plymouth Public Schools, at 27 North Harwinton Avenue, Terryville, CT 06786, 860-314-8003.

Students

Section 504 of the Rehabilitation Act of 1973 (Civil and Legal Rights and Responsibilities)

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

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

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

Policy adopted: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

Students

Civil, Legal Rights and Responsibility

Statement of Non-Discrimination

In compliance with Title VI, Title IX and Section 504 of the Rehabilitation Act of 1973, the Board of Education does not discriminate on the basis of race, creed, color, national origin, age, sex, sexual orientation, gender identity, marital status, religion, sexual preference or disability in establishing and implementing hiring and employment practices and establishing and providing school activities and educational programs.

Grievance Procedure

I. Informal Level

- A. Any student, parent/guardian, staff member or applicant to a program who feels that he/she has been, discriminated against on the basis of race, color, national origin, religion, sex, sexual preference or disability shall contact the designated Compliance Coordinator (Director of Human Resources) within 30 days of the alleged occurrence to discuss the nature of the complaint.

The Compliance Coordinator shall maintain a written record that shall contain the following:

1. Full name and address of Complainant
 2. Full name and position of person(s) who allegedly discriminated against the Complainant
 3. A concise statement of the facts constituting the alleged discrimination
 4. Dates of the alleged discrimination
- B. At the time the alleged discrimination complaint is filed, the compliance Coordinator will direct the Complainant to the appropriate Principal or Administrator who will investigate the complaint and send a written report to the Coordinator. The Coordinator shall then meet informally with the Complainant and the individuals against whom the complaint was lodged, and shall provide confidential counseling where advisable and shall finally seek an informal agreement between the parties concerned. Every attempt shall be made to seek a solution and resolve the alleged discrimination complaint at this level.

This process shall take no longer than ten (10) working days from the time the complaint was received.

Students

Civil, Legal Rights and Responsibility

Grievance Procedure (continued)

II. Formal Level

If the Complainant is not satisfied with these initial informal procedures and within twenty (20) workdays from the date of the original discussion with the Director, more formal procedures may be initiated by the Complainant to further explore and resolve the alleged discrimination complaint at this level.

- A. The Complainant shall present the written alleged discrimination complaint to the Superintendent or designee who may resolve the complaint alone or with the appropriate principal/administrator.
- B. The Superintendent or designee shall inform all parties of the date, time and place of the grievance hearing and of their right to present witnesses or representatives, if desired. The designee shall provide assistance to the Complainant in understanding the grievance procedure process. A written record of the hearing shall be kept.

The Superintendent or designee shall hear and fully review the case within (15) days of receipt of the discrimination complaint. A written decision shall be sent to the Complainant within (5) days of the hearing.

If the complainant is not satisfied with the Superintendent's recommendation, he/she may submit a written appeal to the Board of Education within fifteen (15) days of the Superintendent's decision.

With at least five (5) days notice given prior to the hearing, the Board of Education shall inform all parties involved of the date, time and place of the hearing and of the right to present witnesses and to have legal counsel or other representation, if desired. The Board of Education shall hear all aspects of the appeal and shall reach a decision within twenty (20) days of receipt of the written appeal. The decision shall be presented in writing to the complainant at its next regularly scheduled meeting.

The time limits as noted throughout may be extended by mutual agreement in writing.

Any person may also file a complaint of illegal discrimination with the Office of Civil Rights, John W. McCormick Post Office and Court House Building, 2nd floor, Post Office Square, Boston, MA 02109 or O.C.R. Washington, D.C. at the same time he/she files a grievance, during or after use of the grievance process, or without using the grievance process at all. If a complaint is filed with the Office of Civil Rights, it must be filed in writing no later than 180 days after the occurrence of the possible discrimination.

Students

Civil, Legal Rights and Responsibility

Grievance Procedure (continued)

Parent/Student Rights

In Identification, Evaluation and Placement, Under Section 504 of the Rehabilitation Act of 1973

The Rehabilitation Act of 1973, commonly referred to as Section 504, is a nondiscrimination statute enacted by the United States Congress. The purpose of the Act is to prohibit discrimination and to assure that disabled students have educational opportunities and benefits equal to those provided to non-disabled students.

An eligible student under Section 504 is a student who (a) has, (b) has a record of having or (c) is regarded as having, a physical or mental impairment which substantially limits a major life activity such as learning, self-care, walking, seeing, hearing, speaking, breathing, working, and performing manual tasks.

Many students will be eligible for educational services under both Section 504 and the Individuals With Disabilities Education Act (IDEA) but entitlement to services under the IDEA or other statutes is not required to receive services under Section 504.

- I. The following is a description of the rights and options granted by federal law to students with disabilities (handicaps). The intent of the law is to keep you fully informed concerning decisions about your child and to inform you of your-rights if you disagree with any of these decisions. You have the right to:
 1. Have your child take part in, and receive benefits from, public education programs without discrimination because of his/her disabling condition.
 2. Have the school district advise you of your rights and options under federal law.
 3. Receive notice with respect to identification, evaluation, or placement of your child.
 4. Have your child receive a free appropriate public education. This includes the right to be educated with non-disabled students to the maximum extent appropriate. It also includes the right to have the school district make accommodations to allow your child an equal opportunity to participate in school and school-related activities.
 5. Have your child educated in facilities and receive services comparable to those provided to non-disabled students.
 6. Have your child receive special education or related services and/or general education intervention/ modifications.

Students

Civil, Legal Rights and Responsibility

Parent/Student Rights (continued)

In Identification, Evaluation and Placement, Under Section 504 of the Rehabilitation Act of 1973 (continued)

7. Have evaluation, educational, and placement decisions made based upon a variety of information sources, and by persons who know the student, evaluation data, and placement options.
8. Have transportation provided to and from an alternative placement setting at no greater cost to you than would be incurred if the student were placed in a program operated by the district.
9. Have your child given an equal opportunity to participate in non-academic and extracurricular activities offered by the district.
10. Examine records relating to your child's educational program, including records relations to identification, evaluation and placement.
11. Obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records. State law provides that you are entitled to receive one free copy of your child's records.
12. A response from the school district to reasonable requests for explanations and interpretations of your child's records.
13. Request amendment of your child's educational records if there is reasonable cause to believe that they are inaccurate, misleading, or otherwise in violation of the privacy rights of your child. If the school district refuses this request for amendment, it shall notify you within a reasonable time, and advise you of the right to a hearing. This hearing will be according to the Family Education Rights and Privacy Act (FERPA).
14. Request mediation, an impartial hearing, or appeal related to decisions or actions regarding your child's identification, evaluation, educational program, or placement. The costs for mediation and/or the hearing are borne by the local school district.

You and the student may take part in the hearing and have an attorney represent you at your expense. If you ultimately prevail on the issues raised at the hearing, you may be entitled to payment of all or part of your attorney's fees.
15. Initiate the hearing process by filing a written request for a hearing with the Superintendent of Schools or designee, indicating the specific areas of disagreement and the remedy that you are requesting. Any such requests should be filed within 45 days of the action or decision with which you disagree.

Students

Civil, Legal Rights and Responsibility

Parent/Student Rights (continued)

In Identification, Evaluation and Placement, Under Section 504 of the Rehabilitation Act of 1973 (continued)

16. File a court action if you are dissatisfied with the hearing decision.
 17. File a local grievance to resolve complaints of discrimination other than those involving the identification, evaluation or placement of a student.
- II. The person in this district who is responsible for assuring that the district complies with Section 504 and the Americans with Disabilities Act (ADA) is:

**Director of Pupil Personnel and Special Education Services
27 North Harwinton Avenue
Terryville, CT 06786
(860) 314-8003**

- III. Organizations and agencies that you may contact to obtain assistance with evaluation/placement questions include, but are not limited to, the following:

A. Federal

Office of Civil Rights
Boston Regional Office

Telephone: (617) 223-9662

B. State

Department of Education
Bureau of Special Education
and Pupil Services

Telephone: (203) 638-4274

C. Low-Cost Legal Services

Legal Aid Society of
Hartford County, Inc.

Telephone: (203) 541-5000

Students

Civil, Legal Rights and Responsibility

In Identification, Evaluation and Placement, Under Section 504 of the Rehabilitation Act of 1973 (continued)

- IV. You also may file a complaint with the Office of Civil Rights, John W. McCormick, Post Office and Court House Building, 2nd Floor, Post Office Square, Boston, MA 02109. Any such complaints must be filed within 180 days of the possible act of discrimination.

Information Regarding – The American With Disabilities Act and Section 504 of the Rehabilitation Act of 1973

The Americans With Disabilities Act (ADA) and Section 504 of the Rehabilitation Act prohibit discrimination against person with a disability in any program receiving Federal financial assistance. A person with a disability is anyone who:

1. Has a mental or physical impairment that substantially limits one or more major life activity (major life activities such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working);
2. Has a record of such impairment; or
3. Is regarded as having such an impairment.

In order to fulfill its obligation under the law, the Plymouth school district recognizes a responsibility to avoid discrimination in its policies and practices. No discrimination against any person with a disability will knowingly be permitted in any of the programs and practices of the school system.

The school district has specific responsibilities under the law, which include the responsibility to identify and evaluate students who may be eligible under Section 504 in order to afford access to appropriate educational services.

If the parent or guardian disagrees with the determination made by the professional staff of the school district, he/she has a right to request a hearing with an impartial hearing officer.

If there are questions, please contact the Civil Rights Coordinator for the school district, at 314-8006 between the hours of 8:00 A.M. and 4:00 P.M.

Students

Police in Schools

Schools are responsible for students during school hours which includes protecting each student's constitutional rights, assuring due process in questioning and arrest, and protecting students from any form of illegal coercion and physical or emotional harm.

When police are investigating possible criminal acts which occurred, or may have occurred, on school property, or while under the jurisdiction of the school district, they may question students at school when the following procedures are observed:

1. Students will be questioned as confidentially and inconspicuously as possible.
2. An attempt will be made to notify the student's parents so that they may be present during the questioning. The school principal, or his/her designee, will be present.

When investigating a possible criminal violation occurring off school grounds or not part of a school program. Police will be encouraged to question students in their homes; however, they may be permitted to question students in the schools when the procedures outlined in 1-3 above are observed.

(cf. 1411 - Law Enforcement Agencies)

Students

Questioning and Apprehension

When a student becomes involved with law enforcement officers, the officer is to be requested to confer with the student at a time when the student is not under the jurisdiction of the school, if this can be arranged. The following steps shall be taken to cooperate with the authorities:

1. The officer shall properly identify himself/herself.
2. Parents are notified immediately, if possible. The principal should make every effort to inform parents or guardians of the interest of the police authorities.
3. The student's parent or guardian, unless the right is waived by the parent or guardian, must be present if the conference is held in the school. If no parent or guardian is present, the principal or the principal's designee must be present.

Police Officer's Rights with Regard to Students

Attorneys generally agree on the following interpretations to three key questions:

1. Have police officers the right to question students within the school?

Police officers have no absolute right to enter school premises and demand to interrogate any student. However, a spirit of cooperation should be extended to any bona fide police or law enforcement official who comes to a school seeking to interrogate students.

2. Have police officers the right to take students from school?

Police officers have no right to remove a student from the school for purposes of interrogation, and this should not be allowed in the absence of the specific consent of parent or guardian.

However, police officers, counselors of the juvenile court, or other authorized law enforcement officials have an absolute right to enter the school to take a student into custody or to make a lawful arrest of a student. However, the officer should be made to display either an order signed by a judge or the juvenile court authorizing him/her to take the student into custody, or to display a warrant for the student's arrest.

The officer need not display a warrant if the officer observed the student commit a violation of law. The officer's oral statement to this effect shall be sufficient. (A witness to this statement is desirable).

If the student is arrested or taken into custody at a school, the school officials shall take immediate steps to notify the parent, guardian or responsible relative of the minor regarding the release of the minor to such officer, and regarding the place to which the minor is reportedly being taken.

Students

Questioning and Apprehension

Police Officer's Rights with Regard to Students (continued)

3. Have the police officers the right to serve a subpoena?

While police officers have the legal right to serve a subpoena at school, the school system believes that the serving officials should be strongly urged to serve these subpoenas at the home of the student whenever possible. The subpoena may be served only in the school office in the presence of the school principal or designee.

In all of these situations, every possible step should be taken to insure a minimum of embarrassment or loss of class time for the student.

The office of the Superintendent should be notified immediately when any of the above actions have occurred.

(cf. 1411 - Relations with Law Enforcement Agencies)

Students

Students/Probation/Police/Courts

Notification to Superintendent when Student Arrested for Felony. Police who arrest an enrolled district student, ages seven to twenty, for a Class A misdemeanor or felony are required by Public Act 94-221 and Public Act 95-304 to notify orally the Superintendent of Schools not later than the school day following the arrest of the identity of the student and the offense or offenses for which the student was arrested and follow up in writing, including a brief description of the incident, not later than seventy-two hours of the arrest.

The Superintendent shall maintain this information confidential in accordance with 46b-124 and in a secure location and disclosed only to the Principal of the school in which such person is a student or to the Principal or supervisory agent of any other school in which the Superintendent knows such person is a student. The Principal may disclose the information only to special services staff or a consultant (such as a psychiatrist, psychologist, or social worker) for the purpose of assessing the danger posed by such person to himself, other students, school employees, or school property and effectuating an appropriate modification of such person's educational plan or placement, and for disciplinary purposes.

Attendance of Students Placed on Probation by a Court. Before allowing a student placed on probation to return to school, the Connecticut court will request from the Superintendent of Schools information on the attendance, adjustment, and behavior of the student along with the Superintendent's recommendation for conditions of sentencing or disposition of the case.

School Officials and Probation Investigations. If requested by the court prior to disposition of a case, the superintendent of schools, or designee, shall provide information on a student's attendance, adjustment, and behavior, and any recommendations regarding the proposed conditions of probation included in the probation officer's investigation report.

School Attendance as a Condition of Probation. Under section 46b-140, a court may include regular school attendance and compliance with school policies on student conduct and discipline as a condition of probation.

Information to Superintendents on a Student Adjudged to be a Delinquent as a Result of Felony. Under section 46b-124 of CGS, courts are required to release the identity of a student adjudged a delinquent as a result of felony to the Superintendent of Schools who may only use this information for school placement and disciplinary decisions.

Information to Superintendents on a Student Adjudged to be a Youthful Offender. Under section 54-761 of CGS, courts are required to release the identity of a student adjudged a youthful offender to the superintendent of schools who may only use this information for school placement and disciplinary decisions.

Students

Students/Probation/Police/Courts (continued)

(cf. 1411 - Law Enforcement Agencies)

(cf. 5145.11 - Police in Schools)

Legal Reference: Connecticut General Statutes

46b-121 re juvenile records

46b-124 re juvenile matters and the law.

46b-134 re school officials and probation investigations.

46b-140 re school attendance and compliance with board policies on student conduct and discipline as a condition of probation.

54-761 re confidentiality of records on youthful offenders.

10-233a through 10-233g re student suspension, expulsion... Public Act 94-221 Public Act 95-304

10-233h Arrested students. Report by police to superintendent, disclosure, confidentiality

Policy adopted: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

Students

Search and Seizure

1. Search of a Student and His/Her Effects

- A. Fourth Amendment rights to be free from unreasonable searches and seizures apply to searches conducted by public school officials. A student and his/her effects may be searched if there are “reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school.” The way the search is conducted should be “reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student and the nature of the infraction.”

2. Search of a Locker, Desk and Other Storage Area

- A. Lockers, desks and other storage areas provided by the school system for use by students are the property of the school system. Such storage areas are provided for the temporary convenience of students only. The Board of Education authorizes the administration and/or law enforcement officials to search lockers and other school property available for use by students for the presence of weapons, contraband or the fruits of a crime if there are reasonable grounds at the inception of the search for suspecting that the search will reveal evidence that the student has violated or is violating either the law or the rules of the school. Moreover, the scope of the search shall be reasonably related to the objectives of the search and shall not be excessively intrusive in light of the age and sex of the student and the nature of the infraction.
 - B. If the school administration reasonably suspects that a student is not maintaining a locker or other storage area assigned to him/her in a sanitary condition, or that the storage area contains items the possession of which is illegal or in violation of school regulations or that endangers the health, safety or welfare of the student or others, it has the right to open and examine the storage area and to seize any such items that are found.
 - C. When required by law and otherwise at the option of the building principal, items that have been seized shall be submitted to the police department for proper disposition. Items not submitted to the police department shall be disposed of as directed by the building principal.
3. The decision to search shall be made by the principal or the principal’s designee. The search shall be made in the presence of at least one witness. Discovery of illegal or dangerous materials shall be reported to the Office of the Superintendent.

Students

Search and Seizure (continued)

Use of drug-detection dogs and metal detectors, similar detective devices; and/or breathalyzers and other passive alcohol screening devices may be used only on the express authorization of the Superintendent, in accordance with such procedures as the Superintendent may devise.

Legal Reference: Connecticut General Statutes

10-221 Boards of education to prescribe rules

54-33n Searches

New Jersey v. T.L.O., 469 US 325; 105 S.Ct.733

Stafford Unified District #1 v. Redding, U.S. Sup. CT 08-479

Policy adopted: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

Students

Search and Seizure

1. Search of a Student and His/Her Effects

- A. All searches of students shall be conducted or directed by an authorized school administrator, i.e., the principal or vice principal, in the presence of a witness.
- B. A search of a student's handbag, gym bag, cellular telephone, personal electronic device or similar personal property carried by a student may be conducted if there are reasonable grounds for suspecting that the search will produce evidence that the student has violated or is violating either the law or the rules of the school. A student's other effects are also subject to the same rule. Effects may include motor vehicles located on school property.
- C. A search of a student's person may be conducted only if there are reasonable grounds at the inception of the search for suspecting that the search will reveal evidence that the student has violated or is violating either the law or the rules of the school. Moreover, the scope of the search shall be reasonably related to the objectives of the search and shall not be excessively intrusive in light of the age and sex of the student and the nature of the infraction. Metal detectors, breathalyzers and/or drug sniffing dogs may be used to detect the presence of contraband, including weapons, drugs or alcohol, in furtherance of this policy and to the extent authorized by law.
- D. Strip searches are prohibited except when there are reasonable grounds for suspecting that such a search will produce evidence of conduct which places students, staff or school property in immediate danger. Such searches may be conducted at the request of the school principal, generally by a member of the police department. During such searches, a member of the school staff shall be present at all times as a witness, and both the police officer conducting the search and the witness shall be of the same sex as the student searched.
- E. Any evidence of illegal conduct or conduct violative of the rules of the school produced as a result of searches according to these regulations shall be subject to seizure. Where required by law and otherwise at the option of the building principal, such evidence shall be submitted to the police department for proper disposition. Evidence not submitted to the Police Department shall be disposed of as directed by the building principal.

2. Search of a Locker, Desk and Other Storage Area

- A. The Board of Education provides lockers, desks, gym baskets and other storage areas in which students may keep and store personal belongings and materials provided by the Board of Education. Such storage areas are the property of the Board of Education.

Students

Search and Seizure

2. Search of a Locker, Desk and Other Storage Area (continued)

- B. No student shall keep or store personal belongings or materials provided by the Board of Education in any storage area other than one provided by the Board of Education and designated for his/her use by the school administration.
- C. Each student shall be responsible for maintaining any storage area assigned to him/her for his/her use in an orderly and sanitary condition.
- D. No student shall keep or store in a storage area assigned to him/her for his/her use any item the possession of which is illegal or in violation of school regulations or that endangers the health, safety or welfare of self or others (such as matches, chemicals, ammunition, weapons, drugs, tobacco, alcoholic beverages, etc.).
- E. The use of lockers and other storage areas by students is a privilege. At all times such storage areas remain the property of the Board of Education. If the school administration reasonably suspects that a student is not maintaining a storage area assigned to him/her in a sanitary condition, or that the locker contains items the possession of which is illegal or in violation of school regulations or that endangers the health, safety or welfare of the student or others, it has the right to open and examine the storage area and to seize any such items that are found. The school administration may authorize law enforcement officials to search lockers/storage areas.
- F. When required by law and otherwise at the option of the building principal, items that have been seized shall be submitted to the police department for proper disposition. Items not submitted to the police department shall be disposed of as directed by the building Principal.

Legal Reference: Connecticut General Statutes
 10-221 Boards of education to prescribe rules
 54-33n Searches
 New Jersey v. T.L.O., 469 US 325; 105 S.Ct.733
 Stafford Unified District #1 v. Redding, U.S. Sup. CT 08-479

Regulation approved: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

Students

On-Campus Recruitment

Subject to the provisions of law, all recruiters, including commercial, military and nonmilitary concerns, recruiters representing institutions of higher education, and prospective employers shall be provided equal opportunities of access to students enrolled in the district's secondary school(s). Access may be granted through programs conducted by the Guidance Department. Such programs may consist of career college fairs, individual school visitations, in-school recruiting.

Except as provided below, military recruiters and institutions of higher education shall, upon request, be given access to the names, addresses and telephone numbers of secondary school students.

On an annual basis, the school district will notify parents/guardians of secondary school students of their right to object to the disclosure of the student's name, address and telephone number to military recruiters or to an institution of higher education. If a secondary school student or the parent/guardian of a secondary school student objects in writing to the disclosure of a student's name, address or telephone number to a military recruiter or an institution of higher education, then the district shall not disclose the student's name, address or telephone number to a military recruiter or an institution of higher education. The objection shall remain in force until the district re-issues the annual notification referenced above, after which time the parents and/or secondary school student must inform the school district in writing again of their objection to the disclosure of the information described above.

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: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

Students

Freedom of Speech/Expression

It shall be the policy of the school district to recognize and protect the rights of student expression. It will maintain a balance of these rights with the interests of an orderly and efficient educational process and of a school environment suitable for the healthy growth and development of all students. This policy will not be implemented on behalf of any other interests.

The school district shall assume no responsibility for the contents of any written material produced, posted, circulated or otherwise distributed, or of student conduct, taken in accordance with this policy, insofar as such matter or conduct may relate to any interests other than those of an orderly and efficient educational process and proper school environments.

In order to protect the educational process and school environment, printed material produced or distributed within the confines of school district property shall meet the following criteria:

1. Material shall be noncommercial.
2. Material shall not contain libelous or obscene language.
3. Material shall not advocate illegal actions.
4. Material shall not contain false statements or innuendoes that would subject any person to hatred, ridicule, contempt or injury of reputation.
5. Material will not imminently threaten to disrupt the educational process of the school.
6. Material shall not advocate action that would endanger the health or safety of students.
7. Material shall not invade the lawful rights of others.
8. Material published, posted or otherwise distributed shall bear the names of at least two students principally involved in the promotion of this material and, when applicable, the name of the sponsoring student organization or group.
9. Material may not be sold on school property, nor can material which seeks a donation or solicits funds be circulated.
10. Distributors of materials will be held responsible for cleaning up litter caused by such distribution.

Students

Freedom of Speech/Expression (continued)

(cf. 1220 - Citizens' Advisory Committees)

(cf. 1312 - Public Complaints)

(cf. 6144 - Controversial Issues)

(cf. 6161 - Equipment, Books, Materials: Provision/Selection)

Legal Reference: *Tinker v. Des Moines Independent Community School District*, 393 U.S. 503 (1969).

Grayned v. City of Rockford, 408 U.S. 104 (1972).

Amendment of U.S. Constitution - Article I.

Connecticut Constitution, Article First, Declaration of Rights, Sections 4, 5.

Academic Freedom Policy (adopted by Connecticut State Board of Education, 9/9/81).

Policy adopted: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

Students

Nondiscrimination

Americans with Disabilities Act

The Board of Education recognizes its responsibility to comply with the letter and spirit of federal and state statutes regarding people with disabilities, including the Americans with Disabilities Act, (ADA) as amended. Discrimination against individuals with a physical or mental impairment is prohibited even if the impairment doesn't substantially limit a major life activity. It is the policy of the Board of Education to provide a free and appropriate education for students with disabilities, regardless of the nature or severity of the student's disability; including those who are in need of special education and related services.

The term "disability" shall be broadly construed. The question of whether an individual's impairment is a disability under the ADA shall not demand extensive analysis.

Definitions

Disability: An individual is disabled if he/she (1) has a physical or mental impairment that substantially limits a major life activity; (2) has a record of such impairment; and (3) is regarded as having such impairment. An impairment that is episodic or in remission is considered a disability if it would substantially limit a major life activity when active.

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

Rules of Construction: These are rules to be applied when determining whether an impairment substantially limits a major life activity to school employees and students. They specify that (1) the term "disability" must be construed broadly in favor of expansive coverage, to the maximum extent permitted by the terms of the ADA; (2) the term "major life activity" must not be interpreted strictly to create a demanding standard and that whether an activity is a major life activity is not determined by reference to whether it is of central importance to daily life; and (3) the term "substantially limits" must be construed broadly in favor of expansive coverage and is not meant to be a demanding standard.

Students

Nondiscrimination

Americans with Disabilities Act

Definitions (continued)

Predictable Assessments: These are impairments that in virtually all cases will result in a determination that an individual has an actual disability because they virtually always can be found to impose a substantial limitation on a major life activity. Such impairments include major depressive disorder, bipolar disorder, schizophrenia, deafness, blindness, intellectual disability, partially or completely missing limbs, autism, cancer, cerebral palsy, diabetes, epilepsy, and HIV. With respect to these types of impairments, the necessary individualized assessment should be particularly simple and straight forward.

The operation of a major bodily function includes the operation of an individual organ within a body system.

Major Life Activity: A major life activity includes, but is not limited to, basic tasks such as caring for oneself, performing manual tasks, seeing, hearing, thinking, walking, eating, sleeping, reading, writing, standing, lifting, bending, speaking, breathing, learning, concentrating, communicating, interacting with others and working. The operation of a major bodily function is to be considered a major life activity. This includes functions of the immune system, normal cell growth, digestive, brain, respiratory, bowel, bladder, neurological, special sense organs and skin, genitourinary, cardiovascular, hemic, lymphatic, circulatory, endocrine, musculoskeletal, and reproductive functions.

Substantially Limits: A person is considered an individual with a disability when one or more of the individual's important life functions are restricted as to the conditions, manner, or duration under which they can be performed in comparison to most people. Ameliorative effects of mitigating measures will not be considered in the classification of a person with a disability. Mitigating measures include medication, prosthetics, hearing aids, oxygen therapy equipment, assistive technology, reasonable accommodations, mobility devices, and low-vision devices which magnify, enhance, or augment a visual image. Ordinary eyeglasses and contact lenses are exempt.

Being Regarded as Having Such Impairment: This means if the individual establishes that he/she has been subject for an action prohibited under the ADA, as amended, because of an actual or perceived physical or mental impairment whether or not the impairment limits or is perceived to limit a major life activity. This does not apply to conditions that are "transitory and minor," having a duration of less than six months.

The District shall not coerce, intimidate, threaten, retaliate against or interfere with any person who attempts to assert a right protected by the above law and will cooperate with investigating and enforcement proceedings under the ADA as well as Section 504, Title IX and Title VI.

Students

Nondiscrimination

Americans with Disabilities Act (continued)

The District shall designate at least one employee to coordinate its efforts to comply with the ADA, in addition to Title IX and Section 504. All students and staff shall be notified annually of the name, address, and telephone number of the designated individual.

(cf. 0521 – Nondiscrimination)

(cf. 4118.11/4218.11 – Nondiscrimination)

(cf. 4118.12/4218.12 – Disabilities)

Legal Reference: Connecticut General Statutes

19-581 through 585 AIDS testing and medical information.

10-209 Records not to be public.

46a-60 Discriminatory employment practices prohibited.

Section 504 and the Federal Vocational Rehabilitation Act of 1973, 20 U.S.C. 706(7)(b).

American Disability Act of 1989 (42 U.S.C. Ch 126 §12112), as amended by ADA Amendments Act of 2008

Amendments of Americans with Disabilities Act, Title II and Title III, Regulation to Implement ADA Amendments Act of 2008. Federal Register, Vol. 81, No. 155 (28 CFR Parts 35 & 36)

Chalk v. The United States District Court of Central California.

Policy adopted: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

Personnel -- Certified/Non-Certified

Students

Title IX

The Board of Education (Board) policy is to maintain a learning and working environment free from any form of sex discrimination or sexual harassment. The Board agrees to comply with Title IX of the Education Amendments of 1972 and the Regulations as amended in the Final Rule promulgated pursuant thereto.

The Board, as required, shall respond whenever any employee has notice of sexual harassment, including allegations of sexual harassment. Title IX applies to persons in this District because its education programs or activities receive Federal financial assistance. This policy applies to all of the District's programs or activities, whether such programs or activities occur on or off campus.

The District's response shall be triggered by notice to a Title IX Coordinator, or to an official with authority to institute corrective measures on the recipient's behalf, which charges a school with actual knowledge.

Definitions

Sex discrimination for purposes of this Title IX policy occurs when an individual, because of his or her sex, is denied participation in or the benefits of any program or activity receiving federal financial assistance. It includes when the District, as an employer, refuses to hire, disciplines or discharges any individual, or otherwise discriminates against an individual with respect to such individual's compensation, terms, conditions or privileges of employment on the basis of the individual's sex.

Sexual harassment for purposes of this Title IX policy includes any of the three types of misconduct on the basis of sex, all of which jeopardize the equal access to education that Title IX is designed to protect:

1. Any instance of *quid pro quo* harassment by a school's employee;
2. Any unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person's equal access to the District's educational programs or activities; or
3. Any instance of sexual assault (as defined in 20 U.S.C.1092 (f)(6)(A)(v)), dating violence (as defined in 34U.S.C. 12291(a)(10)), domestic violence (as defined in 34U.S.C.12291(a)(8)), or stalking, (as defined in 34 U.S.C. 12291(a)(30).

(This definition does not make sexual harassment dependent on the method by which the harassment is carried out.)

Program or activity includes those locations, events, or circumstances over which the District exercises substantial control over both the alleged harasser (respondent) and the context in which the sexual harassment occurred.

Personnel -- Certified/Non-Certified

Students

Title IX

Definitions (continued)

Actual knowledge means notice of sexual harassment or allegations of sexual harassment to the District's Title IX Coordinator or to any employee of the school district.

Title IX Coordinator is the individual designated and authorized by the Board to coordinate the District's Title IX compliance efforts.

Deliberately indifferent means a response to a Title IX sexual harassment report that is not clearly unreasonable in light of the known circumstances.

Complainant is the individual who is alleged to be the victim of conduct that could constitute sexual harassment.

Respondent is the individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

Formal complaint is the document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the District investigate the allegation of sexual harassment.

Document filed by a complainant is a document or electronic submission that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint.

Supportive measures are individualized services reasonably available that are non-punitive, non-disciplinary and not unreasonably burdensome to the other party while designed to ensure equal educational access, protect safety, or deter sexual harassment. These measures are without charge to a complainant or a respondent and may be offered before or after the filing of a formal complaint or when no complaint has been filed.

Notifications

The District shall notify all students, employees, applicants for admission and employment, parents or legal guardians of students, and all unions/bargaining units of the Title IX Coordinator's contact information. Such information shall include the name or title, office address, e-mail address, and telephone number of the Title IX Coordinator. The required contact information shall also be prominently displayed on District and school websites.

Reporting Procedures/Formal Complaint

Any person may report sex discrimination, including sexual harassment, whether or not the person reporting is the person alleged to be the victim of conduct that would constitute sex discrimination or sexual harassment. Such report may be made in person, by mail, by telephone, or by e-mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

Personnel -- Certified/Non-Certified

Students

Title IX

Reporting Procedures/Formal Complaint (continued)

Such report may be made at any time, including during non-business hours, by using the Title IX Coordinator's listed telephone number, e-mail address or by mail to the office address.

Any third party as well as the complainant may report sexual harassment. This includes parents and guardians of students.

At the time of filing a formal complaint, the complainant must be participating in or attempting to participate in the education program or activity of the District with which the formal complaint is filed.

District/School's Mandatory Response Obligations

The District and its schools recognize its mandatory obligations to respond promptly to Title IX sexual harassment in a manner that is not deliberately indifferent, as defined. The following mandatory response obligations will be fulfilled:

1. Supportive measures shall be offered to the person alleged to be the victim ("complainant"). A respondent will not be disciplined without the District first following the Title IX grievance process, which includes investigating formal complaints of sexual harassment.
2. The Title IX Coordinator to discuss promptly with the complainant the availability of supportive measures, consider the complainant's wishes with respect to such measures, inform the complainant of the availability of such measures with or without filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.
3. Follow a grievance procedure that complies with the Title IX Final Rule before the imposition of any disciplinary sanctions or other actions that are not supportive measures, against a respondent.
4. The rights protected under the U.S. Constitution, including the First Amendment, Fifth Amendment and Fourteenth Amendment shall not be restricted when complying with Title IX.
5. Sexual harassment allegations in any formal complaint will be investigated. The formal complaint can be filed by a complainant or signed by the Title IX Coordinator.
6. The complainant's wishes regarding whether the District/school investigates shall be respected unless the Title IX Coordinator determines that signing a formal complaint to initiate an investigation over the wishes of the complainant is not clearly unreasonable in light of the known circumstances.

Personnel -- Certified/Non-Certified

Students

Title IX

District/School's Mandatory Response Obligations (continued)

7. Compliance efforts, where applicable, to be coordinated with special education staff members.

If the allegations in a formal complaint do not meet the definition of sexual harassment contained within this policy, or did not occur in the District's educational; program or activity against a person in the United States, the District will, as required, dismiss such allegations for purposes of Title IX but may still address the allegations in any manner deemed appropriate by the District.

Notice of Allegation to the Parties

The District shall provide notice to the parties upon receipt of a formal complaint and on an ongoing basis if the District decides to include additional allegations during the course of the investigation.

The notice shall inform the parties of the allegations that potentially constitute sexual harassment as defined in this policy and include the identities of the parties involved in the incident, sufficient details about the allegations, including the identities of the parties if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known.

The written notice shall also include notice of the applicable grievance process, and advise the parties that they may have an advisor of their choice and that the parties may inspect and review evidence obtained in the investigation.

The notice shall also inform the parties of any provisions in the District's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

Grievance Process

The District, as required, will utilize a consistent, transparent grievance process for resolving formal complaints of sexual discrimination and/or sexual harassment. Such process, as detailed in the administrative regulation accompanying this policy, applies to all District schools equally.

A presumption that the respondent is not responsible for the alleged conduct shall be maintained until a determination is made regarding responsibility at the conclusion of the grievance process.

Personnel -- Certified/Non-Certified

Students

Title IX

Investigations

Allegations contained in any formal complaint will be investigated. Written notice shall be sent to both the complainant(s) and respondent(s) of the allegations upon receipt of the formal complaint.

During the grievance process and when investigating:

1. The burden of gathering evidence and burden of proof remains with the District.
2. The parties will be provided equal opportunity to present fact and expert witnesses and evidence.
3. The ability of the parties to discuss the allegations or gather evidence shall not be restricted.
4. The parties shall have the same opportunity to select an advisor of their choice, who may be, but need not be, an attorney.
5. The District shall send written notice of any investigative interviews or meetings.
6. The District shall send the parties, and their advisors, evidence directly related to the allegations, electronically or hard copy, with at least 10 days for the parties to inspect, review and respond to the evidence.
7. The District shall send the parties, and their advisors, an investigative report, electronically or hard copy, that summarizes relevant information with at least 10 days for the parties to respond.
8. After the District has sent the investigative report to the parties and before reaching a determination regarding responsibility, the decision maker(s) shall afford each party an opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party.

<p>Note: The final Title IX regulations specify that the decision-maker(s) in the investigation and adjudications of formal complaints cannot be the same person as the Title IX Coordinator or investigator(s).</p>

The District shall dismiss allegations of sexual harassment that do not meet the definition contained in this policy or if such conduct did not occur in a District educational program or activity against a person in the United States. Such dismissal is for Title IX purposes.

Personnel -- Certified/Non-Certified

Students

Title IX

Investigations (continued)

The District, in its discretion, may dismiss a formal complaint or allegations therein if the Title IX Coordinator is informed by the complainant in writing to withdraw the formal complaint or allegations therein, if the respondent is no longer enrolled or employed by the District, or if specific circumstances prevent the District from gathering sufficient evidence to reach a determination.

The District shall give the parties written notice of a dismissal, mandatory or discretionary, and the reasons for such dismissal.

The District, in its discretion, may consolidate formal complaints where the allegations arise out of the same facts.

The privacy of an individual's medical, psychological, and similar treatment records will be protected. Such records will not be accessed by the District unless the party's voluntary, written consent is obtained. [The District cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or para professional acting in their recognized capacity or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the district obtains that party's voluntary, written consent to do so.]

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior, per the Title IX Final Rule, are considered irrelevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or offered to prove consent.

Standard of Evidence and Written Determination

The District's Grievance Process, as required by the Title IX Final Rule, shall state whether the standard of evidence to determine responsibility is the preponderance of evidence standard or the clear and convincing evidence standard. The District shall provide the same standard of evidence to all formal complaints of sexual harassment whether the respondent is a student or an employee, including a faculty member.

The Board has chosen to use as the District's standard of evidence the

- ☒ preponderance of evidence standard. (*previous existing standard*)
☐ clear and convincing evidence standard. (*a higher bar*)

Personnel -- Certified/Non-Certified

Students

Title IX

Standard of Evidence and Written Determination (continued)

The decision maker, who cannot be the Title IX Coordinator or the investigator, shall issue a written determination regarding responsibility with findings of fact, conclusions about whether the alleged conduct occurred, rationale for the result as to each allegation, any disciplinary sanctions imposed on the respondent, and whether remedies will be provided to the complainant.

Such written determination shall be sent simultaneously to the parties and include information about how to file an appeal.

Appeals

The District shall offer both parties an appeal from a determination regarding responsibility and from the District's dismissal of a formal complaint or any allegations therein, based on the following:

1. Procedural irregularity that affected the outcome of the matter;
2. Newly discovered evidence that could affect the outcome of the matter; and/or
3. Title IX personnel (Title IX Coordinator, investigator(s), or decision maker(s)) that had a conflict of interest or bias, that affected the outcome of the matter.
4. Additional reasons identified by the District and offered equally to both parties.

The District shall provide both parties a reasonable opportunity to submit a written statement in support of, or challenging the outcome. The appeal decision-maker shall issue simultaneously to the parties, a written decision describing the appeal result and the rationale for the result. *(The appeal decision-maker may not be the same person as the decision-maker(s) that reached the determination of responsibility or dismissal, the investigator(s) or the Title IX Coordinator.)*

Informal Resolution Process

The District may exercise the option to offer and to facilitate an informal resolution option, such as, but not limited to, mediation or restorative justice, provided both parties give voluntary, informed, written consent to attempt informal resolution.

The Board shall not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, the waiver of the right to a formal investigation and adjudication of formal complaints of sexual harassment. The District will not require the parties to participate in an informal resolution process and will not offer such process unless a formal complaint is filed.

At any time prior to agreeing to a resolution, the Board recognizes the right of any party to withdraw from the informal resolution process and to resume the grievance/investigative process with respect to the formal complaint.

Personnel -- Certified/Non-Certified

Students

Title IX

Informal Resolution Process (continued)

The Board specifically prohibits the offering or facilitating of an informal resolution process to resolve any allegation that an employee sexually harassed a student.

Record Keeping

The District shall maintain for a period of seven years the records of each sexual harassment investigation, any disciplinary sanctions imposed on the respondent or remedies provided to the complainant; any appeal and the results of the appeal; informal resolution, if any, and the results of informal resolution; and the materials used to train coordinators, investigators, decision-makers and facilitators of informal resolution.

The District shall also create and maintain for a period of seven years records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, it shall be documented the basis or the conclusion reached and the measures taken to restore or preserve access to the District's educational program or activity. Reasons must be cited when supportive measures are not provided to a complainant.

Retaliation

The District shall maintain confidentiality regarding the identity of complainants, respondents, and witnesses, except as may be permitted by the Family Educational Rights and Privacy Act (FERPA), as required by law, or as necessary to carry out a Title IX proceeding.

The District expressly prohibits retaliation against any individual for exercising Title IX rights

No school or person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in a Title IX investigation or proceeding.

Complaints alleging retaliation may be filed according to the grievance procedures pertaining to sex discrimination.

The Board recognizes that the following does not constitute retaliation:

1. The exercise of rights protected under the First Amendment of the U.S. Constitution.
2. The charging of an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding, provided, however,

that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a bad faith materially false statement.

The charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX, constitutes retaliation.

Training

The Board shall provide and/or make available training for any person designated as a Title IX coordinator, investigator, and decision maker and any person designated to facilitate an informal resolution process. Such training shall include:

- The definition of sexual harassment under the new Final Rule
- The scope of the District's education programs and activities;
- The manner in which to conduct an investigation and grievance process, including appeals, hearings and informal resolution process, as applicable;
- How to serve impartially, including the avoidance of prejudgment of the facts at issue, conflicts of interest, and bias;
- The promotion of impartial investigations and adjudications of sexual harassment;
- A presumption that the respondent is not responsible for the alleged conduct until a determination is made regarding responsibility at the conclusion of the grievance process;
- Description of the range or list of the possible remedies the district may provide a complainant and disciplinary sanctions that can be imposed on a respondent, following determinations of responsibility;
- The utilization of the preponderance of evidence standard or the clear and convincing evidence standard;
- Issues of relevance of questions and evidence; and
- The creation of the investigative report to fairly summarize relevant evidence.

The District shall, as required, retain its training materials for a period of seven years and to make such materials available on its website (or upon request if the district does not maintain a website).

Nondiscrimination Notice

The Board of Education, in compliance with federal and state law, affirms its policy of equal educational opportunity for all students and equal employment opportunity for all persons. The Board shall not discriminate on the basis of sex in the education programs or activities it operates. This policy of nondiscrimination in the education program or activity also extends to employment and admission.

Personnel -- Certified/Non-Certified

Students

Title IX

Nondiscrimination Notice (continued)

Notice of the Board's nondiscrimination policy and grievance procedure, including how to file or report sexual harassment and how the District will respond shall be provided to applicants for admission and employment; students; parents or legal guardians; and unions or professional organizations holding agreements with the District.

This notice of nondiscrimination shall be posted on district and school websites and placed in any handbooks provided to the above cited groups.

(cf. 0521 – Nondiscrimination)

(cf. 0521.1 – Grievance Procedure for Section 504, Title IX, and Title VII)

(cf. 4118.11/4218.11 – Nondiscrimination)

(cf. 4118.112/4218.112 – Sex Discrimination and Sexual Harassment in the Workplace)

(cf. 5131.911 – Bullying/Safe School Climate Plan)

(cf. 5145.5 – Sexual Harassment)

(cf. 5145.51 – Peer Sexual Harassment)

Legal Reference: United States Constitution, Article XIV
Civil Rights Act of 1964, Title VII, 42 U.S.C. §2000-e2(a).
Equal Employment Opportunity Commission Policy Guidance
(N-915.035) on Current Issues of Sexual Harassment, Effective 10/15/88.
Title IX of the Education Amendments of 1972, 20 USCS §1681, *et seq.*
Title IX of the Education Amendments of 1972, 34 CFR §106, *et seq.*
Title IX Final Rule, 34 CFR §106.45, *et seq.*, May 6, 2020
34 CFR Section 106.8(b), OCR Guidelines for Title IX.
Definitions, OCR Guidelines on Sexual Harassment, Fed. Reg. Vol 62,
#49, 29 CFR Sec. 1606.8 (a) 62 Fed Reg. 12033 (March 13, 1997) and 66
Fed. Reg. 5512 (January 19, 2001)
The Clery Act, 20 U.S.C. §1092(f)
The Violence Against Women Act, 34 U.S.C. §12291(a)
Mentor Savings Bank, FSB v. Vinson 477 US.57 (1986)
Faragher v. City of Boca Raton, No. 97-282 (U.S. Supreme Court, June
26, 1998)

Personnel -- Certified/Non-Certified

Students

Title IX

Legal Reference: continued

Burlington Industries, Inc. v. Ellerth, No. 97-569, (U.S. Supreme Court, June 26, 1998)

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

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

Connecticut General Statutes

46a-60 Discriminatory employment practices prohibited.

Conn. Agencies Regs. §46a-54-200 through §46a-54-207

Constitution of the State of Connecticut, Article I, Section 20.

P.A. 19-16 An Act Combatting Sexual Assault and Sexual Harassment

Personnel -- Certified/Non-Certified

Students

Title IX: Grievance Procedure/Complaint Process

Filing of a Formal Complaint

The Board of Education (Board) encourages all victims of sexual discrimination based on the Title IX policy, whether students or employees, to promptly report such claims. Timely reporting of complaints facilitates the investigation and resolution of such complaints. Any person may report sex discrimination, including sexual harassment, whether or not the person reporting is the person alleged to be the victim of conduct that would constitute sex discrimination or sexual harassment.

Such report may be made in person, by mail, by telephone, or by e-mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

Such report may be made at any time, including during non-business hours, by using the Title IX Coordinator's listed telephone number, e-mail address or by mail to the office address. Any third party as well as the complainant may report sexual harassment. This includes parents and guardians of students.

Any employee who believes that he/she has been sexually harassed or otherwise discriminated against on the basis of sex should submit a complaint to the Title IX Coordinator. If the Title IX Coordinator is the subject of the complaint, the written complaint should be submitted to the Superintendent of Schools.

A student who believes that he/she has been subjected to sex discrimination or sexual harassment, should make a written complaint to The Title IX Coordinator, or to the building principal, or his/her designee. A student may also notify any employee of any school in the District who shall bring the allegation to the attention of the Title IX Coordinator.

The complaint should state the:

1. Name of the complainant,
2. Date of the complaint,
3. Date(s) of the alleged harassment/discrimination,
4. Name(s) of the harasser(s) or discriminator(s),
5. Location/manner where such harassment/discrimination occurred,
6. Names of any witness(es) to the harassment/discrimination,
7. Detailed statement of the circumstances constituting the alleged harassment/discrimination,
and
8. Remedy requested.

Personnel -- Certified/Non-Certified

Students

Title IX: Grievance Procedure/Complaint Process

Filing of a Formal Complaint (continued)

At the time of filing a formal complaint, the complainant must be participating in or attempting to participate in the education program or activity of the District with which the formal complaint is filed.

This grievance/investigative procedure shall be followed before the imposition of any disciplinary sanctions or other actions that are not supportive measures, against a respondent.

Sexual harassment allegations in any formal complaint will be investigated. The formal complaint can be filed by a complainant or signed by the Title IX Coordinator.

The complainant's wishes regarding whether the District/school investigates shall be respected unless the Title IX Coordinator determines that signing a formal complaint to initiate an investigation over the wishes of the complainant is not clearly unreasonable in light of the known circumstances.

If the allegations contained in a formal complaint do not meet the definition of sexual harassment contained within the policy, or did not occur in the District's educational; program or activity against a person in the United States, the District will, as required, dismiss such allegations for purposes of Title IX but may still address the allegations in any manner deemed appropriate by the District.

The District shall keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who made a report or filed a formal complaint of sexual harassment, including any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness except as permitted by the Family Educational Rights and Privacy Act (FERPA) or required by law or to conduct any investigations or judicial proceeding under the final sexual harassment regulations.

Any student or employee making a complaint shall be provided a copy of the Title IX policy and administrative regulation (#4000.1/#5145.44)

Definitions

Sex discrimination for purposes of the Title IX policy occurs when an individual, because of his or her sex, is denied participation in or the benefits of any program or activity receiving federal financial assistance. It includes when the District, as an employer, refuses to hire, disciplines or discharges any individual, or otherwise discriminates against an individual with respect to such individual's compensation, terms, conditions or privileges of employment on the basis of the individual's sex.

Personnel -- Certified/Non-Certified

Students

Title IX: Grievance Procedure/Complaint Process

Definitions (continued)

Sexual harassment for purposes of this Title IX policy includes any of the three types of misconduct on the basis of sex, all of which jeopardize the equal access to education that Title IX is designed to protect:

1. Any instance of *quid pro quo* harassment by a school's employee;
2. Any unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person's equal educational access; or
3. Any instance of sexual assault (as defined in the Clery Act), dating violence, domestic violence, or stalking (as defined in the Violence Against Women's Act).

Program or activity includes those locations, events, or circumstances over which the District exercises substantial control over both the respondent and the context in which the sexual harassment occurred.

Actual knowledge means notice of sexual harassment or allegations of sexual harassment to the District's Title IX Coordinator or to any employee of the school district.

Title IX Coordinator is the individual designated by the Board to coordinate its efforts to comply with Title IX responsibilities.

Complainant is the individual who is alleged to be the victim of conduct that could constitute sexual harassment.

Respondent is the individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

Formal complaint is the document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the District investigate the allegation of sexual harassment.

Supportive measures are individualized services reasonably available that are non-punitive, non-disciplinary and not unreasonably burdensome to the other party while designed to ensure equal educational access, protect safety, or deter sexual harassment. Supportive measures may include counseling, course-related adjustments, modifications of work or class schedules, campus escort services, increased security and monitoring of certain areas of campus, and mutual restrictions on contacts between the parties.

Personnel -- Certified/Non-Certified

Students

Title IX: Grievance Procedure/Complaint Process (continued)

Grievance/Investigative Process

The following investigative procedure will be utilized upon the receipt of a written formal complaint or when knowledge of a sexual harassment allegation is made available to an employee of the District. The District personnel involved in the implementation of this process shall operate under the presumption that the respondent is not responsible (a presumption of innocence) so that the District bears the burden of proof and the standard of evidence is correctly applied.

Step 1: Notification of the Involved Parties

The Title IX Coordinator will notify the involved parties that a complaint exists, and also on an ongoing basis if the District decides to include additional allegations during the course of the investigation, and that an investigation will promptly begin.

The notice shall contain information about the grievance/investigation process, including information about any informal resolution process, and sufficient details about the allegations at hand, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known, and include the identities of the parties involved in the incident, the complainant's and respondent's rights, the policy that the alleged behavior violates, and the contact information for the investigator.

The notice shall contain a statement that the respondent is presumed not responsible for the alleged conduct and that responsibility will be determined at the conclusion of the grievance/investigation process.

The written notice shall also advise the parties that they may have an advisor of their choice, who may be, but does not need to be, an attorney, and that they may inspect and review evidence obtained in the investigation, throughout the investigation.

The notice shall also inform the parties of any provisions in the District's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

The notice can also be used to schedule an intake meeting, either in person or electronically, to discuss basic information about the allegations and to determine the next steps of the investigation.

The District's response shall include refraining from disciplining a respondent without following the Title IX grievance/investigative process, which includes investigating the formal complaint of sexual harassment.

Personnel -- Certified/Non-Certified

Students

Title IX: Grievance Procedure/Complaint Process

Grievance/Investigative Process (continued)

Step 1: Notification of the Involved Parties (continued)

The Title IX Coordinator shall discuss promptly with the alleged victim (complainant) the availability of supportive measures and consider the complainant's wishes with respect to such measures. The complainant shall be offered such measures with or without the filing of a formal complaint. The process for filing a formal complaint will be explained to the complainant.

A complaint may be dismissed if the complainant notifies the Title IX Coordinator at any time that he/she wishes to withdraw the complaint or allegation. The complaint shall also be dismissed if the respondent's enrollment or employment in the District ends, or if specific circumstances prevent the District from gathering evidence sufficient to reach a determination about the complaint.

The District may choose to remove a respondent from its education program or activity on an emergency basis after the District has conducted a safety and risk analysis and determined that such emergency removal is necessary to protect a student or other individual from an immediate threat to physical health or safety.

The District may also, as applicable, place an employee-respondent on administrative leave during the pendency of the grievance/investigative process.

Step 2: Fact Gathering

If the complainant decides to proceed with the investigative process, information is to be gathered related to the allegations. This process shall include, but not be limited to, the collection of documents, audio and video recordings, social media posts, and cell phone records.

The complainant and the respondent are to be interviewed, asking them to explain their side of the occurrence(s) and their relationship with the other party. The names of potential witnesses and any other details that may be pertinent to the investigation shall be sought.

A party's written consent shall be required before using the party's medical, psychological, or similar treatment records during the grievance/investigative process. The District shall not access, consider, disclose, or otherwise use a party's records that are maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in such individual's capacity, unless the District obtains that party's voluntary written consent.

Personnel -- Certified/Non-Certified

Students

Title IX: Grievance Procedure/Complaint Process

Grievance/Investigative Process (continued)

Step 2: Fact Gathering (continued)

All questioning shall exclude evidence about the complainant's sexual predisposition or prior sexual behavior unless such questions and evidence are offered to prove someone other than the respondent committed the conduct alleged by the complainant or if the questions or evidence are offered to prove consent.

The District recognizes that during the time frame needed to promptly conclude the grievance/investigative process there may be temporary delays based on good causes, including but not limited to, law enforcement involvement, absence of a party, witness or advisor, or translation or accommodation needs. Notice of such delays will be provided by the investigator explaining any reasons for the delay.

Step 3: Review and Analysis of Information

The trained Title IX investigator, after collecting as much relevant information as possible, shall evaluate such evidence without prejudgment of the facts at issue and free from conflicts of interest or bias for or against either party.

The investigator shall provide both the complainant and the respondent at least ten days to review the collected and provided information before any determination is reached regarding responsibility. Such review period is to allow for any additional information from either party or the opportunity to address a discrepancy. The decision-maker(s) shall afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party.

The investigator will then review, weigh, analyze, and compare the information to see if there is sufficient information to determine whether a violation occurred.

Step 4: Determine a Violation (Determinations of Responsibility)

A separate decision-maker will determine if a violation has occurred. (The decision –maker is not the same person as the investigator or the Title IX Coordinator.) The District will apply its chosen standard of evidence to determine responsibility. The District shall provide the same standard of evidence to all formal complaints of sexual harassment whether the respondent is a student or an employee, including a faculty member.

Personnel -- Certified/Non-Certified

Students

Title IX: Grievance Procedure/Complaint Process

Grievance/Investigative Process (continued)

Step 4: Determine a Violation (Determinations of Responsibility) (continued)

The Board has chosen to use as the District's standard of evidence the

- ☒ preponderance of evidence standard. (*previous existing standard*)
☐ clear and convincing evidence standard. (*a higher bar*)

The *preponderance of evidence standard* of proof means that the information gathered concludes that the allegations are 'more likely than not' to be true, or more than 50 percent likely. This standard requires more convincing proof than 'probable cause' and less than "beyond a reasonable doubt.

The *clear and convincing evidence standard* of proof means that the evidence points to the allegations being "substantially more probable to be true" than not, or well over 50 percent likely.

Step 5: Written Report and Notification of Outcome to the Parties

After a determination has been made, the final investigative report shall be prepared. The report shall contain the initial allegations, the policy violated, the parties involved, the evidence gathered, a summary of the interviews and any other relevant information, an explanation of how and why the decision-maker reached the conclusions. The written determination shall also include a statement of and rationale for result as to each allegation including a determination of responsibility, any disciplinary sanctions, and whether remedies to restore or preserve equal access to the educational program or activity will be provided.

A copy of the final report shall be sent to each party at least ten days before it is finalized in order to give the respective parties the opportunity to respond.

After the outcome is finalized, a written determination of the outcome shall be sent to both parties. This notice shall include information about the outcome, reasons supporting the determination and, depending on the conclusion, the next steps in the Title IX process.

The District shall implement remedies for a complainant if a respondent is found responsible for sexual harassment. Such remedies should be reasonably calculated to end the discrimination, and appropriate corrective action and/or disciplinary action aimed at preventing the recurrence of the harassment or discrimination, as deemed appropriate by the Superintendent or his/her designee.

Remedies offered may include the same actions described as supportive measures, but remedies need not avoid punishing or burdening the respondent.

Personnel -- Certified/Non-Certified

Students

Title IX: Grievance Procedure/Complaint Process

Grievance/Investigative Process (continued)

Step 6: Appeal Process

After notification to the complainant and respondent of the outcome, either or both parties may appeal the decision in writing, within ten days, to the Superintendent of Schools or his/her designee to request an administrative review. An appeal can be filed on the basis of procedural irregularity that affected the outcome, newly discovered evidence that was not reasonably available at the time of determination and could affect the outcome, and/or conflict of interest or bias of the Title IX personnel (Title IX Coordinator, investigator, or decision maker) that affected or could affect the outcome of the matter. The District reserves its right to offer additional bases for an appeal which shall be offered equally to both parties.

Such written appeal shall be filed within thirty calendar days to the Superintendent of Schools, who shall review the decision maker's written report, the information collected by the Title IX Coordinator and the investigator(s). The Superintendent will determine if further action and/or investigation is warranted. The Superintendent shall respond to the party(s) requesting the appeal within fifteen school days following the receipt of the written appeal request.

<p>Note: The decision maker for an appeal may not be the Title IX Coordinator, investigator, or initial decision maker. The appeal decision maker must have also received the training previously described.</p>

(An alternate appeal process: — Appeal to the BOE who shall hold a hearing within 15 days of receipt of such written request to decide the appeal and respond within 10 days of its decision. Employees to use the grievance procedure set forth in the applicable collective bargaining contract. The BOE would also need to receive the training if this option is utilized)

Step 7: Informal Resolution Process

The District shall offer and facilitate an informal resolution option, such as, but not limited to, mediation or restorative justice, provided both parties, complainant and respondent, give voluntary, informed, written consent to attempt an informal resolution to the complaint.

The Board does require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, the waiver of the right to a formal investigation and adjudication of formal complaints of sexual harassment. The District does not require the parties to participate in an informal resolution process and will not offer such process unless a formal complaint is filed.

Personnel -- Certified/Non-Certified

Students

Title IX: Grievance Procedure/Complaint Process

Grievance/Investigative Process (continued)

At any time prior to agreeing to a resolution, the Board recognizes the right of any party to withdraw from the informal resolution process and to resume the grievance/investigative process with respect to the formal complaint.

The Board will not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

Other Provisions

If a sex discrimination complaint raises a concern about bullying behavior, the Title IX Coordinator shall notify the Safe School Climate Specialist or designee who shall coordinate any bullying investigation with the Title IX Coordinator in order to ensure that any such bullying investigation complies with the requirements of applicable Board policies.

Retaliation against any individual who complains pursuant to the Board's policy is strictly forbidden. The District will take the necessary actions to prevent retaliation as a result of filing a complaint or the involvement of any individual in the grievance/investigative process.

The District shall create and maintain for a period of seven years records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment as detailed in the Title IX policy.

The District, in responding to any claim of sexual discrimination under Title IX, shall never deprive any individual of his/her rights guaranteed under the U.S. constitution.

At any time, a complainant alleging sex discrimination or sexual harassment may file a formal complaint with the Office for Civil Rights, Boston Office, U.S. Department of Education, 8th Floor, 5 Post Office Square, Boston, MA 02109-3921 (1-617-289-0111)

The Title IX Coordinator for the District is the Director of Pupil Personnel and Special Education, whose office is located at 27 North Harwinton Ave, Terryville, CT and whose telephone number is (860)314-8003.

Legal Reference: United States Constitution, Article XIV
 Civil Rights Act of 1964, Title VII, 42 U.S.C. S2000-e2(a).
 Equal Employment Opportunity Commission Policy Guidance
 (N-915.035) on Current Issues of Sexual Harassment, Effective 10/15/88.

Personnel -- Certified/Non-Certified

Students

Title IX: Grievance Procedure/Complaint Process

Legal Reference: (continued)

Title IX of the Education Amendments of 1972, 20 USCS §1681, *et seq.*

Title IX of the Education Amendments of 1972, 34 CFR §106, *et seq.*

Title IX Final Rule, 34 CFR 106.45 *et seq.*, May 6, 2020

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

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

The Clery Act, 20 U.S.C. §1092(f)

The Violence Against Women Act, 34 U.S.C. §12291(a)

Mentor Savings Bank, FSB v. Vinson 477 US.57 (1986)

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

Burlington Industries, Inc. v. Ellerth, No. 97-569, (U.S. Supreme Court, June 26, 1998)

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

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

Connecticut General Statutes

46a-60 Discriminatory employment practices prohibited.

Conn. Agencies Regs. §46a-54-200 through §46a-54-207

Constitution of the State of Connecticut, Article I, Section 20.

P.A. 19-16 An Act Combatting Sexual Assault and Sexual Harassment

PLYMOUTH PUBLIC SCHOOLS

**COMPLAINT FORM REGARDING SEX DISCRIMINATION AND
SEXUAL HARASSMENT**

Name of the complainant: _____

Date of the complaint: _____

Date of the alleged discrimination/harassment: _____

Name or names of the discriminator(s) or harasser(s): _____

Location where such discrimination/harassment occurred: _____

Name(s) of any witness(es) to the discrimination/harassment: _____

Detailed statement of the circumstances constituting the alleged discrimination or harassment:

Signature of Complainant

Date

Students

Sexual Harassment

Harassment of a student by a staff member or another student on the basis of sex creates a harmful academic environment. It is the policy of the Plymouth Board of Education to maintain a learning environment free from harassment, insults or intimidation.

Any sexual harassment of employees by other employees, students to employees, employees to student or students to students is strictly forbidden and will not be tolerated regardless of the working or personal relationship between the parties. It is the policy of the Board of Education to maintain a learning and working environment for students and employees that is free from sexual harassment.

It shall be a violation of this policy for any staff member or any individual subject to the control of the Board of Education to harass a student through conduct or communications of a sexual nature as defined below. It shall also be a violation of this policy for students to harass other students through conduct or communication of a sexual nature as defined below.

Definitions

Sexual Harassment

Sexual harassment is a violation of Title VII of the Civil Rights Act of 1964 as well as Connecticut General Statutes, S46a-60 (a) (8). Sexual harassment is generally defined under both state and federal law as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature where:

- Submission to such conduct is made either explicitly or implicitly a term or condition of any individual's education or
- Submission to or rejection of such conduct by any individual is used as the basis for academic decisions affecting such individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's academic performance or creating an intimidating, hostile, or offensive academic environment.

Types of Sexual Harassment

1. **Verbal:** Includes sexual innuendos, suggestive comments, jokes of a sexual nature, sexual propositions, threats.

Students

Sexual Harassment

Types of Sexual Harassment (continued)

2. **Non-verbal:** Includes sexually suggestive objects or pictures, graphic commentaries, suggestive or insulting sounds, leering, whistling, obscene gestures.
3. **Physical:** Unwanted physical contact, including touching, pinching, brushing the body, coerced sexual intercourse, assault.

Sexual harassment may be overt or subtle. Some behavior which is appropriate in a social setting may not be appropriate in the academic environment. But whatever form it takes verbal, non-verbal or physical - sexual harassment can be insulting and demeaning to the recipient and cannot be tolerated in the academic environment.

Complaint Procedures

Informal Complaints

A student who believes he/she has been subjected to sexual harassment may make a complaint directly to the building Principal, Guidance Counselor, Psychologist or Social Worker. Filing of a complaint or otherwise reporting sexual harassment will not reflect upon the individual's status nor will it affect future grades or academic assignments.

The building Principal or other designated personnel will promptly discuss the complaint with the alleged harasser. Should the alleged harasser admit the allegations, the supervisor is to obtain a written assurance that the unwelcome behavior will stop. The building Principal is to prepare a written report of the incident and inform the student and guardian and the alleged harasser and guardian of the resolution. The student and guardian are to indicate on the Principal's report whether or not he/she is satisfied with the resolution. A copy of the report should be sent to the Title IX Coordinator.

If the complainant is satisfied with the resolution, the incident will be deemed closed. However, the complaint may be reopened for investigation if a recurrence of sexual harassment is reported. The Principal is to inform the complainant to report any recurrence of the harassment or any retaliatory action that might occur. Should the complainant be dissatisfied with the resolution, he/she is to file a formal written complaint. The form is available in the Principal's office or can be obtained from the Title IX Coordinator. If during the Principal's informal attempt to resolve the complaint, the alleged harasser admits the allegations but refuses to give assurance that he/she will refrain from the unwelcome behavior, the Principal is to file a report with the Title IX Coordinator. The report is to indicate the nature of the complaint, a description of what occurred when the Principal informed the alleged harasser of the allegations against him/her, the harasser's response to the allegations, and a recommendation that stronger corrective measures be taken. This report would be accompanied by a formal complaint.

Students

Sexual Harassment

Informal Complaints (continued)

Should the alleged harasser deny the allegations, the Principal is to inform the complainant of the denial and state that a formal written complaint will be required for further formal investigation. The supervisor will file a report with the Title IX Coordinator on what has transpired to date. If the complainant submits a formal complaint, a copy of it should accompany the supervisor's report with a recommendation for further investigation.

Formal complaints may be submitted either to initially report any incidents of sexual harassment, or as a follow-up to an unsatisfactory resolution of an informal attempt to resolve a complaint. In the latter case, the formal written complaint is to be submitted to the Principal originally consulted, who will then forward it to the Title IX Coordinator. In either case, the report must be made within 40 calendar days of the alleged incident.

The formal written complaint will consist of the Sexual Harassment form and a copy of any applicable supervisor reports. The form solicits the specifics of the complaint (e.g. date and place of incident, description of sexual misconduct, names of any witnesses, and any previous action taken to resolve the matter).

Employees also have the right to file a complaint with the Connecticut Commission on Human Rights and Opportunities, or the Federal Civil Rights Office.

Investigating a Complaint

Upon a receipt of a formal or informal complaint, a prompt, thorough, confidential and impartial investigation of the allegations will follow. This investigation will be conducted diligently. Complainants are to be notified of the outcome of the investigation. The investigation and the accompanying report must be completed within 30 working days of the filing of the written complaint, unless extended by the Superintendent.

Remedial Action

If the investigation reveals that sexual harassment has occurred, appropriate actions will be imposed in a manner consistent with any applicable law. Depending on the gravity of the misconduct, these may range from a reprimand up to and including dismissal from employment. When applicable any lost opportunities will be restored to the victims. Anyone subjecting complainants or witnesses to any form of retaliation will also be subject to disciplinary action in the manner prescribed by law.

Students

Sexual Harassment

Remedial Action (continued)

If the investigation reveals that no sexual harassment has occurred, or if the complainant is not satisfied with the remedial action taken after a finding of sexual harassment, the complainant may appeal to the Superintendent. The appeal must include a copy of the original complaint, all relevant reports, the specific action being appealed, and an explanation of why the complainant is appealing. All appeals must be filed within 10 calendar days of the receipt of the report.

Post Remedial Action

Following a finding of sexual harassment, victims will be periodically interviewed by the appropriate supervisory personnel to ensure that the harassment has not resumed and that no retaliatory action has occurred. These follow-up interviews will continue for an appropriate period of time. A report will be made of any victim's response.

Complaint Records

Complainants should receive a copy of any resolution reports filed by the Principal concerning his/her complaint. Copies should also be filed with the Title IX Coordinator.

Investigation in the Absence of Complainant

The Plymouth Board of Education will, in the absence of a victim's complaint, ensure that an investigation is commenced by the appropriate individuals, upon learning of, or having reason to suspect, the occurrence of any sexual misconduct.

Legal Reference: Civil Rights Act of 1964, Title VII, 42 U.S.C. ~2000-e2(a).
Equal Employment Opportunity Commission Policy Guidance (N-915.035)
on Current Issues of Sexual Harassment, effective 10/15/88.
Title IX of the Education Amendments of 1972, 34 CFR Section 106.
Meritor Savings Bank FSB v. Vinson, 477 U.S. 57 (1986)
Gebbs v. Lago Vista Indiana School District, No. 99-1866, (U.S.
Supreme Court, June 26, 1998)
*Office for Civil Rights, U.S. Dept. of Education, Revised Sexual
Harassment Guidance: Harassment of Students by School Employees,
Other Students, or Third Parties* 66 Fed. Reg. 5512 (January 19, 2001)
Davis v. Monroe County Board of Education, No. 97-843 (U.S. Supreme
Court, May 24, 1999).
Connecticut General Statutes
Constitution of the State of Connecticut, Article I, Section 20.

Policy adopted: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

SEXUAL HARASSMENT REPORT FORM

The Plymouth Public Schools maintains a firm policy prohibiting all forms of discrimination based on sex. Sexual harassment against students or employees is sex discrimination. All persons are to be treated with respect and dignity. Sexual advances or other forms of personal harassment by any person, male or female, which create an intimidating, hostile or offensive environment will not be tolerated under any circumstances. Individuals who suspect that they may be victims of sexual harassment shall complete this form and file it with the District Title IX Compliance Officer, Board of Education at 314-8006.

Complainant _____

Home Address _____

Work Address _____

Home Phone _____ Work Phone _____

Date of Alleged Incident(s) _____

Name of person(s) you believe sexually harassed you _____

List any witnesses that were present _____

Where did the incident(s) occur? _____

Describe the incident(s) as clearly as possible, including such things as: what force, if any, was used; any specific verbal statements (i.e. threats, requests, demands, etc.); what, if any, physical contact was involved; what did you do to avoid the situation, etc. (Attach additional pages if necessary.)

This complaint is filed based on my honest belief that _____ has sexually harassed me. I hereby certify that the information I have provided in this complaint is true, correct, and complete to the best of my knowledge and belief.

(Complainant Signature)

(Date)

Received by _____

Signature-District
Title IX Compliance
Officer

(Date)

A copy of this form shall be provided to the complainant.

Students

Exploitation; Sexual Harassment

Sexual Abuse Prevention and Education Program

Definitions

Sexual violence is a multi-layered oppression that occurs at the societal and individual level and is connected to and influenced by other forms of oppression, in particular, sexism, racism and heterosexism. On the societal level, it is the preponderance of attitudes, actions, social norms that perpetuate and sustain environments and behaviors that promote a cultural tolerance, acceptance, and denial of sexual assault and abuse. On an individual level, sexual violence is a wide range of sexual acts and behaviors that are unwanted, coerced, committed without consent, or forced either by physical means or through threats.

Sexual abuse refers to coerced or forced sexual contact or activity that may be ongoing or occurs over time, often within a trusting relationship. Most victims know their perpetrators. Perpetrators are usually older than their victims and may trick or force them into gradually doing the sexual behavior. The sexual behavior may not be violent and may even be pleasurable to the child, who doesn't necessarily know it is wrong. Perpetrators of ongoing sexual abuse control the child/youth through secrecy, shame, or threats. Children cannot consent to sexual contact with adults or older youth, and sexual contact is considered abuse, regardless of whether it includes touching or not.

Sexual assault can be defined as any type of sexual contact or behavior that occurs by force or without consent of the recipient of the unwanted sexual activity. This includes sexual activity such as forced sexual intercourse, forcible sodomy, child molestation, incest, fondling, and attempted rape. It includes sexual acts against people who are unable to consent either due to age or lack of capacity.

Program

The Plymouth Public Schools shall implement the Sexual Abuse and Assault Awareness and Prevention Program identified or developed, in compliance with C.G.S. 17a-101q, by the Department of Children and Families, in collaboration with the Department of Education and other assisting entities, with the goal of informing students and staff about child sexual abuse and assault awareness and available resources. The District's implementation of the Sexual Abuse and Assault Awareness and Prevention Program, per statute, shall be not later than October 1, 2016. The program, for students in Grades K-12, inclusive, shall include, but not be limited to:

Students

Exploitation; Sexual Harassment

Sexual Abuse Prevention and Education Program

Program (continued)

1. Providing teachers instructional modules that may include, but not be limited to:
 - a. Training regarding the prevention and identification of, and response to, child sexual abuse and assault, and
 - b. Resources to further student, teacher and parental awareness regarding child sexual abuse and the prevention of such abuse and assault.

The Board of Education directs the Superintendent develop administrative regulations to address the issues of students obtaining assistance, intervention and counseling options, access to educational resources and procedures for reporting instances of child sexual abuse and assault.

A student shall be excused from participating in classroom instruction regarding sexual abuse and sexual assault upon receipt by the Principal of a written request from the student's parent or guardian.

Any student exempted from the sexual abuse and assault awareness and prevention program shall be provided, during the period of time in which the student would otherwise be participating in such program, an opportunity for other study or academic work.

Reporting Child Sexual Abuse and Assault

Students shall be encouraged to disclose abuse to a trusted adult member of the staff, including, but not limited to, teachers, administrators, nurses, coaches, and counselors. Child abuse reporting procedures will be followed for all acts of violence and sexual abuse against children as delineated in policy #5141.4, "Reporting of Suspected Child Abuse," and its accompanying regulations.

Connecticut General Statutes §17a-101, as amended, requires all school employees including the Superintendent of Schools, school teachers, substitute teachers, administrators, school guidance counselors, school paraprofessionals, licensed nurses, physicians, psychologists, social workers, coaches of intramural or interscholastic athletics, or any other person, who in the performance of his/her duties, has regular contact with students and who provides services to District students, who have reasonable cause to suspect or believe that a child has been abused, neglected, or placed in imminent risk of serious harm to report such abuse and/or neglect in compliance with applicable state statutes.

Students

Exploitation; Sexual Harassment

Sexual Abuse Prevention and Education Program (continued)

Reporting Child Sexual Abuse and Assault

An oral report by telephone or in person shall be made as soon as possible but no later than 12 hours to the Commissioner of Children and Families and to the Superintendent of Schools or his/her designee followed within 48 hours by a written report to the Department of Children and Families.

Reporting suspected abuse and/or neglect of children, in addition to the requirements pertaining to staff training, record keeping and dissemination of this policy, shall be in accordance with the procedures established and set forth in the Administrative Regulation #5141.4.

(cf. 5131.911 – Bullying)

(cf. 5141.4 – Reporting of Suspected Child Abuse)

(cf. 5145.5 – Sexual Harassment)

Legal Reference: Connecticut General Statutes
 17a-101q Statewide sexual abuse and assault awareness and prevention
 program (as amended by Section 415 of the June 2015 Special Session
 Public Act 15-5)
 A Statewide K-12 Sexual Assault and Abuse Prevention and Awareness
 Program developed by DCF, SDE, and Connecticut Alliance (The
 Alliance) to End Sexual Violence.

Policy adopted: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

Students

Exploitation; Sexual Harassment

Sexual Abuse Prevention and Education Program

Prevention Strategy

Schools will design and build their capacity to implement comprehensive prevention strategies that engage students, parents/guardians/caregivers and school personnel. By engaging each of these populations, schools can reduce and prevent abusive sexual behaviors and sexual assault from occurring and create a climate that promotes positive peer relationships.

Students

1. Strengthen students' knowledge, attitudes and skills for healthy relationships by implementation of the DCF/SDE sexual abuse and assault awareness and prevention program.
2. Strengthen students' skills for modeling pro-social behavior and intervening as proactive bystander for the prevention and intervention of abusive behavior and/or sexual assault on campus.
3. Increase awareness among students of students' rights under District policy including how to report and seek help for students who may have experienced sexual abuse or sexual assault.

Parents/Caregivers and School Personnel

1. Strengthen parents/guardians/caregivers' knowledge, attitudes and skills for promoting healthy relationships including positive bystander behavior through workshops, school newsletter, and other events.
2. Strengthen school personnel's (administrators, teachers, coaches, and others) knowledge, attitudes and skills for promoting healthy relationships including modeling pro-social behavior or positive bystander behavior through professional development, utilizing the DCF/SDE developed instructional modules.
3. Increase awareness among parents of students' rights under District policy including how to report and seek help for students who may have experienced sexual abuse or assault.
4. Increase awareness among school personnel of District policy including their responsibility to report incidents and concerns regarding sexual abuse and sexual assault.
5. Increase awareness among parents/caregivers and school personnel of school and community-based resources for students and families.

Students

Exploitation; Sexual Harassment

Sexual Abuse Prevention and Education Program (continued)

School Climate

1. Strengthen positive school climate by engaging students in age-appropriate activities to promote healthy relationships and positive bystander behavior.
2. Reduce risk for sexual abuse and sexual assault by educating school personnel on how to support healthy relationships, implement prevention curricula, and respond effectively to incidents and disclosures.

Reporting Procedure

Students should be encouraged to disclose if they have been sexually abused to any member of the staff whom they trust. The Principal of each school shall establish and prominently publicize to students, staff, volunteers, and parents/guardians, how a report of sexual abuse and assault may be filed either in-person or anonymously and how this report will be acted upon. The victim of sexual abuse and assault or anyone who witnessed an act of sexual abuse or assault, and anyone who has reasonable suspicion that an act of sexual abuse or assault has taken place may file a report.

In addition, members of the staff, as a result of training, should be aware of the signs of child sexual abuse in students which can include, but are not limited to, expressions of shame, guilt/self-blame, difficulty trusting others, low self-esteem, cognitive deficits, depression, mental health problems, poor school performance, unhealthy relationships, self-harm, substance abuse and thoughts or expressions of suicide.

A report must be made when any mandated reporter of the Board of Education, in his/her professional capacity, has reasonable cause to suspect or to believe that a child under the age of eighteen (*Mandated reporters include all school employees, the Superintendent, administrators, teachers, substitute teachers, guidance counselors, school paraprofessionals, coaches of intramural and interscholastic athletics, as well as licensed nurses, physicians, psychologists and social workers either employed by the Board or working in one of the District schools, or any other person who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in District schools*) is in danger of being or has been sexually abused or assaulted.

Any written or oral reporting of an act of sexual abuse or assault shall be considered an official means of reporting such act(s).

Students

Exploitation; Sexual Harassment

Sexual Abuse Prevention and Education Program

Reporting Procedure (continued)

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

1. When an employee of the Board of Education suspects or believes that a child has been sexually abused or sexually assaulted, the following steps shall be taken:
 - a. The employee shall immediately, upon having reasonable cause to suspect or believe that a child has been abused, and in no case later than twelve (12) hours after having such a suspicion or belief, make an oral report by telephone or in person to the Commissioner of Children and Families or the local law enforcement agency. The Department of Children and Families has established a 24-hour Child Abuse and Neglect Hotline at 1-800-842-2288 for the purpose of making such oral reports.
 - b. The employee shall also immediately make an oral report to the Building Principal or his/her designee and/or the Superintendent or his/her designee.
 - c. If a report concerns suspected abuse 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.
 - d. Not later than 48 hours of making an oral report, the employee shall submit a written report to the Commissioner of Children and Families, or his/her representative, containing all of the required information.
 - e. The employee shall immediately, submit a copy of the written report to the Principal and/or Superintendent or the Superintendent's designee.
 - f. If a report concerns suspected sexual abuse by a school employee who possesses a certificate, permit or authorization issued by the State Board of Education, the Superintendent shall submit a copy of the written report to the Commissioner of Education, or his/her representative.

Contents of Reports

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

1. The names and addresses of the child and his/her parents or other persons responsible for his/her care;
2. The age of the child;
3. The gender of the child;
4. The nature and the extent of the child's sexual abuse or assault;

Students

Exploitation; Sexual Harassment

Sexual Abuse Prevention and Education Program

Contents of Report (continued)

5. The approximate date and time the sexual abuse or assault occurred;
6. Information concerning any previous injury or injuries to, or maltreatment or neglect of, the child or his/her siblings;
7. The circumstances in which sexual abuse or assault came to be known to the reporter;
8. The name of the person or persons suspected to be responsible for causing the sexual abuse or assault;
9. The reasons such person or persons are suspected of causing such sexual abuse;
10. Any information concerning any prior cases in which such person or persons have been suspected of causing an injury, maltreatment or neglect of a child; and
11. Whatever action, if any, was taken to treat, provide shelter or otherwise assist, the child.

Investigation of the Report

If the suspected abuser is a school employee, the Superintendent or his/her designee shall thoroughly investigate the report, provided that such investigation does not interfere with or impede the investigation by the Department of Children and Families or by a law enforcement agency. To the extent feasible, this investigation shall be coordinated with the Commissioner of Children and Families and/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. When investigating a report, the Superintendent or his/her designee shall endeavor to obtain, when possible, the consent of parents or guardians or other persons responsible for the care of the child, to interview the 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 or the alleged abusers.

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.

A person reporting child sexual abuse shall provide any person authorized to conduct an investigation into such claim with all information related to the investigation that is in the possession or control of the person reporting child sexual abuse except as expressly prohibited by state or federal law.

Students**Exploitation; Sexual Harassment****Sexual Abuse Prevention and Education Program** (continued)**Evidence of Abuse by Certain School Employees**

After an investigation has been completed, if the Commissioner of Children and Families, based upon the results of such investigation, has reasonable cause to believe that a child has been sexually abused or assaulted by an employee who has been entrusted with the care of a child or has recommended that such employee be placed on the Department of Children and Families Abuse and Neglect Registry, the Commissioner shall notify within five (5) working days after the completion of the investigation into child abuse or neglect by a school employee, the Superintendent and the Commissioner of Education of such finding and shall provide records, whether or not created by the Department of Children and Families, concerning such investigation to the Superintendent and the Commissioner of Education. The Superintendent shall suspend the employee, if not previously suspended, with pay and without diminution or termination of benefits if DCF has reasonable cause that the employee sexually abused a child and recommends the employee be placed on the DCF Child Abuse and Neglect Registry. Not later than 72 hours after such suspension, the Superintendent shall notify the Board of Education and the Commissioner of Education, or his/her representative, of the reasons for the conditions of suspension. The Superintendent shall disclose records received from the Department of Children and Families to the Commissioner of Education and the Board of Education, or its attorney, for the purposes of review of employment status, certification, permit or authorization. Any decision of the Superintendent concerning such suspension shall remain in effect until the Board of Education Acts, pursuant to the provisions of Connecticut General Statutes. The Commissioner of Education shall also be notified if such certified person resigns from his/her employment in the District. Regardless of the outcome of any investigation by 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 sexually abused by a certified, permit or authorized school staff member.

If the contract of employment of a certified school employee holding a certificate, permit or authorization issued by the State Board of Education is terminated as a result of an investigation into reports of child sexual abuse, the Superintendent shall notify the Commissioner of Education, or his/her representative, within 72 hours of such termination.

Evidence of Abuse by Other School Staff

If the investigation by the Superintendent and/or Commissioner of Children and Families did produce evidence that a child has been sexually abused 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.

Students

Exploitation; Sexual Harassment

Sexual Abuse Prevention and Education Program

Evidence of Abuse by Other School Staff (continued)

The District shall maintain records of allegations, investigations and reports that a child has been sexually abused or assaulted by a school employee. Such records will be maintained in the District's Central Office. The records shall include any reports made to the Department of Children and Families. The State Department of Education is to have access to all such records.

The Board shall provide to the Commissioner of Children and Families, upon request for the purposes of an investigation by the Commissioner of Children and Families of suspected child sexual abuse by a teacher employed by the Board, any records maintained or kept in District files. 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 such Board of Education, and records of the personal misconduct of such teacher. (*"Teacher" includes each certified professional employee below the rank of Superintendent employed by a Board of Education in a position requiring a certificate issued by the State Board of Education.*)

The Board of Education shall permit and give priority to any investigation conducted by the Commissioner of Children and Families or the appropriate local law enforcement agency that a child has been sexually abused or assaulted. The Board shall conduct its own investigation and take any disciplinary action, in accordance with the provisions of section 17a-101i of the general statutes, as amended, upon notice from the Commissioner or the appropriate local law enforcement agency that the Board's investigation will not interfere with the investigation of the Commissioner or such local law enforcement agency.

The Department of Children and Families will review, at least annually, with the State Department of Education all records and information relating to reports and investigations that a child has been sexually abused by a school employee, in the Department of Children and Families' possession to ensure that records and information are being shared properly.

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.

Disciplinary Action for Failure to Follow Policy

Any employee who fails to comply with the requirements of this policy and these regulations shall be subject to discipline, up to and including termination of employment.

Students

Exploitation; Sexual Harassment

Sexual Abuse Prevention and Education Program (continued)

Response to Sexual Abuse and Sexual Assault

Schools will develop and implement an effective and consistent response to sexual abuse or sexual assault that takes place on school grounds, while traveling to and from school or a school-sponsored activity, whether on or off campus, as well as abusive behavior expressed through technology using District or school-provided computers, email addresses, or servers.

Students and parents/guardians are to be informed of the District's policy regarding sexual abuse and sexual assault.

Students are to be encouraged to contact the Principal or his/her designee or other school personnel if they or another student has been sexually abused or sexually assaulted. Students will also be encouraged to report to school authorities if they are aware that another student or adult individual has committed sexual abuse or sexual assault.

Support Services

The Principal or designee will first take steps to increase safety and well-being of the student experiencing sexual abuse and/or sexual assault. This might include offering individual or support group counseling for the student experiencing abuse and/or sexual assault at school or by referring the student to a local victim service organization.

Protection Against Retaliation

No retaliation will be taken by the District or by any of its employees or students against any complainant or any participant in the complaint process, including witnesses, and will take steps to ensure there is no retaliation against any involved party, and will respond appropriately to any incident of retaliation. Any person found to have retaliated against another individual for reporting an incident of sexual abuse, harassment or assault will be subjected to the same disciplinary action created in accordance with this policy. Those persons who assist or participate in an investigation of abusive behavior are also protected from retaliation under this policy.

Confidentiality

Any investigation that takes place pursuant to this policy and administrative regulation will, to the maximum extent possible, be conducted in a manner that protects the privacy of the student experiencing sexual abuse and/or sexual assault, complainant, and accused. However, if it is suspected that child abuse has occurred or any law has been violated, such abuse will be reported to the proper authorities. When possible students will be notified and reminded of limits of confidentiality and be made aware of possible reports to outside officials. Notification of the outcome of the investigation will be made in accordance with relevant state and federal law.

Students

Exploitation; Sexual Harassment

Sexual Abuse Prevention and Education Program (continued)

Preclusion

This policy should not be interpreted as preventing a student experiencing sexual abuse and/or sexual assault from seeking redress under any other available law, either civil or criminal.

The District will keep and maintain a confidential written record, including but not limited to, witness statements, investigative reports, and correspondence, from the date any allegation of abusive sexual behavior or sexual assault is reported to District personnel. The information in the written record will include the action taken by the District in response to each allegation.

Roles and Responsibilities

The District will:

1. Ensure that the Superintendent or his/her designee is the individual responsible for implementation of the policy and these procedures and for the provision of technical assistance and training for school personnel on the development and implementation of the steps for a comprehensive prevention strategy and effective and consistent intervention and response to incidents of sexual abuse and sexual assault.
2. Assure students of their rights to be free from sexual abuse and sexual assault including cyber-harassment;
3. Ensure that students know that sexual abuse and sexual assault violate District policy; that abusive behavior should be reported; and that violators will be subject to disciplinary and/or legal action;
4. Expect all personnel to intervene directly or to contact police when necessary, whenever they witness or become aware of an incident of sexual abuse or sexual assault. There is a duty to report to the Principal or his/her designee when any staff member knows or reasonably should have known of an incident of sexual abuse or sexual assault. Any staff member who permits or fails to report an incident of sexual abuse or sexual assault may be subject to disciplinary action.

Students

Exploitation; Sexual Harassment

Sexual Abuse Prevention and Education Program

Roles and Responsibilities (continued)

The School will:

1. Staffing and Notification

- a. The Principal or his/her designee is responsible for implementation of the policy, administrative regulations, the provision of technical assistance and training for school personnel on sexual abuse and sexual assault and effective and consistent intervention and response to incidents of such behavior;
- b. Review policy and procedures on sexual abuse and sexual assault annually with all staff and provide recommendations and/or revisions to the policy and regulations;
- c. Ensure that all staff, students, and parents/caregivers receive the name and contact information at the school and District level, a summary of prohibited behaviors and a summary of this policy at the beginning of the school year, as part of the student handbook and/or information packet, as part of the new student orientation, and as part of the school system's notification to parents;
- d. Create easy public access to the full text of this policy via the school website(s), staff and student handbooks with complaint forms, District policy manuals, contact information etc.; and
- e. Review policy and procedures on sexual abuse and sexual assault annually with all staff and provide recommendations and/or revisions to the policy.

2. Prevention

- a. Engage students, as developmentally appropriate, and school personnel and, if possible, community-based organizations to collaborate on the development and implementation of comprehensive prevention strategies;
- b. Strengthen students' knowledge, attitudes and skills for healthy relationships, social and emotional learning, and pro-social behavior, such as positive bystander behavior through evidence-based or evidence-informed curricula, lesson plans, or other classroom or school-wide activities;
- c. Strengthen parents/caregivers' knowledge, attitudes and skills for promoting healthy relationships, social and emotional learning, such as positive bystander behavior through workshops, school newsletter, and other events;
- d. Strengthen school personnel knowledge, attitudes and skills for promoting healthy relationships and social and emotional learning, such as positive bystander behavior through professional development;

Students

Exploitation; Sexual Harassment

Sexual Abuse Prevention and Education Program

Roles and Responsibilities (continued)

- e. Strengthen positive school climate through positive social norm youth-developed campaigns or activities to promote healthy relationships, social and emotional learning, and/or positive bystander behavior; and
- f. Assure students of their rights to be free from sexual abuse and sexual assault including cyber-harassment and that students know that sexual abuse and sexual assault violate District policy and law; that abusive behavior should be reported; and that violators will be subject to disciplinary action and/or legal action.

3. Intervention and Response

- a. All school personnel are expected to utilize the reporting procedure previously described in this regulation or to contact police directly, when necessary, whenever they witness or become aware of an incident of sexual abuse or sexual assault. There is a duty to report to the Principal or Principal's designee when any staff member knows or reasonably should have known of an incident of sexual abuse or sexual assault.
- b. Staff members must intervene or make a report when they witness, become aware of, or reasonably should have known of an incident of sexual abuse or sexual assault on the campus; while traveling to and from school or a school-sponsored activity; whether on or off campus; or perpetrated using school-owned property such as email addresses and servers.
- c. Each incident reported will be promptly investigated in a manner prescribed by statute that protects the student experiencing abuse and/or sexual assault.
- d. The school will make all efforts to keep a report of sexual abuse or sexual assault and the results of any investigation confidential to the extent permitted by law, except that the abused child and the accused will be notified of the outcome of an investigation consistent with federal and state laws.
- e. Increase students' safety and well-being by assisting student experiencing sexual abuse and/or sexual assaults in accessing legal protection.
- f. Support a student experiencing abuse and/or sexual assaults by offering individual counseling, support groups, and/or referrals to local victim service providers who serve minors. Establish a relationship with a local domestic or sexual violence program and/or health care providers experienced with sexual abuse and/or sexual assault for access to resources and training;

Students

Exploitation; Sexual Harassment

Sexual Abuse Prevention and Education Program (continued)

Providing Instruction

The instructional staff of District schools, subject to the rules of the State Board of Education and the Board of Education, shall teach all statutorily required comprehensive health components including a health education curriculum for students in grades K through 12 in the area of sexual abuse or assault. This instruction shall include teen dating violence, a sexual abuse and assault component that includes, but is not limited to, the definition of dating violence, sexual abuse, sexual assault, the warning signs of abusive behavior, the characteristics of healthy relationships, measures to prevent and stop dating violence, sexual abuse, sexual assault, and community resources available to victims of dating violence, sexual abuse and assault.

**Plymouth Public Schools
Terryville, Connecticut**

Sexual Abuse Prevention and Education Program
Student Program Opt-Out Form

Connecticut Law, Public Act 14-196, mandates that schools provide age-appropriate sexual abuse and assault awareness and prevention education in Kindergarten through Grade 12. The District will be utilizing instructional modules and developmentally appropriate educational material in each school and in all grades.

The age-appropriate materials for students may include skills in recognizing child sexual abuse and assault, boundary violations and unwanted forms of touching and contact, and ways offenders groom or desensitize victims and strategies to promote disclosure, reduce self-blame and mobilize bystanders.

In addition, the instructions will include actions child victims may take to get help, intervention and counseling options for child victims, access to educational resources to help child victims succeed in school and uniform procedures for reporting instances for child sexual abuse and assault to school staff.

The law allows students to opt-out of the awareness program or any part of it if the student's parent or guardian so notifies the District in writing.

Please sign this form **ONLY** if you **DO NOT** want your child to participate in this program.

Child's Name: _____

Child's Grade: _____ Child's Teacher: _____

I DO NOT want my child, named above, to participate in the sexual abuse awareness and prevention program that will be conducted by the _____ School District.

Parent/Guardian Name (Please Print): _____

Parent/Guardian Signature: _____

Date: _____

This form must be received at school by _____

If a parent/guardian does not submit this opt-out form, the student will participate in the program.

Students who do not participate in this program will be provided opportunities for study and/or school work when the student would otherwise be participating in the program.

Students

Student Grievance Procedures (Title IX)

Designation of Responsible Employee

The Board of Education shall designate an individual as the responsible employee to coordinate school district compliance with Title IX and its administrative regulations.

The designee, the District's Compliance Officer, shall formulate procedures for carrying out the policies in this statement and shall be responsible for continuing surveillance of district educational programs and activities with regard to compliance with Title IX and its administrative regulations.

The designee shall, upon adoption of this policy and once each academic year thereafter, notify all students and employees of the District of the name, office address and telephone number of the designee. Notification shall be by posting and/or other means sufficient to reasonably advise all students and employees.

Grievance Procedure

Any student or employee shall have a ready means of resolving any claim of discrimination on the basis of sex in the educational programs or activities of the District.

Dissemination of Policy

The Superintendent of Schools shall notify applicants for admission, students, parents/guardians of elementary and secondary school students, sources of referral of applicants for admission, employees and applicants for employment that it does not discriminate on the basis of sex in the educational programs or activities which it operates and that it is required by Title IX and its administrative regulations not to discriminate in such a manner. The notification shall be made in the form and manner required by law or regulation.

Legal Reference: 20 U.S.C. 1681 – Title IX of the Educational Amendments of 1972

34 C.F.R. Part 106 – Title IX of the Educational Amendments of 1972

Policy adopted: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

Students

Surrogate Parent Program

Any child considered by the school district to require special education and whose natural parents are unavailable as defined by law, or who is a ward of the state, may be provided a surrogate parent by the Superior Court in the manner provided by law. (C.G.S. 10-94f (1))

The function of the surrogate parent will be to act as the child's advocate in the educational decision-making process as specified in the law. (C.G.S. 10-94f (1)(2))

The law makes provisions whereby a parent or legal guardian or the student for whom a surrogate parent has been appointed may contest the surrogate parent appointment. (C.G.S. 10-94g(b))

Legal Reference: Connecticut General Statutes

10-94f Definitions.

10-94g Commissioner of Education to appoint surrogate parent; Procedure for objection to or extension of said appointment. (as amended by PA 00-48 & PA 06-18)

10-94h Term of surrogate parent.

10-94i Rights and liabilities of surrogate parents.

10-94j Regulations re appointment of surrogate parents. (as amended by PA 00-48)

10-94k Funding of surrogate program.

10-233e Notice as to disciplinary policies and actions.

PA 06-18 An Act Concerning Special Education

Section 504 U.S. Rehabilitation Act, 29 U.S.C. 791

17a-110 Permanency plans for children. Contracts with private child-placing agencies. Funding. Sections 243-244 of June Special Session PA 15-5

Policy adopted: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

Students

Emancipation of Minors/Age of Majority

Age of Majority

All students who have reached the age of majority shall be considered students in the same manner as those under the age of eighteen (18). The entire curriculum shall be available to them without special restrictions. The student shall be governed by all regulations formulated for students and shall have equal opportunities to participate in extracurricular and other student activities as was the case prior to the enactment of the policy.

Inasmuch as a student at the age of eighteen (18) has legal control of himself/herself, policies and regulations which heretofore have referred to the parent or guardian will now in a legal sense refer to the student himself/herself.

Unless the school is officially instructed by the individual student who has reached the age of majority to do otherwise, the school will continue to keep the parent or guardian informed as is the case with all other students, so long as the student in question shall continue to reside in the home of the parent or guardian. When a student at the age of eighteen (18) officially makes such a request as outlined above, the school shall so notify the parent or guardian in writing and shall comply with the written request of the student.

Legal Reference: Connecticut General Statutes

1-1d "Minor," "infant," "infancy," "age of majority," defined

46b-150 Emancipation of minor, Procedures

46b-150d Effect of emancipation

Policy adopted: October 11, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

Students

Research Involving Students

All requests for the services of student volunteers in research projects, special studies, and surveys not part of the regular educational program must have parent and the Superintendent of Schools approval.

Staff members shall submit their request through regular administrative channels.