SPECIAL BOARD OF EDUCATION MEETING

Immediately following the DISTRICT BUDGET HEARING on
Monday, APRIL 20, 2026
ROBERTA S. OHOTNICKY LITTLE THEATER
7:00 p.m.
REGIONAL SCHOOL DISTRICT NO. 7
BOARD OF EDUCATION

Regional School District No. 7 Board of Education Mission Statement:

We believe the public education is an essential component of a free and democratic society. In a partnership of family, school, community, and local and state government, our mission is to enable all students to meet high standards, make productive choices in their personal lives, contribute to a diverse global society and act as responsible citizens.

1.0 CALL TO ORDER

2.0 PUBLIC PORTION

3.0 APPROVAL OF MINUTES

- 3.1 April 7, 2026 Third Informal Town Budget Presentation- New Hartford
- 3.2 April 8, 2026 Regular Board of Education Meeting
- 3.3 April 9, 2026 Fourth Informal Town Budget Presentation – Barkhamsted

4.0 REPORTS

- 4.1 Superintendent's Report- S. LePage
- 4.2 Director of Finance and Operations- J. Gaskins

5.0 OLD BUSINESS

- 5.1 2026-2027 Budget Discussion
- 5.2 Updates
- 5.3 2nd Reading and Possible Action on Policy Review Series 5000
  - a. Attendance/Excuses/Dismissal 5113
  - b. Truancy 5113.2
  - c. Suspension and Expulsion/Due Process 5114
  - d. Nonresident Attendance 5118
  - e. Homeless Students 5118.1
  - f. Student Records; Confidentiality 5125
  - g. Health/Medical Records 5125.11
  - h. Weapons and Dangerous Instruments 5131.7
  - i. Hazing 5131.91
  - j. Administering Medications 5141.21
- 5.4 2nd Reading and Possible Action to Rescind Policy listed below:
  - a. Smoking Policy 5131.61

6.0 NEW BUSINESS

- 6.1 Adoption of RSD#7 Budget to take to Annual District Budget Meeting – May 4, 2026
- 6.2 Adoption of Call of Annual District Budget Meeting with Referendum
- 6.3 Authorization of Explanatory Text for the 2026-2027 Budget
- 6.4 Appointment of Auditors – James Gaskins

7.0 CORRESPONDENCE

7.1 SEED(Special Education Expansion and Development) Grant Thank You Letter to Superintendent LePage (RSD#7) from Town: Barkhamsted

7.2 SEED(Special Education Expansion and Development) Grant Thank You Letter to Superintendent LePage (RSD#7) from Town: New Hartford

8.0 OPPORTUNITY FOR PUBLIC TO SPEAK ON AGENDA ITEMS

9.0 ADJOURNMENT

Enclosures: April 7, 2026, Third Informal Town Budget Presentation- New Hartford
April 8, 2026 Regular Board of Education Meeting
April 9, 2026 Fourth Informal Town Budget Presentation – Barkhamsted
Policy Series 5000- 2nd reading

a. Attendance/Excuses/Dismissal	5113
b. Truancy	5113.2
c. Suspension and Expulsion/Due Process	5114
d. Nonresident Attendance (2 versions to review)	5118
e. Homeless Students	5118.1
f. Student Records; Confidentiality	5125
g. Health/Medical Records	5125.11
h. Weapons and Dangerous Instruments	5131.7
i. Hazing	5131.91
j. Administering Medications	5141.21
Rescind Policy listed below:	
a. Smoking Policy	5131.61

Motions for:

6.1 Adoption of RSD#7 Budget to take to Annual District Budget Meeting – May 4, 2026

6.2 Adoption of Call of Annual District Budget Meeting with Referendum

6.3 Authorization of Explanatory Text for the 2026-2027 Budget

Explanatory Text for the 2026-2027 Budget for Item 6.3
SEED GRANT Thank You Letter from Town-Barkhamsted
SEED GRANT Thank You Letter from Town- New Hartford

Next Meetings:	May 4, 2026	@ 7:00 p.m. – District Budget Meeting - R7 Little Theater
	May 5, 2026	REFERENDUM
	May 13, 2026	@6:00 p.m. - Reg BOE Meeting Library Media Center
	May 27, 2026	@6:00 p.m. - Reg BOE Meeting Library Media Center

We welcome the public to share their comments via publicinput@nwr7.org. Your emails will be considered during the Public Comment session of the meeting. Thank you for your participation.

REGIONAL SCHOOL DISTRICT NO. 7

New Hartford
Budget Presentation
April 7, 2026 – 7:00 p.m.
DRAFT

PRESENT: Chair Ms. Molly Sexton Read (B), Vice-Chair Mr. Robert Jerram (NH), Ms. Deborah Bell (N), Mr. Noel Gauthier (NH), Ms. Mimi Duran (B), Superintendent Steven K. LePage, Director of Finance & Operations Mr. James Gaskins.

CALL TO ORDER: Ms. Kerry Guilfoyle called the Proposed Budget Meeting to order at 7:00 p.m.

BUDGET PRESENTATION

Ms. Sexton Read began the meeting by greeting everyone and thanking them for being present. She then began the presentation with an overview of where the budget proposal currently stands.

- **Budget Commitments & Vision:** The proposal is driven by commitments to transparency, conscientious resource management, and the maintenance of high-quality education aligned with the "Vision of a Graduate" attributes.
- **Historical Context:**
  - Proposed Budget Increase: 1.74%.
  - Proposed Assessment Increase: 1.73% (minimized due to revenues and designated assessment offsets).
- **Budget Drivers & Cost Controls:**
  - **Special Education:** Outplacements are lower than in previous years. The district is budgeting conservatively regarding state Excess Cost grant reimbursement, projecting approximately 70% reimbursement.
  - **Benefits:** Anthem's rate increase was at 9.4% before this meeting, but it has since been announced that there will be a decrease. Further reductions have not yet been incorporated into this budget. Discussion on this will take place at the Special Meeting following the budget presentation.
  - **Salaries:** Contractual settlements remain high statewide, but costs were mitigated via Board-approved retirement incentives.
  - **Efficiency Measures:** The district is transitioning to a full suite of ADP programs for payroll, time/attendance, and insurance. While this implementation has associated costs, it will yield immediate efficiencies and, ultimately, a reduction in staffing needs within the business office.

- **School Highlights & Needs:**
    - **Middle School:** Focus on a Multi-Tiered System of Supports (MTSS) for behavioral/academic support, mental health resources, and Positive Behavioral Interventions and Supports (PBIS), utilizing behavioral reinforcement tickets to acknowledge students for positive behaviors within the school community.
    - **High School:** Highlighted pictures included the pep band, House of Heroes community project, theater productions, and the upcoming Financial Reality Fair. Highlighted data points included strong AP and dual credit course participation, with high success rates (scores of 3 or higher). SAT scores for the Class of 2026 show significant cohort growth, exceeding state averages.
- **Object Breakdown (Major Changes):**
    - **Salaries:** Net increase of $75,493 (0.60%), despite a 4.4% contractual increase for teachers, due to five retirements and the need to replace only one of those positions. This object category includes an expansion of the Athletic Director position, resulting in a full-time position titled Director of Student Affairs. There is also a placeholder for the salary of after-school-hours security staff.
    - **Benefits:** Total increase of $265,713, representing two-thirds of the overall budget increase.
    - **Professional/Technical Services:** Increased nearly 10%, driven by Shared Services assessment (up 3.45%), ADP software implementation, and instructional technology cost increases.
    - **Property Services:** Increased 2.83%. Noted an increase in snow removal costs (9.28%).
    - **Other Purchased Services:** Declined by $208,334 or 5.79% due to lower special education transportation and tuition costs, combined with $242,000 in Excess Cost Grant offsets.
    - **Supplies:** Increased due to necessary textbook replacements for High School Science and Social Studies, among other supply account needs, reflecting higher supply costs.
    - **Capital Outlay:** Maintaining flat funding at $200,000.

Town Assessments: Based on shifts in Average Daily Membership (ADM)

- Barkhamsted: 2.23% increase.
- Colebrook: 1.91% decrease.
- New Hartford: 1.88% increase.
- Norfolk: 3.72% increase.

Ms. Sexton Read opened the floor for comments and questions. One community member asked several follow-up questions, including:

- Are we paying for the costs of students who don't come from our sending towns? (No, there is a per-pupil cost determined by the average cost per student, and students who attend from other towns pay tuition at that rate.
- How is the assessed tax calculated? (Addressed by Ms. Guilfoyle)

- Where do rental fees come from? (Ms. Sexton Read shared sources of rentals from building use by outside organizations renting building spaces)
- Do teachers contribute to their health insurance? (Ms. Sexton Read shared that they do pay a share of the insurance cost per their contract).
- Who are our auditors, and why do we use them when there could be cheaper options? Why don't we have a less extensive audit conducted? (Ms. Sexton Read responded that we have been happy with this company, and that the audit includes the required components of the State of Connecticut. Ms. Sexton Read also shared that we would take her recommendation to look at other companies under advisement.)
- Why do we pay for students through age 21? (Ms. Sexton Read shared that this is per state law requirements. Superintendent LePage shared that the HTA Program takes out-of-district tuition students, which more than offsets the costs of this program and serves as a revenue through Shared Services, which oversees this program.)

Another community member asked where the expenses for the retirement incentive are coming from. (Ms. Sexton Read shared that these costs were included in the budget being presented, and explained the two options of $10,000 cash, or a year of the insurance coverage at the contracted cost share).

Another resident asked how much the cost is per student. (Ms. Sexton Read shared the per pupil expenditure slide information again and showed that it was just under $30,000 for the current year, due to lower enrollment and increased costs.)

Another community member expressed concerns over any increase and made remarks about the need to have no increase, among suggestions to freeze contracts and reduce our budget. (Ms. Sexton Read listened and shared the challenge of rising costs and the need to balance costs while ensuring an excellent education.)

The budget presentation ended at 7:40 p.m.

REGIONAL SCHOOL DISTRICT NO. 7
Newbury Library Media Center
Board of Education Regular Meeting
April 8, 2026 6:00 pm
DRAFT

PRESENT: Chair Ms. Molly Sexton Read (B), Ms. Kim Crone (N), Ms. Deb Bell (N), Ms. Terri Kenneson (C), Secretary / Treasurer, Mr. Noel Gauthier (NH), Vice-Chair Mr. Robert Jerram (NH), Ms. Lisa Fragale (C) via phone, Ms. Mimi Duran (B), Student Representatives Amaya Washington and Mia Doyle, Director of Finance & Operations Mr. James Gaskins, Superintendent Steven K. LePage, High School Principal Gary Franklin, Middle School Principal Ryan Cornelius
Absent: None

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1. CALL TO ORDER

The meeting was called to order at 6:02 PM by the Board Chair.

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2. PUBLIC PORTION

John DeShazo (Theater Director) & Anne DeCerbo (Co-Director):

- Provided an overview of the theater program's educational impact, emphasizing the application of geometry and physics in set design.
- Raised concerns regarding the **2027–2030 contract stipends**, estimating an effective hourly rate of **$4–$7/hour** based on 566 annual work hours.
- Highlighted safety concerns regarding the auditorium's **1980s-era wiring** and requested a formal performance review of the program.
- Superintendent LePage acknowledged the program's value and committed to reviewing the contract and facility issues with the administration.

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3. APPROVAL OF MINUTES

3.1 Motion by Terri Kenneson, seconded by Kim Crone, to **APPROVE** the minutes for the March 18, 2026, Budget Presentation. AYE: Ms. Sexton Read, Mr. Jerram, Mr. Gauthier, Ms. Crone, Ms. Kenneson and Ms. Bell. Nay: none. Abstain: Ms. Fragale and Ms. Duran.

3.2 Motion, by Terri Kenneson, seconded by Deb Bell, to **APPROVE** the minutes for the Budget Presentation on March 23, 2026. AYE: Ms. Sexton Read, Mr. Jerram, Mr. Gauthier, Ms. Crone, Ms. Kenneson and Ms. Bell. Nay: none. Abstain: Ms. Fragale and Ms. Duran.

3.3 Motion by Terri Kenneson, seconded by Deb Bell, to **APPROVE** the minutes for the Special Meeting on March 23, 2026. AYE: Ms. Sexton Read, Mr. Jerram, Mr. Gauthier, Ms. Crone, Ms. Kenneson, and Ms. Bell. Nay: none. Abstain: Ms. Fragale and Ms. Duran.

4 REPORTS

4.1 Student Representatives: Reported on the transition to Quarter 4, the successful run of the *Addams Family* musical, and the completion of SAT/NGSS testing for juniors.

4.2 Principal Cornelius (MS): Highlighted a successful Family Night (30–40 families) and upcoming 6th-grade transition visits on April 27.

Principal Franklin (HS): Reported that 50% of the 2026–27 master schedule is complete. Announced end-of-year dates (Junior Prom: May 2; Senior Prom: May 22; Graduation: June 15).

4.3 Superintendent LePage:

- **Strategic Planning:** Updates on leadership transitions and upcoming interviews for the Director of Athletics and Student Affairs and English positions.
- **AI Policy:** Reviewed faculty survey results and professional development plans for AI integration and academic integrity.
- **Kindness in Motion:** 18 grants awarded. Benefit concert scheduled for May 1 featuring the "Bored of Ed" band.

4.4 Director of Finance Gaskins:

- **Vo-Ag Roof:** Subcontractor claim filed against the performance bond; final payment withheld pending repair of cupola leaks and other items on the punch list.
- **ADP Transition:** Progressing with payroll/HR system migration.

5. OLD BUSINESS

5.1 2026-27 Budget: Consensus reached to advance the current budget.

5.2 Security Position Discussion: The Board reached consensus on posting an **Armed Security Officer (ASO)** position for after-hours coverage. Members emphasized the need for a retired law enforcement professional to account for isolation and response times.

6. NEW BUSINESS

6.1 Adoption of budget to take to the Annual Budget Hearing

Motion by Kim Crone, seconded by Terri Kenneson, to **ADOPT** the 2026-2027 Regional School District No.7 Proposed Budget of $25,257,227.00, representing a 1.74% increase over the 2025-2026 Adopted Budget, to take to the Annual Regional Budget Hearing on April 20, 2026.

AYE: Ms. Sexton Read, Mr. Jerram, Mr. Gauthier, Ms. Crone, Ms. Bell, Ms. Fragale, Ms. Kenneson, and Ms. Duran. NAY: None.

6.2 Facilities Condition Assessment

Motion by Noel Gauthier, seconded by Deb Bell, to **AWARD** the contract for the Facilities Condition Assessment to Kaestle Boos Associates, Inc. including an energy audit. AYE: Ms. Sexton Read, Mr. Jerram, Mr. Gauthier, Ms. Crone, Ms. Bell, Ms. Fragale, Ms. Kenneson, and Ms. Duran. NAY: None.

6.3 Budget Transfer

Motion by Terri Kenneson, seconded by Noel Gauthier, to **APPROVE** the budget transfers presented. AYE: Ms. Sexton Read, Mr. Jerram, Mr. Gauthier, Ms. Crone, Ms. Bell, Ms. Fragale, Ms. Kenneson, and Ms. Duran. NAY: None.

6.4 Policy Review (First Reading): Discussed ten policy updates (CABE-based). The Board directed the Superintendent to edit **Policy 5118** (Non-Resident Attendance) to remove "childcare" loopholes and clarify "physical/mental health" entry vs. retention. Board will review the policies and contact the Superintendent with any questions in advance of the special meeting on **April 20.**

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7. CORRESPONDENCE

None

8. OPPORTUNITY for Public to Speak on Agenda Items

- John DeShazo offered volunteer labor to assist with theater wiring removal to reduce future contractor costs.

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9. ADJOURNMENT

Motion by Noel Gauthier, seconded by Terri Kenneson, to **ADJOURN** the meeting at 7:35 pm. AYE: Ms. Sexton Read, Mr. Jerram, Mr. Gauthier, Ms. Crone, Ms. Bell, Ms. Fragale, Ms. Kenneson and Ms. Duran. NAY: None.

REGIONAL SCHOOL DISTRICT NO. 7

Barkhamsted
Budget Presentation
April 9, 2026 – 7:00 p.m.
DRAFT

PRESENT: Chair Ms. Molly Sexton Read (B), Ms. Deborah Bell (N), Ms. Mimi Duran (B), Ms. Kim Crone (N), Superintendent Steven K. LePage, Director of Finance & Operations Mr. James Gaskins.

CALL TO ORDER: Mr. Rich Winn called the Proposed Budget Meeting to order at 7:00 p.m.

BUDGET PRESENTATION

Ms. Sexton Read began the meeting by greeting everyone and thanking them for being present. She then began the presentation with an overview of where the budget proposal currently stands.

- **Budget Commitments & Vision:** The proposal is driven by commitments to transparency, conscientious resource management, and the maintenance of high-quality education aligned with the "Vision of a Graduate" attributes.
- **Historical Context:**
  - Proposed Budget Increase: 1.74%.
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- **Budget Drivers & Cost Controls:**
  - **Special Education:** Outplacements are lower than in previous years. The district is budgeting conservatively regarding state Excess Cost grant reimbursement, projecting approximately 70% reimbursement.
  - **Benefits:** Anthem's rate increase was at 9.4% before this meeting, but it has since been announced that there will be a decrease. Further reductions have not yet been incorporated into this budget. Discussion on this will take place at the Special Meeting following the budget presentation.
  - **Salaries:** Contractual settlements remain high statewide, but costs were mitigated via Board-approved retirement incentives.
  - **Efficiency Measures:** The district is transitioning to a full suite of ADP programs for payroll, time/attendance, and insurance. While this implementation has associated costs, it will yield immediate efficiencies and, ultimately, a reduction in staffing needs within the business office.

- **School Highlights & Needs:**
  - **Middle School:** Focus on a Multi-Tiered System of Supports (MTSS) for behavioral/academic support, mental health resources, and Positive Behavioral Interventions and Supports (PBIS), utilizing behavioral reinforcement tickets to acknowledge students for positive behaviors within the school community.

    - **High School:** Highlighted pictures included the pep band, House of Heroes community project, theater productions, and the upcoming Financial Reality Fair. Highlighted data points included strong AP and dual credit course participation, with high success rates (scores of 3 or higher). SAT scores for the Class of 2026 show significant cohort growth, exceeding state averages.
- **Object Breakdown (Major Changes):**
    - **Salaries:** Net increase of $75,493 (0.60%), despite a 4.4% contractual increase for teachers, due to five retirements and the need to replace only one of those positions. This object category includes an expansion of the Athletic Director position, resulting in a full-time position titled Director of Student Affairs. There is also a placeholder for the salary of after-school-hours security staff.
    - **Benefits:** Total increase of $265,713, representing two-thirds of the overall budget increase.
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    - **Capital Outlay:** Maintaining flat funding at $200,000.

Town Assessments: Based on shifts in Average Daily Membership (ADM)

- Barkhamsted: 2.23% increase.
- Colebrook: 1.91% decrease.
- New Hartford: 1.88% increase.
- Norfolk: 3.72% increase.

Ms. Sexton Read opened the floor for comments and questions.

Several residents asked questions for clarification.

The topics included:

- The role of the proposed position for the Director of Athletics and Student Affairs
- Special education outplacements
- The role of the proposed position for the after-hours security officer
- The assessment allocation across the four towns
- The Excess Cost Grant
- Payback timeline for the ADP purchase

All questions were answered by Ms. Read and Superintendent LePage. The presentation was completed at 8:00 pm.

Students

Attendance/Excuses/Dismissal

Attendance

In accordance with Connecticut General Statute 10-186, the Board of Education shall provide education for all persons, residing in the District, five years of age and over, who reach age five on or before the first day of September of any school year, and under twenty-one (age twenty-two for special education students) who is not a graduate of a high school or vocational school, except as provided in Connecticut General Statutes 10-233c and 10-233d.

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 is also in attendance if the student is participating in statutorily authorized remote learning as determined through a combination of synchronous virtual classes, synchronous virtual meetings, activities on time-logged electronic systems, and/or the completion and submission of assignments, 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 a 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.

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

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

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

B. A student's engagement in remote classes, remote meetings, activities on time-logged electronic systems, and completion and submission of assignments, if such engagement accounts for not less than one-half of the school day during remote learning, is excluded from the definitions of "excused absence" and "unexcused absence."

C. Absence resulting from a student enrolled in grades K-12, taking two mental health days during the school year. Such absence is to permit the student to attend to his/her emotional and psychological well-being in lieu of attending school.

The student shall not be required to present documentation or parental/guardian consent. For purposes of school year limitation, such absence shall be identified as a "mental health wellness day."

A student cannot take these mental health days consecutively.

Such documentation includes a signed note from the student's parent/guardian, a signed note from a school official who 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.

D. 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.

E. 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 is excluded from these State Board of Education-approved definitions.

When the school in which a child is enrolled receives no notification from a parent or other person having control of the child, who 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 completed within five (5) days of the student's return 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, the child, parent, or legal guardian shall be responsible for obtaining assignments from the student's teacher before any period of excused absence, and for ensuring that such assignments are completed by such child before 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's chronic absenteeism rate is 10 percent or higher.

2. A team for the school must be established when the school's 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.

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

The District shall utilize the chronic absenteeism prevention and intervention plan developed by the State Department of Education. Such plans must include the means to collect and analyze data on student attendance, truancy, and chronic absenteeism. The data must be disaggregated by school district, school grade, and subgroups such as race, ethnicity, gender, eligibility for free or reduced-price lunch, students whose primary language is not English, and students with disabilities.

The District shall annually include, in the information submitted to the Commissioner of Education for the strategic school profile report for each school and the District, 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 Superintendent's or his/her designee's approval.

No teacher may permit any student to leave school before the regular hour of dismissal without the Principal's permission.

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 has legal permission to take custody of a child, or if a police officer arrests a student, the administration should notify the parent/guardian.

(cf. 5113.2 - Truancy)

(cf. 5142 - Student Safety)

(cf. 6113 - Released Time)

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, PA 00-157, and PA 18-15)

10-185 Penalty

10-198a Policies and procedures concerning truants (as amended by PA11-136, 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" (as amended by PA 21-46, Section 19)

10-198c Attendance review teams.

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

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

45a-8c Truancy clinic. Administration. Policies and procedures. Report. (as amended by PA 15-225)

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.

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

PA 21-46 An Act Concerning Social Equity and the Health, Safety, and Education of Children

Action taken by the State Board of Education on September 7, 2022, to amend the definition of "in attendance."

Policy adopted:

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 shall normally 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 is also in attendance if the student is participating in statutorily authorized remote learning as determined through a combination of synchronous virtual classes, synchronous virtual meetings, activities on time-logged electronic systems, and/or the completion and submission of assignments, 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 CGS 10-198b.

"Mental health wellness day" means a school day during which a student attends to his/her emotional and psychological well-being in place of attending school. Such days must be nonconsecutive.

"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

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 shall normally 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 is also in attendance if the student is participating in statutorily authorized remote learning as determined through a combination of synchronous virtual classes, synchronous virtual meetings, activities on time-logged electronic systems, and/or the completion and submission of assignments, 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 CGS 10-198b.

"Mental health wellness day" means a school day during which a student attends to his/her emotional and psychological well-being in place of attending school. Such days must be nonconsecutive.

"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 that will detail the following school district obligations under the district's truancy policy.

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 previous approval or other indication that 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 a 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.

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. Each truant child shall be evaluated to determine if additional behavioral health interventions are necessary for the well-being of the child. Provide coordination of

services and refer "truants" to community agencies that provide child and family services.

10. If in existence, refer the child to the children's probate court truancy clinic.

11. Provide notice to the parents/guardian of the information concerning the 2-1-1 Infoline and other pediatric mental and behavioral health screening sources and tools provided by the State Department of Education.

The Board 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. The intervention models must also address the needs of students with disabilities. Parents or other persons having control of each child shall be notified of such truancy model.

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's 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 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.

In the calculation of the District's chronic absenteeism rate and the school chronic absenteeism rate, a student's engagement, in grades 9-12, in remote virtual learning shall be excluded if such engagement accounts for not less than one-half of the school day. In addition, the calculation of chronic absenteeism rates shall exclude absence resulting from a student taking a mental health day pursuant to P.A. 21-46.

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

The District shall annually include in information for the strategic school profile report for each school and the District that submitted to the Commissioner of Education, data on 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.

10-198a Policies and procedures concerning truants

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

10-198c Attendance review teams

10-198d Chronic absenteeism

10-198e Identification of truancy identification models

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

45a-8c Truancy clinic. Administration. Policies and procedures. Report.

10-220(c) Duties of boards of education

10-202e-f Policy on dropout prevention and grant program.

10-221(b) Board of education to prescribe rules.

PA 22-47 An Act Concerning Children's Mental Health

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.

Action taken by the State Board of Education on September 7, 2022, to amend the definition of "in attendance."

Policy adopted:

Students

Truancy

Unexcused Absences/Truancy

In accordance with Board policy regarding truancy (unexcused absences), the following regulations pertain:

1. Twenty Absence Limit. No student may receive course credit for a full-year course after having been absent from that course more than twenty (20) class periods during the school year. These absences will be prorated for other than full-year courses and for courses meeting other than five (5) periods per week. All absences in a class will be counted except those incurred while a student participates in school-sponsored activities and/or essential administrative business.

2. Waiver of Policy. A student who has accumulated more absences than allowed by the policy, but who feels that the situation warrants special consideration, may appeal to the administration for a waiver increasing the number of allowable absences for that particular student. At the discretion of the administration, the parent may be requested to appear at the hearing to verify the legitimacy of the appeal.

Waivers are to be applied in a systematic manner. The administrator will consider all approved absences and any extenuating circumstances and render an impartial judgment.

3. Grade Reduction for Unapproved Absences. Students will be warned by teachers upon the first unexcused absence from a class. For each subsequent unexcused absence from that class, the student's grade for the marking period will be reduced by five (5) points. However, in applying this policy, a student's grade may not be reduced by more than 50 points in any marking period.

At the beginning of each marking period, automatic grade reductions will begin anew, although the accumulation toward the twenty maximum for the full-year course is cumulative for the year.

Upon recommendation of the teacher, the principal may adjust a grade when a student's outstanding performance for the latter portion of a marking period may not otherwise be recognized appropriately because of policy grading restrictions.

4. Student Responsibilities. Students are responsible for regular attendance in all classes to benefit from continuity of instruction, sequential presentation of material, class interaction, and the attendant self-discipline and responsibility.

It is a student's responsibility to have absences approved and notify his/her teachers by presenting approval verification at the next class meeting.

5. **Teacher Responsibilities**

A. **At the first confirmed unexcused absence from a class, as determined by the administration, the teacher will:**

(1) Notify the student that for each unexcused absence after this warning, the student's grade will be reduced by five (5) points.

(2) Notify the office on the designated form of the unexcused absence as soon as confirmed. The teacher or the office will, in turn, notify the parent of the absence and the consequences.

B. **For every subsequent unapproved absence, the teacher will:**

(1) Inform the student that his/her grade for the marking period will be reduced by five (5) points.

(2) Notify the administrator and guidance counselor or school counselor involved of the designated form of action taken.

(3) When a student has accumulated either four unexcused absences in one month or ten unexcused absences in a school year, the teacher will send the designated form to the office notifying the administrator, guidance counselor, school counselor, and parent of the student's attendance problem. Within ten (10) days of the last unexcused absence, the guidance counselor will contact the parent and initiate arrangements for a conference between the parent and school personnel.

(4) When a student has accumulated half the maximum allowable number of absences (excused and unexcused) in a course, the teacher will send the designated form to the office notifying the administrator, guidance counselor, school counselor, and parent. The guidance counselor will contact the parent and initiate arrangements for a conference between the parent and school personnel.

All absences are to be recorded in the teacher's record book, even though they may be school-approved. Teachers will maintain class attendance records and submit them to the administration on the final day of school.

C. Teachers should, when practical, obtain at least one grade or mark per week for each student. Marks or grades can come from a variety of sources, e.g., homework, class participation, projects, quizzes, etc., and the sources of grades and their weights are at the teacher's discretion.

6. Counselor Responsibilities. The guidance counselor will:

A. At the first unexcused absence, arrange a conference with the student to provide counseling and make any required program adjustments.

B. When notified that the student's grade has been reduced for the second time because of unexcused absences, arrange a conference between the student and the guidance counselor.

C. Arrange a meeting within ten (10) days of the fourth unexcused absence in a month or the tenth unexcused absence during the school year.

7. Administrative Responsibilities. Whenever a child enrolled in school, ages five (5) to eighteen (18) inclusive, unless such child has either graduated from high school or withdrawn with written parental/guardian permission at ages sixteen or seventeen fails to report to school on a regularly scheduled school day and no indication has been received by school personnel that the child's parent, (or other person having control of the child), is aware of the student's absence, a reasonable effort to notify, by telephone, the parent or such other person shall be made by school personnel or volunteers under the direction of the school Principal.

The school administration will make early concentrated efforts to prevent and remedy truancy in its beginning stages. These efforts will include

A. For the student's first unexcused absence from a course, which results in grade reduction, the administrator will:

(1) Confer with the student.

(2) Inform the parent by phone and by mail.

(3) Arrange for the student to meet with his/her guidance counselor if the situation warrants.

B. For the second and third unexcused absence and for the third unapproved absence thereafter, the administrator will:

(1) Notify the parent by phone and by mail.

(2) Confer with the student.

(3) Enforce disciplinary measures or arrange for referral services as appropriate. This may include referral to the student assistance team (SAT) or other student assistance programs.

C. The school will have the appropriate staff member(s) arrange a meeting with the parent (or other person having control) of the child who is truant within ten (10)

school days after the child's fourth unexcused absence in one month or tenth unexcused absence in one school year. At this meeting, a designated staff member shall coordinate services with referrals of children to community agencies providing child and family services.

The Superintendent of Schools shall bring the child's case to Superior Court under the Families with Service Needs law if the parent (or other person having control fails to:)

1) attend the required meeting to evaluate why the child is truant, or

2) cooperate with the school in trying to solve the truancy problem.

E. When a student's outstanding performance for the latter portion of a marking period may not fully be acknowledged because of the grading restrictions of this policy, and upon teacher recommendation, the principal may review the circumstances and adjust the student's grade.

F. At the beginning of each new school year, any student who has had twenty or more unexcused absences will be identified as an "at-risk student" and monitored by appropriate staff. A letter will be sent to parents, and the attendance officer and school social worker will meet with the student to discuss the importance of regular attendance.

8. Method of Reporting. Four basic forms will be utilized to implement this policy:

A. Excused Absence Form — for students to verify an excused absence upon confirmation.

B. Unexcused Absence Notice — for teachers to inform the office of each unexcused absence.

C. Midpoint Warning Notice — for teachers, this four-part form notifies the office when students reach half the maximum specified number of absences.

D. Final Notice — completed by teacher when student reaches 20 absences in a full-year course or 10 absences in a semester course.

9. Truancy Intervention Model

The District, on or before 8/15/18, will implement a truancy intervention model, identified by the State Department of Education (SDE) for any school within the District that has a disproportionately high rate of truancy, as determined by the Commissioner of Education. (Parents shall be notified of such intervention model.) Such models shall also address the needs of students with disabilities.

Chronic Absenteeism

An attendance review team shall be established 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's 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 District school has a school chronic absenteeism rate of 15 percent or higher or (b) the District's chronic absenteeism rate is 10 percent or higher and one or more District schools 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 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.

"Mental health wellness day" means a school day during which a student attends to his/her emotional and psychological well-being instead of attending school. Such days must be nonconsecutive.

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

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

For Alliance Districts

The principal or his/her designee of any elementary or middle school 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.)

Tardiness to School or Class

Continued tardiness by a student is a serious problem. Students are expected to be in their places, ready for work, at the bell.

Legal Reference: Connecticut General Statutes

10-184 Duties of parents

10-198a Policies and procedures concerning truants.

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

10-198c Attendance review teams

10-198d Chronic absenteeism

10-198e Identification of truancy identification models

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

10-202e-f Policy on dropout prevention and grant program.

10-22(c) Duties of boards of education

45a-8c Truancy clinic. Administration. Policies and procedures. Report.

46b-149 Family with Service Needs.

PA 22-47 An Act Concerning Children's Mental Health

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.

Regulation approved:

Students

Suspension and Expulsion/Due Process

The Northwestern Regional District No. 7 Board of Education is committed to creating a safe, orderly, and supportive learning environment for all students, staff, and visitors. This policy aims to balance the need to maintain safety and order in our schools with progressive discipline and restorative practices, which address and correct inappropriate behavior while promoting accountability, personal growth, and the repair of harm.

Students are expected to comply with school rules and Board policies and may be disciplined for conduct on school grounds or at any school-sponsored activity that endangers persons or property, is seriously disruptive of the educational process, or violates a publicized Board policy. Students may be disciplined for conduct off school grounds if such conduct is seriously disruptive to the educational process and violates Board policy.

Policy Objectives

1. **Ensure Safety and Order**: Maintain a secure and disciplined school environment conducive to learning and free from violence, threats, and disruptive behaviors.

2. **Promote Equity and Fairness**: Apply disciplinary measures in an equitable, consistent, and unbiased manner, ensuring that all students are treated with dignity and respect.

3. **Support Progressive Discipline**: Implement a progressive discipline model that focuses on intervention and prevention strategies to address and correct student behavior before it escalates.

4. **Implement Restorative Practices**: Incorporate restorative practices that emphasize accountability, reparation of harm, and the restoration of relationships within the school community.

5. **Encourage Personal Responsibility**: Foster a sense of personal responsibility and self-discipline in students, helping them to understand the consequences of their actions and to make better choices in the future.

6. **Engage Families and Communities**: Involve parents, guardians, and community members in the disciplinary process to support students in their behavioral and academic growth.

Policy Guidelines

1. **Clear Expectations and Communication:**

   • Establish and communicate clear behavioral expectations and the consequences of violating them.

   • Ensure that all students, staff, and parents/guardians are aware of the discipline policy and procedures.

2. **Progressive Discipline Framework:**

   • Utilize a tiered approach to discipline that escalates in response to the severity and frequency of the behavior.

   • Implement early intervention strategies such as counseling, mentoring, and behavior modification plans to address minor infractions.

3. **Restorative Practices:**

   • Employ restorative practices such as mediation, peer counseling, and restorative circles to address conflicts and repair harm.

   • Encourage students to take responsibility for their actions and to actively participate in the resolution process.

4. **Consistent and Fair Application:**

   • Ensure that disciplinary measures are applied consistently and fairly across all student populations.

   • Monitor and address any disparities in the application of disciplinary actions to prevent discrimination or bias.

5. **Supportive Interventions:**

   • Provide support services such as counseling, social work, and mental health resources to help students address underlying issues contributing to behavioral problems.

   • Develop individualized behavior plans for students with recurring or severe behavioral issues.

6. **Engagement and Collaboration:**

• Engage families in the disciplinary process through regular communication and involvement in restorative practices.

• Collaborate with community organizations and resources to support students and families in addressing behavioral and social-emotional needs.

7. **Training and Professional Development:**

• Provide ongoing training for staff on progressive discipline, restorative practices, and culturally responsive approaches to student behavior.

• Encourage staff to develop skills in conflict resolution, de-escalation techniques, and positive behavior support.

Review and Accountability

The Northwestern Regional District No. 7 Board of Education will regularly review the effectiveness of its discipline policy, incorporating feedback from students, staff, parents, and the community. Data on disciplinary actions and their outcomes will be collected and analyzed to ensure continuous improvement and the achievement of policy objectives.

By adopting this balanced approach to discipline, theNorthwestern Regional District No. 7 Public School District aims to create a school environment where all students can learn, grow, and succeed while feeling safe and supported.

A. Definitions

1. "**Exclusion**" shall be defined as any denial of public-school privileges to a student for disciplinary purposes.

2. "**Removal**" shall be defined as an exclusion from a classroom for all or a part of a single class period, provided such exclusion shall not extend beyond ninety (90) minutes.

3. "**In-School Suspension**" means an exclusion from regular classroom activity for no more than five consecutive days, but not exclusion from school, provided such exclusion shall not extend beyond the end of the school year in which such in-school suspension was imposed. Such suspensions shall be served in any school building within the Board of Education's jurisdiction.

4. "**Suspension**" means an exclusion from school privileges or from transportation services, provided such exclusion shall not extend beyond the end of the school year in which suspension was imposed. An out-of-school suspension for students in grades 3-12 shall not exceed ten days. An out-of-school suspension imposed for children in

preschool to second grade shall not exceed five days.

All suspensions shall be in-school unless the administration determines for any student in grades three through twelve that (1) the student being suspended poses such anger to persons or property or such disruption of the educational process that the student (grades three to twelve) shall be excluded from school during the period of the suspension, or (2) that an out-of-school suspension is appropriate based on evidence of previous disciplinary issues that have led to suspensions or expulsion of the student and efforts by the administration to address such disciplinary issues 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.

5. "**Expulsion**" shall be defined as an exclusion from school privileges for any student in grades three to 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 that assignment to a regular classroom program in a different school in the district shall not constitute a suspension or an expulsion. Such a period of exclusion may extend to the school year following the school year in which the exclusion was imposed, up to one calendar year. To be expelled, the student's conduct must be found to be both violative of a Board policy and either seriously disruptive of the educational process or endangering persons or property.

Unless an emergency exists, no student shall be expelled without a formal hearing. Whenever such a student is a minor, the notice shall also be given to the parents or guardians of the student at least five business days before such hearing, not including the day of such hearing. If an emergency exists, such hearing shall be held as soon after the expulsion as possible. The notice shall include information concerning the parent's or guardian's and the student's legal rights and concerning legal services provided free of charge or 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 or 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.

6. "**Emergency**" shall be defined as a situation under which the continued presence of the student in the school imposes such danger to persons or property or such disruption of the educational process that a hearing may be delayed until a time as soon after the exclusion of such student as possible.

7. "**Days**" is defined as days when school is in session.

8. "**School-sponsored activity**" is defined as any activity sponsored, recognized, or authorized by the Board of Education and includes activities conducted on or off school property.

9. "**Possess**" means to have physical possession or otherwise to exercise dominion or control over tangible property.

10. "**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. A weapon such as a pellet gun and/or airsoft pistol may constitute a deadly weapon if such a weapon is designed for violence and is capable of inflicting death or serious bodily harm.

11. "**Firearm**" as defined in 18 U.S.C.§921, means 1) any weapon (including a starter gun) which will or is designed to or 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 firearms. 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 ¼ ounce, mine, or device similar to any of the weapons described herein. A "destructive device" does not include an antique firearm; a rifle intended to be used by the owner solely for sporting, recreational, or cultural purposes; or any device which is neither designed nor redesigned for use as a weapon.

12. "**Vehicle**" means a "**motor vehicle**" as defined in Section 14-1 of the Connecticut General Statutes, snowmobile, any aircraft, or any vessel equipped for propulsion by mechanical means or sail.

13. "**Martial arts weapon**" means a nunchaku kama, Kesari-fundo, octagon sai,

tonfa, or Chinese star.

14. "**Dangerous Drugs and Narcotics**" is defined as any controlled drug in accordance with Connecticut General Statutes §219-240.

15. "**Alternate education**" means a school or program maintained and operated by the Board of Education that is offered to students in a nontraditional setting and addresses their social, emotional, behavioral, and academic needs. Such program must conform to SBE guidelines and conform to C.G.S. 10-15 and 16 (180 days/900 hours).

16. "**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" or a dog that has been commanded to attack.

17. "**Seriously disruptive of the educational process**" means, as applied to off-campus conduct, any conduct that markedly interrupts or severely impedes the day-to-day operation of a school.

B. Removal from Class

1. All teachers are hereby authorized to remove a student from class when such student causes a serious disruption of the educational process within the classroom.

2. 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 and the reason for the removal.

3. No student shall be removed from class more than six (6) 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 in accordance with the provisions of this policy.

4. A school principal or other school administrator shall notify a parent or guardian of a student whose behavior has caused a serious disruption to the instruction of other students, caused self-harm, or caused physical harm to a teacher, another student, or other school employee not later than twenty-four hours after such behavior occurs. Such notice shall include, but not be limited to, informing such parent or guardian that the teacher of record in the classroom in which such behavior occurred may request a behavior intervention meeting.

Any teacher of record in a classroom may request a behavior intervention meeting with the school's crisis intervention team for any student whose behavior has caused a serious disruption to the instruction of other students or has caused self-harm or physical harm to such teacher, another student, or a staff member in such teacher's classroom. The crisis intervention team shall, upon the request of such teacher and notifying such student's parent or guardian, convene a behavior intervention meeting regarding such student. The participants of such behavior intervention meetings shall identify resources and support to address such students' social, emotional, and instructional needs. Not later than seven days after the behavior intervention meeting, the crisis intervention team shall submit to the parent or guardian of such student, in the dominant language of such parent or guardian, a written summary of such meeting, including, but not limited to, the resources and supports identified.

C. Exclusion from Co-Curricular and Extra-Curricular Activities

Participation in co-curricular and extracurricular activities is a privilege, not an entitlement. Students involved in such programs are expected to follow all school rules and demonstrate good citizenship. Failure to do so may result in partial or complete exclusion from said activities and programs. Activities include, but are not limited to, athletic programs, musical or drama productions, clubs, field trips, and out-of-state and abroad school trips.

D. Actions Leading to Disciplinary Action, including Removal from Class, Suspension, and/or Expulsion

Conduct which may lead to disciplinary action (including, but not limited to, removal from class, suspension, and/or expulsion in accordance with this policy) includes conduct on school grounds or at a school-sponsored activity (including on a school bus), and conduct off school grounds, as set forth above. Such conduct includes, but is not limited to, the following:

1. Striking or assaulting a student, members of the school staff, or other persons.

2. Theft.

3. The use of obscene or profane language or gestures, the possession and/or display of obscenity or pornographic images, or the unauthorized or inappropriate possession and/or display of images, pictures, or photographs depicting nudity.

4. Violation of smoking, dress, transportation regulations, or other regulations and/or

policies governing student conduct.

5. Refusal to obey a member of the school staff, law enforcement authorities, or school volunteers, or disruptive classroom behavior.

6. Any act of harassment based on an individual's sex, sexual orientation, race, color, religion, disability, national origin, or ancestry.

7. Refusal by a student to identify himself/herself to a staff member when asked, misidentification of oneself to such person(s), lying to school officials or otherwise engaging in dishonest behavior.

8. Inappropriate displays of public affection of a sexual nature and/or sexual activity on school grounds or at a school-sponsored activity.

9. A walk-out from or sit-in within a classroom or school building or school grounds.

10. Blackmailing, threatening, or intimidating school staff or students (or acting in a manner that could be construed to constitute blackmail, a threat, or intimidation, regardless of whether intended as a joke).

11. Possession of any weapon, weapon facsimile, deadly weapon, martial arts weapon, electronic defense weapon, pistol, knife, blackjack, bludgeon, box cutter, metal knuckles, pellet gun, air pistol, explosive device, firearm, loaded or unloaded, whether functional or not, or any other dangerous object or instrument. The possession and/or use of any object or device that has been converted or modified for use as a weapon.

12. Possession of any ammunition for any weapon described above in paragraph 11.

13. Unauthorized entrance into any school facility or portion of a school facility or aiding or abetting an unauthorized entrance.

14. Possession or ignition of any fireworks, combustible or other explosive materials, or ignition of any material causing a fire. Possession of any materials designed to be used in the ignition of combustible materials, including matches and lighters.

15. Unlawful possession, sale, distribution, use, or consumption of tobacco, electronic nicotine delivery systems (e.g. e-cigarettes), vapor products, drugs, narcotics or alcoholic beverages (or any facsimile of tobacco, drugs, narcotics or

alcoholic beverages, or any item represented to be tobacco, drugs or alcoholic beverages), including being under the influence of any such substances or aiding in the procurement of any such substances. For the purposes of this Paragraph 15, the term "electronic nicotine delivery system" shall mean 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. For the purposes of Paragraph 15, the term "vapor product" shall mean any product that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, to produce a vapor that may or may not include nicotine that is inhaled by the user of such product. For the purposes of this Paragraph 15, the term "drugs" shall include, but shall not be limited to, any medicinal preparation (prescription and non-prescription) and any controlled substance whose possession, sale, distribution, use, or consumption is illegal under state and/or federal law.

16. Sale, distribution, or consumption of substances contained in household items, including, but not limited to glue, paint, accelerants/propellants for aerosol canisters, and/or items such as the aerators for whipped cream; if sold, distributed, or consumed for the purpose of inducing a stimulant, depressant, hallucinogenic, or mind-altering effect.

17. Unlawful possession of paraphernalia used or designed to be used in the consumption, sale, or distribution of drugs, alcohol, or tobacco, as described in subparagraph (15) above. For purposes of this policy, drug paraphernalia includes any equipment, products and materials of any kind which are used, intended for use or designed for use in growing, harvesting, manufacturing, producing, preparing, packaging, storing, containing or concealing, or injecting, ingesting, inhaling or otherwise introducing controlled drugs or controlled substances into the human body, including but not limited to items such as "bongs," pipes, "roach clips," vials, tobacco rolling papers, and any object or container used, intended or designed for use in storing, concealing, possessing, distributing or selling controlled drugs or controlled substances.

18. The destruction of real, personal, or school property, such as cutting, defacing, or otherwise damaging property in any way.

19. Accumulation of offenses such as school and class tardiness, class or study hall cutting, or failure to attend detention.

20. Trespassing on school grounds while on out-of-school suspension or expulsion.

21. Making false bomb threats or other threats to the safety of students, staff members, and/or other persons.

22. Defiance of school rules and the valid authority of teachers, supervisors, administrators, other staff members, and/or law enforcement authorities.

23. Throwing snowballs, rocks, sticks, and/or similar objects, except as specifically authorized by school staff.

24. Unauthorized and/or reckless and/or improper operation of a motor vehicle on school grounds or at any school-sponsored activity.

25. Leaving school grounds, school transportation, or a school-sponsored activity without authorization.

26. Use of or copying of the academic work of another individual and presenting it as the student's own work, without proper attribution; or any other form of academic dishonesty, cheating, or plagiarism.

27. Possession and/or use of a cellular telephone, Smartphone, mobile or handheld device, or similar electronic device, on school grounds or at a school-sponsored activity in violation of Board policy and/or administrative regulations regulating the use of such devices.

28. Possession and/or use of a beeper or paging device on school grounds or at a school-sponsored activity without the written permission of the principal or his/her designee.

29. Unauthorized use of any school computer, computer system, computer software, Internet connection, or similar school property or system, or the use of such property or system for inappropriate purposes.

30. Possession and/or use of a laser pointer, unless the student possesses the laser pointer temporarily for an educational purpose while under the direct supervision of a responsible adult.

31. Hazing.

32. "Bullying" is defined as unwanted and aggressive behavior among children in grades kindergarten to twelve, inclusive, that involves a real or perceived power imbalance.

33. Cyberbullying, defined as 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.

34. Acting in any manner that creates a health and/or safety hazard for staff members, students, or the public, regardless of whether the conduct is intended as a joke.

35. Engaging in a plan to stage or create a violent situation for the purposes of recording it by electronic means; or recording acts of violence by electronic means for purposes of later publication.

36. Engaging in a plan to stage sexual activity for the purposes of recording it by electronic means; or recording by electronic means sexual acts for purposes of later publication.

37. Using computer systems, including email, instant messaging, text messaging, blogging or the use of social networking websites, or other forms of electronic communications, to engage in any conduct prohibited by this policy.

38. Use of a privately owned electronic or technological device in violation of school rules, including the unauthorized recording (photographic or audio) of another individual without permission of the individual or a school staff member.

E. Scope of the Student Discipline Policy

a. Conduct on School Grounds or at a School-Sponsored Activity

Students may be disciplined for conduct on school grounds or at any school-sponsored activity that endangers persons or property, is seriously disruptive of the educational process, or violates a publicized policy of the Board.

b. Conduct off School Grounds

Students may be disciplined for conduct off school grounds if such conduct is seriously disruptive of the educational process and violates a publicized policy of the

Board.

In determining whether such conduct is seriously disruptive of the educational process, the Administration and the Board of Education may consider, but such consideration shall not be limited to the following factors:

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 Conn. Gen. Stat. § 29-38, and whether any injuries occurred; and

4. whether the conduct involved the use of alcohol.

In making a determination as to whether such conduct is seriously disruptive of the educational process, the Administration and/or the Board of Education may also consider whether such off-campus conduct involved the illegal use of drugs.

F. Mandatory Expulsion

It shall be the policy of the Board to expel a student, in grades preschool, and kindergarten to twelve, inclusive, for one full calendar year if:

1. The student, on grounds or at a school-sponsored activity, was in possession of a firearm, as defined in 18 U.S.C. 921*, as amended from time to time, or deadly weapon, dangerous instrument or martial arts weapon, as defined in C.G.S. 53A-3; or the student, off school grounds, did possess such firearm in violation of C.G.S. 29-35 or did possess and use such firearm, instrument or weapon in the commission of a crime; or the student, on or off school grounds offered for sale or distribution a controlled substance, as defined in subdivision (9) of C.G.S. 21a-240, whose manufacture, 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. 21-277 and 21a-278.

2. Such students shall be expelled for one calendar year if the Board of Education or impartial hearing officer finds that the student did so possess or so possess and use, as appropriate, such weapon or firearm, instrument or weapon or did so offer for sale or distribution such controlled substance.

3. The Board may modify the period of a mandatory expulsion on a case-by-case basis.

4. A firearm, as defined by C.G.S. 53a-3, includes any sawed-off shotgun, machine gun, rifle, shotgun, pistol, revolver, or other weapon, whether loaded or unloaded, from which a shot may be discharged, or a switchblade knife, a gravity knife, billy, blackjack, bludgeon, or metal knuckles.

5. A student enrolled in a preschool program provided by the Board of Education, state or local charter school or interdistrict magnet school shall not be expelled from such school except that a student shall be expelled for one calendar year from such preschool program pursuant to the mandatory expulsion requirement in compliance with the Gun-Free School Act, as described in this section.

G. Suspension Procedure

Unless an emergency exists, as that term is defined in paragraph A, no student shall be suspended without an informal hearing by the administration, at which such student shall be informed of the reasons for the disciplinary action and given an opportunity to explain the situation, provided nothing herein shall be construed to prevent a more formal hearing from being held if the circumstances surrounding the incident so require. The administration shall then determine whether suspension or in-school suspension is warranted.

A firearm; currently defined by 18 U.S.C. 921, is any weapon that can expel a projectile by an explosive action and includes explosive devices, incendiaries, poison gases, and firearm frames, receivers, mufflers or silencers.

If an emergency arises, the hearing outlined above shall be held as soon as possible after the student's exclusion.

Prior to conducting any hearing regarding the suspension of a student, an administrator, school counselor or school social worker at the school in which the student is enrolled, shall contact the local homeless education liaison designated by the local or regional board of education for the school district, pursuant to Subtitle B of Title VII of the McKinney-Vento Homeless Assistance Act, 42 USC 11431 et seq., as amended from time to time, to determine whether such student is a homeless child or youth, as defined in 42 USC 11343a, as amended from time to time. If it is determined that the student is a homeless child or youth, the administration shall consider the impact of homelessness on the student's behavior during the hearing.

In the case of suspension, the administration shall notify the student's parents and the Superintendent of Schools not later than twenty-four (24) hours of the suspension, including the name of the student who has been suspended and the reason for the suspension. Any student who is suspended shall be given an opportunity to complete any class work, including, but not limited to, examinations that such student missed during the period of his/her suspension.

The administration shall also have the authority to suspend a student from transportation services whose conduct while awaiting or receiving transportation violates the standards set forth in paragraph D, above. The administration shall have the authority to immediately suspend any student from school in the event of an emergency, as that term is defined in paragraph A above.

Out-of-School Suspensions

All suspensions shall be in-school suspensions, except that the Board of Education may authorize the administration of schools under its direction to impose an out-of-school suspension on any student in:

1. Grades three to twelve, inclusive, if, resulting from a due process hearing:

   a. The administration determines that the student being suspended poses such danger to persons or property or such disruption of the educational process (as defined above in section E) that the student shall be excluded from school during the period of suspension.

   b. The administration determines that an out-of-school suspension is appropriate for such student based on evidence of:

      i. previous disciplinary problems that have led to suspensions or expulsion of such student; and

      ii. efforts by the administration to address such disciplinary problems through means other than out-of-school suspension or expulsion, including positive behavioral support strategies. An in-school suspension may be served in the student's school or any school building under the jurisdiction of the local or regional board of education, as determined by such board.

Length of Suspension Period:

In determining the length of a suspension period, the administration may receive and

consider evidence of past disciplinary problems that have led to removal from a classroom, in-school suspension, or expulsion.

An out-of-school suspension shall not exceed ten school days for students in grades 3-12.

For any student suspended for the first time and who has never been expelled, the school administration may shorten 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.

General provisions:

No student shall be suspended more than ten times or a total of fifty (50) days in one school year, whichever results in fewer days of exclusion, unless such student is granted a formal hearing pursuant to subsections 4-176e to 4-180a, inclusive, section 4-181a, and as outlined in section I below is first granted.

No student shall be placed on in-school suspension more than fifteen times or a total of fifty (50) days in one school year, whichever results in fewer days of exclusion, unless such student is granted a formal hearing pursuant to subsections 4-176e to 4-180a, inclusive, section 4-181a, and as outlined in section I below is first granted.

H. Expulsion Procedures

The Board of Education may, upon the recommendation of the Superintendent of Schools, expel any student for one or more of the reasons stated in this policy if, after holding a formal hearing, it is in the judgment of the Board of Education that such disciplinary action is in the best interest of the school system.

A special education student's handicapping condition shall be considered before a decision to expel is made. A Planning and Placement Team (PPT) meeting must be held to determine whether the behavior or student actions that violate Board of Education standards set forth in the policy governing suspension and expulsion are the result of the student's handicapping condition.

For any student expelled for the first time and who has never been suspended, except for a student who has been expelled based on possession of a firearm or deadly weapon, 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 Board specified programs shall not require the student or the parent/guardian of such student to pay for participation in the program.

Prior to conducting formal hearing, as required by PA 25-93 Section 38 subsection 3, an administrator, school counselor or school social worker at the school in which the student is enrolled shall contact the local homeless education liaison designated by the local or regional board of education for the school district, pursuant to Subtitle B of Title VII of the McKinney-Vento Homeless Assistance Act, 42 USC 11431 et seq., as amended from time to time, to make a determination whether such student is a homeless child or youth, as defined in 42 USC 11343a, as amended from time to time.

If it is determined that such student is a homeless child or youth:

i. The local or regional board of education, or the impartial hearing board established pursuant to subsection (b) of this section, shall consider the impact of homelessness on the behavior of the student during the hearing.

ii. No such student may be expelled without a plan of interventions and supports to mitigate the impact of homelessness on the behavior of the student.

iii. If such child or youth has been expelled for a second time, a meeting with the local homeless education liaison shall be provided by the local or regional board of education.

iv. If such child or youth has been expelled for a second time, a meeting with the local homeless education liaison shall be provided by the local or regional board of education.

Upon receipt of a recommendation for expulsion from the Superintendent of Schools the Board shall, after giving written notice as detailed below in section K Notification, conduct a hearing prior to taking any action on the expulsion of said student, provided however, that in the event of an emergency as defined in this policy, the student may be expelled prior to the hearing but in such case even a hearing shall be held as soon after the expulsion as possible.

An attorney or other advocate may represent any student subject to expulsion proceedings. The parent/guardian of the student has 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.

Expulsion hearings (formal hearings) conducted by the Board will be heard by any three

or more Board members. A decision to expel a student must be supported by a majority of the Board members present, provided that no fewer than three (3) affirmative votes to expel are cast.

Alternatively, the Board may appoint an impartial hearing officer, composed of one or more persons, to hear and decide the expulsion matter, provided that no member of the Board may serve on such a panel.

An attorney or other advocate may represent any student subject to expulsion proceedings. The parent/guardian of the student has 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.

I. Formal Hearings/Due Process

1. Any hearing conducted under this paragraph shall at least include the right to:

a. Notice prior to the date of the proposed hearing which shall include a statement of the time, place and nature of the hearing and a statement of the legal jurisdiction under which the hearing is to be held and a statement that students under sixteen years old 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;

b. 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;

c. The opportunity to be heard in the student's own defense;

d. The opportunity to present witnesses and evidence in the student's defense;

e. The opportunity to cross-examine adverse witnesses;

f. The opportunity to be represented by counsel at the parents'/student's own expense; and

g. Information concerning legal services provided free of charge or at a reduced rate that are available locally and how to access such services;

h. The opportunity to have 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;

i. The prompt notification of the decision of the Board of Education, which decision shall be in writing if adverse to the student concerned.

2. Record keeping:

The record of the hearing held in any expulsion case shall include the following:

a. All evidence received and considered by the Board of Education;

b. Questions and offers of proof, objections, and ruling on such objections;

c. The decision of the Board of Education rendered after such hearing; and

d. A copy of the initial letter of notice of proposed expulsion, a copy of any statement of reasons provided upon request, a statement of the notice of hearing, and the official transcript, if any, or if not transcribed, any recording or stenographic record of the hearing.

3. Rules of evidence at hearings:

Rules of evidence at expulsion hearings shall ensure fairness, but shall not be controlled by the formal rules of evidence, and shall include the following:

a. 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 may be excluded. In addition, other evidence of past disciplinary problems which have led to removal from a classroom, in-school suspension, suspension, or expulsion may be considered for the length of an expulsion and the nature of the alternative educational opportunity, if any, to be offered;

b. The Board of Education shall give effect to the rules of privilege by law;

c. To expedite a hearing, evidence may be received in written form, provided the interest of any party is not substantially prejudiced thereby;

d. Documentary evidence may be received in the form of copies or excerpts;

e. A party to an expulsion hearing may conduct cross-examination of witnesses

where examination is required for a complete and accurate disclosure of the facts;

f. 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 the material noticed, including any staff memoranda or data, and an opportunity shall be afforded to any party to contest the material so noticed;

g. A stenographic record or tape-recording 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. Findings of fact made by the Board after an expulsion hearing shall be based exclusively upon the evidence adduced at the hearing.

J. Expunging Records

Suspension:

Whenever a student is suspended pursuant to the provisions of this section, 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 by the local or regional board of education if a student graduates from high school, or in the case of a suspension of a student for which the length of the suspension period is shortened or the suspension period is waived pursuant to subsection (e) of this section, such notice shall be expunged from the cumulative educational record by the local or regional board of education (1) if the student graduates from high school, or (2) if the administration so chooses, at the time the student completes the administration-specified program and meets any other conditions required by the administration pursuant to subsection (e) of Sec. 10-233d., whichever is earlier.

Expulsion:

Whenever a student is expelled, notice of the expulsion and the conduct for which the student was expelled shall be included in the student's cumulative educational record. Such notice, except for notice of an expulsion of a student in grades nine to twelve, inclusive, based on possession of a firearm or deadly weapon as described in Sec. 29-38 of the general statutes.

1. shall be expunged from the cumulative educational record by the board of education if a student graduates from high school, or

2. may be expunged from the cumulative educational record by the board of education before a student graduates from high school if:

1. in the case of a student for which the length of the expulsion period is shortened or the expulsion period is waived pursuant to subdivision (2) of subsection (c) Sec. 10-233d., such board determines that an expungement is warranted at the time such student completes the board-specified program and meets any other conditions required by such board pursuant to subdivision (2) of subsection (c) of Sec. 10-233d., or

2. such student has demonstrated to such board that the conduct and behavior of such student in the years following such expulsion warrants an expungement. The board of education, in determining whether to expunge such notice, may receive and consider evidence of any subsequent disciplinary problems that have led to the removal of such a student from a classroom, suspension, or expulsion.

K. Notification

1. All students and parents within the jurisdiction of the Board of Education shall be informed, annually, of Board Policy governing student conduct by delivery to each said student of a written copy of said Board Policy.

2. The parents or guardian of any minor student, either expelled or suspended, shall be given notice of such disciplinary action no later than 24 hours after the institution of the period of expulsion or suspension.

3. The notice of an expulsion hearing shall be given at least five (5) business days before such hearing to the student and his/her parents or guardians, if said student is less than 18 years of age shall include information concerning the parent's/guardian's and the student's legal rights and concerning legal services that are provided free of charge or at a reduced rate that are available (CT legal services as a source of such services) and how to access such services. The notification shall reference the maximum number of suspension days before the expulsion days proceed, 10 consecutive days for students in grades 3-12, and a statement that an attorney/ advocate may represent any student subject to expulsion proceedings. The parent/guardian of the student shall be notified of 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.

L. Stipulated Agreements

In lieu of the procedures used in this section, the Administration and the parents (or legal guardians) of a student facing expulsion may choose to enter into a Joint Stipulation of the Facts and a Joint Recommendation to the Board concerning the length and conditions of expulsion. Such Joint Stipulation and Recommendation shall include language indicating that the parents (or legal guardians) understand their right to have an expulsion hearing held pursuant to these procedures, and language indicating that the Board, in its discretion, has the right to accept or reject the Joint Stipulation of Facts and Recommendation.

If the Board rejects either the Joint Stipulation of Facts or the Recommendation, an expulsion hearing shall be held pursuant to the procedures outlined herein. If the Student is eighteen years of age or older, the student shall have the authority to enter into a Joint Stipulation and Recommendation on his or her own behalf.

If the parties agree on the facts, but not on the disciplinary recommendation, the Administration and the parents (or legal guardians) of a student facing expulsion may also choose to enter into a Joint Stipulation of the Facts and submit only the Stipulation of the Facts to the Board in lieu of holding the first part of the hearing, as described above. Such Joint Stipulation shall include language indicating that the parents understand their right to have a hearing to determine whether the student engaged in the alleged misconduct and that the Board, in its discretion, has the right to accept or reject the Joint Stipulation of Facts. If the Board rejects the Joint Stipulation of Facts, a full expulsion hearing shall be held pursuant to the procedures outlined herein.

M. Students identified as eligible for services under the Individuals with Disabilities Education Act ("IDEA")

If the Board of Education expels a student who has been identified as eligible for services under the Individuals with Disabilities Education Act ("IDEA"), it shall offer an alternative educational opportunity to such student in accordance with the requirements of IDEA, as it may be amended from time to time.

N. Procedures Governing Suspension and Expulsion of Students Identified as Eligible for Services under the Individuals with Disabilities Education Act ("IDEA")

A. Suspension of IDEA students

Notwithstanding the foregoing, if the Administration suspends a student identified as eligible for services under the IDEA (an "IDEA student") who has violated any rule or code of conduct of the school district that applies to all students, the following procedures shall apply:

1. The administration shall make reasonable attempts to immediately notify the parents of the student of the decision to suspend on the date on which the decision to suspend was made, and a copy of the special education procedural safeguards must either be hand-delivered or sent by mail to the parents on the date that the decision to suspend was made.

2. During the period of suspension, the school district is not required to provide any educational services to the IDEA student beyond those which are provided to all students suspended by the school district.

B. Expulsion and Suspensions that Constitute Changes in Placement for IDEA Students

Notwithstanding any provision to the contrary, if the administration recommends expulsion of an IDEA student who has violated any rule or code of conduct of the school district that applies to all students, the procedures described in this section shall apply. The procedures described in this section shall also apply to students whom the administration has suspended in a manner that is considered under the IDEA, as it may be amended from time to time, to be a change in placement:

1. The parents of the student must be notified of the decision to recommend for expulsion (or to suspend if a change in placement) on the date on which the decision to suspend was made, and a copy of the special education procedural safeguards must either be hand-delivered or sent by mail to the parents on the date that the decision to recommend for expulsion (or to suspend if a change in placement) was made.

2. The school district shall immediately convene the student's planning and placement team ("PPT"), but in no case later than ten (10) school days after the recommendation for expulsion or the suspension that constitutes a change in placement was made.

The student's PPT shall consider the relationship between the student's disability and the behavior that led to the recommendation for expulsion or suspension, which constitutes a change in placement, in order to determine whether the

student's behavior was a manifestation of his/her disability.

3. If the student's PPT finds that the behavior was a manifestation of the student's disability, the Administration shall not proceed with the recommendation for expulsion or the suspension that constitutes a change in placement.

4. If the student's PPT finds that the behavior was not a manifestation of the student's disability, the Administration may proceed with the recommended expulsion or suspension that constitutes a change in placement.

5. During any period of expulsion or suspension of greater than ten (10) days per school year, the Administration shall provide the student with an alternative education program in accordance with the provisions of the IDEA.

6. When determining whether to recommend an expulsion or a suspension that constitutes a change in placement, the building administrator (or his or her designee) should consider the nature of the misconduct and any relevant educational records of the student.

C. Transfer of IDEA Students for Certain Offenses:

School personnel may transfer an IDEA student to an appropriate interim alternative educational setting for not more than forty-five (45) school days if the student:

1. Was in possession of a dangerous weapon, as defined in 18 U.S.C. 930(g)(2), as amended from time to time, on school grounds or at a school-sponsored activity, or

2. Knowingly possessed or used illegal drugs or sold or solicited the sale of a controlled substance while at school or at a school-sponsored activity; or

3. Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function.

The following definitions shall be used for this subsection XII. C.

1. **Dangerous weapon** means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocketknife with a blade of less than 2.5 inches in length.

2. **Controlled substance** means a drug or other substance identified under schedules I, II, III, IV, or V in section 202(c) of the Controlled Substances Act, 21 U.S.C. 812(c).

3. **Illegal drug** means a controlled substance but does not include a substance that is legally possessed or used under the supervision of a licensed health-care professional, or that is legally possessed or used under any other authority under the Controlled Substances Act or under any other provision of federal law.

4. **Serious bodily injury** means a bodily injury which involves: (A) a substantial risk of death; (B) extreme physical pain; (C) protracted and obvious disfigurement; or (D) protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

O. Procedures Governing Expulsions for Students Identified as Eligible under Section 504 of the Rehabilitation Act of 1973 ("Section 504")

A. Except as provided in subsection B below, notwithstanding any provision to the contrary, if the Administration recommends for expulsion a student identified as eligible for educational accommodations under Section 504 who has violated any rule or code of conduct of the school district that applies to all students, the following procedures shall apply:

1. The parents of the student must be notified of the decision to recommend the student for expulsion.

2. The district shall immediately convene the student's Section 504 team ("504 team") for the purpose of reviewing the relationship between the student's disability and the behavior that led to the recommendation for expulsion. The 504 team will determine whether the student's behavior was a manifestation of his/her disability.

3. If the 504 team finds that the behavior was a manifestation of the student's disability, the Administration shall not proceed with the recommended expulsion.

4. If the 504 team finds that the behavior was not a manifestation of the student's disability, the Administration may proceed with the recommended expulsion.

B. The Board may take disciplinary action for violations pertaining to the use or possession of illegal drugs or alcohol against any student with a disability who currently is engaging in the illegal use of drugs or alcohol to the same extent that such

disciplinary action is taken against nondisabled students. Thus, when a student with a disability is recommended for expulsion based solely on the illegal use or possession of drugs or alcohol, the 504 team shall not be required to meet to review the relationship between the student's disability and the behavior that led to the recommendation for expulsion.

P. Procedures Governing Expulsions for Students Committed to a Juvenile Detention Center

A. Any student who commits an expellable offense and is subsequently committed to a juvenile detention center, the Connecticut Juvenile Training School or any other residential placement for such offense may be expelled by the Board in accordance with the provisions of this section. The period of expulsion shall run concurrently with the period of commitment to a juvenile detention center, the Connecticut Juvenile Training School, or any other residential placement.

B. If a student who committed an expellable offense seeks to return to a school district 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 and such student has not been expelled by the board of education for such offense under subdivision (A) of this subsection, the Board shall allow such student to return and may not expel the student for additional time for such offense.

Q. 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 includes 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 student who does not choose to have his or her child enrolled in an alternative educational opportunity shall not be subject to the provision of Section 10-184 of the Connecticut General Statutes. Any expelled student who is between the ages of sixteen (16) and eighteen (18), not previously expelled, and who wishes to continue his or her education shall be offered such alternative educational opportunity if he or she complies with conditions established by the Board of Education. other than the one from which the student has been excluded.

Such alternative educational opportunity may include, but shall not be limited to, the assignment of a student (who is seventeen (17) years of age or older) to any such adult education program or placement of such student in a regular classroom program of a school.

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 education opportunity to be offered under this Section, the Board of Education may receive and consider evidence of past disciplinary issues that have led to removal from a classroom, suspension, or expulsion.

The Board of Education is not obligated to provide such alternative educational opportunity to any student eighteen years of age or older. The Board of Education is also required to offer such alternative educational opportunity, as defined, to any student between the ages of sixteen and eighteen who is expelled because of conduct which endangers persons, and involved the following, on school grounds or at a school-sponsored event:

1. Possession of a firearm, deadly weapon, dangerous instrument, or martial arts weapon, or

2. Offering an illegal drug for sale or distribution.

3. 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 inform the agency of its action. If a student is expelled for possession of a firearm, deadly weapon, dangerous instruments (those that can be used to cause death or serious injury), or martial arts weapons, the Board shall report the violation to the local police department.

4. This provision shall not apply to students requiring special education who are described in subdivision (1) of sub-section (e) of C.G.S. 10-76a. The alternative educational opportunity for any such student shall be established by the IEP team (PPT) in accordance with the procedures described above.

R. Other Considerations

1. If 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 the notice of an expulsion of a student in grades nine through twelve, 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 and behavior in the years following such expulsion warrants an expungement or if the student graduates from high school.

2. 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.

3. If a student in grades preschool 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.

4. 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 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 item K above.

5. 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 complete the expulsion hearing and render a decision.

6. 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.

7. The period of expulsion shall not extend beyond a period of one calendar year. A period of exclusion may extend into the next school year.

8. An expelled student may apply for early readmission to school. Such readmission

shall be at the discretion of the Board of Education/Superintendent of Schools (choose which). Readmission decisions shall not be subject to appeal to the Superior Court. The Board or Superintendent, as appropriate, may condition such readmission on specified criteria.

9. Any student who commits an expellable offense and is subsequently committed to a juvenile detention center, the Connecticut Juvenile Training School, or any other residential placement for such offense may be expelled by the local Board of Education. The period of expulsion shall run concurrently with the period of commitment to a juvenile detention center, the Connecticut Juvenile Training School, or any other residential placement.

10. Prior to placing any student in an out-of-district placement due to the challenging behavior of such student, the board of education shall conduct a functional behavior assessment of such student and develop or update a behavioral intervention plan for such student.

A functional behavior assessment and a behavioral intervention plan shall not be required if the time required to conduct such assessment or develop or update such plan would put the safety of such student, any other student, or any staff at such student's school at risk.

Not later than two business days following the decision not to conduct such assessment, or develop, or update such plan for such student, the local or regional board of education shall file a notice with the Department of Education of the reasons that such assessment was not conducted, or such plan was not developed or updated.

S. Change of Residence During Expulsion Proceedings

A. Student moving into the school district

1. If a student enrolls in the district while an expulsion hearing is pending in another district, such student shall not be excluded from school pending completion of the expulsion hearing unless an emergency exists, as defined above. The Board shall retain the authority to suspend the student or to conduct its own expulsion hearing.

2. Where a student enrolls in the district during the period of expulsion from another public school district, the Board may adopt the decision of the student expulsion hearing conducted by such other school district. 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.

The Board shall make its determination based upon a hearing held by the Board, which hearing shall be limited to a determination of whether the conduct which was the basis of the previous public school district's expulsion would also warrant expulsion by the Board.

B. Student moving out of the school district:

Where a student withdraws from school after having been notified that an expulsion hearing is pending, but before a decision has been rendered by the Board, the notice of the pending expulsion hearing shall be included on the student's cumulative record, and the Board shall complete the expulsion hearing and render a decision. If the Board subsequently renders a decision to expel the student, a notice of the expulsion shall be included on the student's cumulative record.

T. Compliance with Documentation and Reporting Requirements

A. The Board of Education shall include in all disciplinary reports the individual student's state-assigned student identifier (SASID).

B. The Board of Education shall report all suspensions and expulsions to the State Department of Education.

C. If the Board of Education expels a student for sale or distribution of a controlled substance, the Board shall refer such student to an appropriate state or local agency for rehabilitation, intervention, or job training and inform the agency of its action.

D. If the Board of Education expels a student for possession of a deadly weapon or firearm, as defined in Conn. Gen. Stat. §53a-3, the violation shall be reported to the local police.

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).

Students and parents shall be notified of this policy annually.

Legal Reference: Connecticut General Statutes

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

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

10-222d Safe school climate plans. Definitions. Safe school climate assessments.

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, PA 17-220, PA 19-91, PA 25-67 and PA 25-93.

10-233l Expulsion and suspension of children in preschool programs

19a-342a Use of electronic nicotine delivery system or vapor product prohibited.

29-38 Weapons in vehicles

53a-3 Definitions.

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

53-344b Sale and delivery of electronic nicotine delivery system or vapor products to minors.

53-206 Carrying of dangerous weapons prohibited.

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

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

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, Amendments of 1997.

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

P.L. 108-446 The Individuals with Disabilities Education Improvement Act of 2004, 20 U.S.C. 1400 et seq.

18 U.S.C. §921 – Definitions of "firearms"

18 U.S.C. §930(g)(2) – Definition of "dangerous weapon"

18 U.S.C. §1365(h)(3) – Identifying "serious bodily injury"

21 U.S.C. §812(c) – Identifying "controlled substances"

Public Act 24-45 An Act Concerning Education Mandate Relief, School Discipline and Disconnected Youth, Sections 13-14

Public Act 24-93 An Act Concerning Various and Assorted Revisions to the Education Statutes, Section 11 and Section 12

Public Act 25-67 An Act Concerning the Quality and Delivery of Special Education Services in Connecticut (Section 13)

Public Act 25-93 An Act Increasing Resources for Students, Schools and Special Education (Sections 38 & 39)

Policy adopted:

Students

Nonresident Students

The Board of Education may approve requests for school attendance in the district for children living outside the district only for the reasons specifically listed herein:

Definition

A nonresident student is a student who:

1. resides outside of the school district; or

2. resides within the school district temporarily; or

3. resides within the school district permanently 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 these circumstances, 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 reside 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.

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 their designee is authorized to require documentation of residency for a family or student, such as affidavits. However, before requesting this evidence, the Superintendent or designee must first provide a written statement to the responsible party: the parent, guardian, relative or non-relative, emancipated minor, or student 18 years of age or older, explaining the reason the district believes the student 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 Students 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 student 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 student eighteen (18) years of age or older shall be so informed.

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 student 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 student 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 student 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 decide 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.

10 186 Duties of local and regional Boards of education re school attendance. Hearings. Appeals to the state Board. Establishment of the Hearing Board.

10 253 School privileges for students in certain placements...and temporary shelters.

10-4a Educational interests of the state are defined.

10 33 Tuition in towns in which no high school is maintained.

10 35 Notice of discontinuance of high school service to nonresidents.

10 55 Pupils to attend the regional school.

10 253 School privileges for children in certain placements, nonresident children, and children in temporary shelters.

Policy adopted:

Students

Homeless Students

The Board shall make reasonable efforts to identify homeless children and youths within the district, encourage their enrollment in school, and eliminate existing barriers to their education, which may exist in district policies or practices, in compliance with all applicable federal and state laws.

The District administration shall attempt to remove existing barriers to school attendance by homeless children or youth, which may include:

A. Records - The selected school for the homeless student shall enroll the child or youth even in the absence of records normally required for enrollment. The last school in which the student was enrolled shall be contacted to obtain records.

B. Other enrollment requirements that may constitute a barrier to the education of the homeless child or youth may be waived at the discretion of the Superintendent.

C. Grade Level Placement - If the District is unable to determine the student's grade level due to missing or incomplete records, the District shall administer tests or utilize other reasonable means to determine the appropriate grade level for the child.

D. Fees and charges, which may present a barrier to the enrollment or transfer of a homeless child or youth, shall be waived.

E. Transportation services must be comparable to those provided to other students in the selected school. Transportation shall be provided to the student's school of origin in compliance with federal and state regulations.

F. Official school records, policies, and regulations shall be waived at the discretion of the Superintendent, in compliance with federal and state regulations.

G. Immunization Records - The District shall make a reasonable effort to locate immunization records from information available. The District's liaison shall assist the parent/guardian in obtaining the necessary immunizations and records. The District shall arrange for students to receive immunizations through health agencies and at District expense if no other recourse is available. Immunizations may, however, be waived for homeless youth only in accordance with provisions of the Board of Education policy on immunizations.

H. Other barriers to school attendance by homeless children or youth may be waived at the discretion of the Superintendent of Schools.

Further, it is the policy of the Board of Education that no child or youth shall be discriminated against or stigmatized in this school district because of homelessness. Homeless students, as

defined by federal and state statutes, residing within the district or residing in temporary shelters in the district are entitled to free school privileges.

Homeless students shall not be separated from the mainstream school environment based on their homelessness. Such students shall have access to education and other services they need to meet the same challenging State academic standards to which all students are held.

Homeless students within the district not placed in a shelter remain the district's responsibility to provide continued educational services. Such services for the child may be:

1. continued in the school ("school of origin") that the student attended when permanently housed or the school of last enrollment; or

2. provided in the school that is attended by other students living in the same attendance area where the homeless child lives.

To the extent feasible, a homeless child will be kept in the school of origin, unless it is against the wishes of the parent/guardian. If placement in the school of origin is not feasible, the homeless student must be placed in the school that is attended by other students living in the same attendance area in which the homeless student lives.

The District will provide a written explanation, including the right to appeal, whenever the District sends a homeless student to a school other than the school of origin, a school requested by the parent/guardian, or an unaccompanied youth.

Homeless children shall be provided educational services that are comparable to those provided to other students enrolled in the District, including but not limited to, Title I, transportation services, compensatory educational programs, gifted and talented, special education, ESL, health services and food and nutrition programs, and preschools operated by the District, if they meet the established criteria for these services.

The Superintendent of Schools or his/her designee shall refer identified homeless children under the age of eighteen who may reside within the school district, on a case-by-case basis, when there is reasonable suspicion of neglect or abuse, to the Connecticut Department of Children and Families (DCF). (Homelessness by itself does not automatically mean that abuse or neglect exists.)

The district administration shall attempt to remove existing barriers to school attendance by homeless emancipated minors and youth eighteen years of age:

1. The selected school for the homeless child shall enroll the child, even in the absence of records normally required for enrollment. The last school enrolled shall be contacted to obtain records.

2. Other enrollment requirements that may constitute a barrier to the education of the homeless child or youth may be waived at the discretion of the Superintendent. If the district is unable to determine the student's grade level due to missing or incomplete records, the district shall administer tests or utilize other reasonable means to determine the appropriate grade level for the child.

3. Fees and charges, which may present a barrier to the enrollment or transfer of a homeless child or youth, may be waived at the discretion of the Superintendent.

4. Transportation services must be comparable to those provided to other students in the selected school. Transportation shall be provided to the student's school of origin in compliance with federal and state regulations. If the school of origin is in a different school district from where the homeless child or youth is currently living, both school districts shall agree on a method for sharing the responsibility and costs, or share the costs equally.

5. Official school records policies and regulations shall be waived at the discretion of the Superintendent, in compliance with federal statutes.

6. The district shall make a reasonable effort to locate immunization records from information available. The District's liaison shall assist the parent/guardian in obtaining the necessary immunizations and records. The District shall arrange for students to receive immunizations through health agencies and at District expense if no other recourse is available. Immunizations may, however, be waived for homeless youth only in accordance with provisions of the Board of Education policy on immunizations.

7. The Board will provide any homeless student who is not in the physical custody of a parent/guardian with full access to his/her educational records, including medical records, in the Board's possession.

8. Other barriers to school attendance by homeless children or youth may be waived at the discretion of the Superintendent of Schools.

9. The District will treat information about a homeless child or youth's living situation as a student education record subject to the protections of the Family Educational Rights and Privacy Act (FERPA). Such information shall not be deemed to be directory information.

Any homeless child or youth denied school accommodations shall continue in attendance or be immediately enrolled in the school selected by the child in the school district. The homeless child or youth or the parent/guardian of such homeless individual shall be provided with a written explanation of the reasons for the denial of accommodations in a manner and form understandable to such homeless child or youth or parent/guardian. Information shall also be provided regarding the right to appeal the decision of the denial of accommodations. The

homeless child or youth shall be entitled to continue in attendance in the school district during all available appeals.

In addition, if a homeless child or youth is denied school accommodations, such homeless child or youth shall be entitled to a hearing conducted pursuant to C.G.S. 10-186.

The District's educational liaison for homeless children is the Director of Mental Health. The liaison must assist homeless children and youth, as described within the administrative regulations, in the placement/enrollment decisions, considering the youth's wishes, and provide notice of appeal under the Act's enrollment disputes provisions. The liaison shall also participate in State-provided professional development programs for local liaisons.

Students residing in a temporary shelter are entitled to free school privileges from the district in which the shelter is located or from the school district where they would otherwise reside if not for the placement in the temporary shelter. The district in which the temporary shelter is located shall notify the district where the student would otherwise be attending. The district so notified may choose to either:

1. continue to provide educational services, including transportation between the temporary shelter and the school in the home district; or

2. pay tuition to the district in which the temporary shelter is located.

The Superintendent shall develop regulations to ensure compliance with applicable statutes in the implementation of this policy.

(cf. 5143 - Student Health Assessments and Immunizations)

(cf. 5146 - Child Abuse and Neglect)

Legal Reference: Connecticut General Statutes

4-176e to 4-180a Agency hearings.

4-181a contested cases. Reconsideration. Modifications.

10-186 Duties of local and regional boards of education re school attendance. Hearings. Appeals to the state board. Establishment of the hearing board. Readmission. Transfers. (as amended by PA 19-179)

10-253(e) School privileges for children in certain placements, non-resident children, and children in temporary shelters. (as amended by PA 17-194)

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

PA 17-194 An Act Concerning Access to Student Records for Certain Unaccompanied Youths.

PA 19-179 An Act Concerning Homeless Students' Access to Education

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 and Youths Program, Vol. 81, No. 52, 3/17/2016.

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 was enacted as part of 438 of the General Education 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.

Policy adopted:

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 this policy:

"Parent" means a natural parent, an adoptive parent, 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, or 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. Any information maintained for 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 that 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.

"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 are 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.

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 to the records as requested is not warranted, it will inform the parent/guardian or eligible student and advise him/her if 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 their prior consent is not required to disclose information.

10. Ensuring the orderly retention and disposition, per applicable state statutes, of the district's 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 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.

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 the General Education 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)

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

PL 112-278 "The Uninterrupted Scholars Act"

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

Policy adopted:

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, or microfiche. 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 that is maintained for 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 that 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. Medical records are not open to public inspection.

"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.

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, 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, 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.

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.

15. "Signed and Dated Waiver Consent" means signed and dated written consent to disclose personally identifiable student information from a student's records, which 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

D. Name and address of the parent of the 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 credits 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.

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. (Name of certified person) is hereby designated as custodian of student records. The address of the custodian is (please indicate the title of the appropriate person).

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

(2) The custodian shall be responsible for the 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 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:

- 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 disclose 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 place of physical or technological controls. Such policies must be effective in controlling access.

(It is recommended that access to education records by school officials be tracked.)

2. Parents

A. Parents of currently enrolled or former students shall have an absolute right during regular business hours to access any or 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 that pertains to that student.

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 that 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:

(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 ADA generally prohibit 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.

(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.

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.

Note: It is recommended that whenever possible, agencies and institutions either release de-identified information or remove students' names and Social Security

Numbers to reduce the risk of unauthorized disclosure of personally identifiable information.

(5) Officials and employees of private schools or school districts where the student is enrolled or intends to enroll are 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.

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, before 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.

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, microcard, 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 599.33(a), 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.

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 who 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, 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.

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, 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 to come to a just conclusion (Or criteria can be defined by the 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.

(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.

2. Hearing Panel

A.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.

(1) The hearing panel shall be provided with verbatim copies of the information that 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.

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 prohibit 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

   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 before 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. Opting out of 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.

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 the former student's records.

(2) up to two verifications of various records of former students.

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 to 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.

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.

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 a 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 or 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 the student's current attendance at the same time as notice is issued. The notice shall be in a form that 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.

   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 prevent 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) 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.

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 the teacher or nurse and the student.

10 209 Records not to be public.

10 221b Boards of education to establish a written uniform policy regarding the 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

PL 112-278 "The Uninterrupted Scholars Act"

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

Regulation approved:

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 Superintendent of Schools as its HIPAA Privacy Officer.

Student education records, including personally identifiable health information, maintained by the District are 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 use 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), with assurances that the District has obtained authorization from the parent or adult student prior to the release of protected health information for the purpose of Medicaid billing. 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 who wrongfully use or disclose 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.).

Dept. of Educ. 34 C.F.R. Part 99 (May 9, 1980, 45 FR 30802) regs. Implementing FERPA, enacted as part of 438 of the General Education 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:

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 a 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 that is designed primarily for use as a signaling, pyrotechnic, line-throwing, safety, or similar device.

The possession or use of any such weapon or device 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 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 with all students, including 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.

Weapons under the control of law enforcement personnel are permitted. The Superintendent may authorize other persons to possess weapons for courses, programs, and activities approved by the District and conducted on District property.

In accordance with the federal Gun-Free School Zone Act, possession or discharge of a firearm in a school zone is prohibited. A "school zone," as defined by federal law, means on or in school grounds, or within 1,000 feet of school grounds.

"Gun-Free School Zone" signs will/may be posted in cooperation with city/town officials as appropriate. Violations, unless otherwise exempted by law or this policy, shall be reported to the appropriate law enforcement agency.

(cf. 5114 - Suspension/Expulsion)

(cf. 5145.12 - Search and Seizure)

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.

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.

20 U.S.C. §7961, The Gun-Free School Act, 8561 of the Every Student Succeeds 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:

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)

Policy adopted:

Students

Administering Medications

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. 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 before 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.

An 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 pursuant to subdivision (1) of subsection (b) of C.G.S. 19a-77. Such programs shall not include public or private entities licensed by the Office of Early Childhood or the Board of Education, enhancement programs, or extracurricular 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.

Carrier means any school district, educational institution, or person, firm or corporation under contract to such district or institution engaged in the business of transporting students. (C.G.S. 14-212 (2)).

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

Coach means any person holding a coaching permit hired by the Board of Education to coach for a sports season.

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

A 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.

An 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 emergency first aid pursuant to Connecticut General Statutes 10-212a and Section 10-212a-2 of the Regulations of Connecticut State Agencies.

Extracurricular activities mean 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.

Intramural athletic events mean 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 mean events between or among schools for the purpose of providing an opportunity for students to participate in competitive contests that are highly organized and extend beyond the scope of intramural programs and include 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.

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

A 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 12 months, 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.

An 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.

An optometrist means an optometrist licensed to provide optometry pursuant to Chapter 380 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.

A podiatrist is an individual licensed to practice podiatry in Connecticut pursuant to Chapter 375 of the Connecticut General Statutes.

Principal means the school's administrator.

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 dose range for that medication.

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 bus driver means any person who holds a commercial driver's license with a public passenger endorsement to operate a school bus pursuant to subsection (a) of C.G.S. 14-44.

School 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 is 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 overseeing 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 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-l 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 child's capacity to conduct self-testing, along with written authorization from 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 Connecticut-licensed physician.

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 with an injector or injectable equipment to deliver an appropriate dose of glucagon as an emergency first-aid response to diabetes.

The school nurse or school principal may select a qualified school employee to, under certain conditions, give a Diastat rectal gel syringe to a student with seizures 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 the "Antiepileptic Medication Administration Training Program for Connecticut's Unlicensed School Personnel" created by the CT State DOE in consultation with the CT School Nurse Advisory Council and the Association of School Nurses of CT. The school nurse and/or 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 medication is to be given via a rectal syringe that is used to deliver a predetermined dose of Diastat rectal gel as an emergency first aid response to a seizure.

A child diagnosed with asthma or a diagnosed life-threatening allergic condition, pursuant to State Board of Education regulations, may possess, self-administer or possess and self-administer medicine administered through the use of an asthmatic inhaler or an EpiPen or similar device in the school at all times or while receiving school transportation services if he/she is

under the care of a physician, physician assistant, or advanced practice registered nurse (APRN) and such practitioner certifies in writing to 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.

Medications with a cartridge injector may be administered by qualified personnel in 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, research, or study medications may not be administered by qualified personnel in 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, is 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, and who have been properly trained, may administer medications to students as delegated by the school nurse or another registered nurse in school readiness programs and in before- and after-school programs that are childcare 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.

Medication administration shall be provided only when it is medically necessary for program participants to access the program and maintain their health status while attending. 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, 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.

The administration shall determine, in cooperation with the School Medical Advisor and the school nurse [supervisor], whether additional school nursing services/nurses are required based on the program's needs and participants. 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.

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, information from local poison control centers 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 subsections (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 daily.

Documentation and recordkeeping shall be conducted in accordance 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.

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 unavailable, the coach or licensed athletic trainer may submit a report 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 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.

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.

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 an 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 to administer epinephrine using 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 a 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, as 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.

Note: The regulations indicate that boards of education determine the regular school hours for each school. Another definition could be the hours specified in the Teacher's Contract for the normal school/employment day in terms of hours.

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.

School Bus Drivers Training

By June 30, 2019, school transportation carriers must provide training to all school bus drivers, including instruction on (1) identifying the signs and symptoms of anaphylaxis, (2) administering epinephrine by a cartridge injector ("EpiPen"), (3) notifying emergency personnel, and (4) reporting an incident involving a student's life-threatening allergic reaction. Such training can be completed online, provided the online module fulfills legislative requirements.

Beginning July 1, 2019, each carrier must provide the training to school bus drivers (1) following the issuance or renewal of a public passenger endorsement to operate a school bus for carrier employees, and (2) upon the hiring of a school bus driver who is not employed by such carrier (e.g., subcontractor), except a driver who received the training after the most recent issuance or renewal of his or her endorsement is not required to repeat it.

(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, PA 15-215 and PA 18-185)

10-212c Life-threatening food allergies and glycogen storage disease: Guidelines; district plans. (as amended by PA 18-185)

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.

52-557b Immunity from liability for emergency medical assistance, first aid, or medication by injection. School personnel are not required to administer or render. (as amended by PA 05-144, An Act Concerning the Emergency Use of Cartridge Injectors and PA 18-185)

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 an advanced practice registered nurse.

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

Policy adopted:

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), management of such effects, and student allergies to food and/or medicine are 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 can 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.

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.

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 the 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.

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 the 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 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.

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 an emergency first aid response to diabetes.

A specific paraprofessional, in the absence of a school nurse, may only administer medications to a specific student 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.

Note: The use of a paraprofessional to administer medications, as described above, is not mandated by law or regulation. Such use is subject to Board of Education approval.

Storage and Administration of Epinephrine

Definitions

Carrier means any school district, educational institution, or person, firm or corporation under contract to such district or institution engaged in the business of transporting students. (C.G.S. 14-212 (2)).

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

Qualified medical professional means a licensed physician, optometrist, advanced practice registered nurse, or a physician assistant.

School bus driver means any person who holds a commercial driver's license with a public passenger endorsement to operate a school bus pursuant to subsection (a) of C.G.S. 14-44.

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.

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.

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 an 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 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 to administer epinephrine using 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, as permitted by statute. The school district shall annually notify parents/guardians of the need to provide written notice if they do not want emergency epinephrine administration for 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 medication administration form for each student shall be maintained, submitted to the school nurse at the earliest possible time, but no later than the next day, and filed in or summarized in 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.

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 in 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, the principal, or the 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.

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 refrigerator shelf 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 a 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 that approved for students to keep 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 student's medication shall be stored at the school. All medications, prescriptions, and non-prescription medications 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 asked 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:

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 a witness:

A. Date of destruction.

B. Time of destruction.

C. Name, strength, form, and quantity of medication destroyed.

D. Manner of destruction of medication.

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's 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 that administers medication 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;

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 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 must be maintained at the school for 3 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's 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.

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's 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 shall be 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 school personnel who have been properly trained may administer medication to students. Qualified school personnel 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 in schools.

In the case of administering 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.

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 or 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.

***Alternate language pertaining to "Medication Errors" to consider*:**

Whenever any error in medication administration occurs, the following procedures shall apply:

A. the person making the error in medication administration shall immediately implement the medication emergency procedures in this regulation if necessary, and shall immediately notify the school nurse and the Principal (if the Principal was not the person who made the error);

B. the school nurse shall immediately notify the authorized prescriber and the student's parent or guardian.

C. the Principal shall notify the Superintendent or the Superintendent's designee, advising of the nature of the error and all steps taken or being taken to rectify the error, including contact with the authorized prescriber and/or any other medical action(s). (An incident report form is to be sent to the Superintendent or his/her designee.)

A report shall be completed using the authorized accident/incident report form.

Any error in the administration of medication shall be documented in the student's cumulative health record.

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 or 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 the 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.

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 the general supervision of the 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;

   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, 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.

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 [supervisor], the level of nursing services that is/is not 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, or written approval of the school nurse.

The nurse shall evaluate the situation and deem it appropriate and safe, and shall have 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 (*Optional: or any other person trained in CPR and First Aid*) 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.

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 the 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 records 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.

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 with 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 unavailable, the coach or licensed athletic trainer may submit a report 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, PA 14-176, and PA 18-185)

10-212c Life-Threatening food allergies and glycogen storage disease: Guidelines; district plans. (as amended by PA 18-185)

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 are not required to administer or render. (as amended by PA 05-144 – An Act Concerning the Emergency Use of Cartridge Injectors and PA 18-185, An Act Concerning the Recommendations of the Task Force on Life-Threatening Food Allergies in Schools)

Connecticut Regulations of State Agencies

10-212a-1 through 10-212a-10 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

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

Reviewed and endorsed April 3, 2026 by:

Ann Milanese MD

Ann Milanese, MD
Medical Advisor, RSD #7

Policy/ Regulation approved:

SMOKING POLICY

Since the Board of Education is committed to maintaining and improving the health and well-being of all students and employees; because medical research shows that smoking poses a significant risk to the health of the smoker and the nonsmoker; and because the Board of Education accepts the educational principles that one teaches best by example, the Board of Education adopts the following policy for all students, employees and visitors.

-- Smoking using tobacco or tobacco products will not be permitted in the buildings or on the grounds of Regional School District No. 7 Public Schools by students or adults at any time.

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

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.

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.

For students, possession of all smoking products, including cigarettes, chewing tobacco, lighters, and so forth, is prohibited on school grounds and will result in penalties as outlined in the administrative regulations to the policy.

Legal Reference: CGS 1-2b, as amended
Public Act 87-201

Revised/Approved 9/13/94; Revised/Approved 4/8/97
Revised/Approved 6/26/98; Revised/Approved 4/27/99
Reviewed 11/13/01; Reviewed/Renumbered/Approved 7/20/2010;
Revised/Approved 1/14/2015

Regional School District No. 7

Administrative Regulations to Policy 5131.61
Smoking

HIGH SCHOOL

I. STAFF

Violation of this policy will not be permitted by any employee, and may result in discipline from reprimand up to and including dismissal.

II. STUDENTS

Students who are observed or suspected of being in violation of this policy will be subject to discipline and fines as detailed below:

A student has violated our no smoking/ tobacco use policies if:

- Student has smoke or vaping juice breath.
- Student is in possession of a lit cigarette.
- Student is observed throwing a lit cigarette or concealing a vaping device.
- Student is found in an area where active smoking is occurring.
- Student is found in possession of smoking paraphernalia (cigarettes, lighters, etc.).
- Student is found in a lavatory stall with smoke rising above it.
- Student is found in presence of smoke when a staff member detected none prior to student entering the lavatory.

In addition, all of these issues may warrant a search of students in the area at the time.

Discipline and Fines

A. First Offense: $60.00 Fine (or equal to the going rate for a ticket by law enforcement at the time of violation).
Parents informed of violation
Three-hour Saturday Stop Smoking Class
Loss of common's privileges for five (5) school days

B. Second Offense: $60.00 Fine (or equal to the going rate for a ticket by law enforcement at the time of violation).
Parents informed of violation.
One day out of school suspension.
Loss of commons privileges for 10 school days.

Administrative Regulations to Policy 5131.61
Smoking (continued...)
HIGH SCHOOL (continued...)

C. Third Offense: $60.00 Fine (or equal to the going rate for a ticket by law enforcement at the time of violation).
Parents informed of violation.
Loss of common privileges for 20 school days.
Three day out-of-school suspension.

D. Fourth or Subsequent Offense:
$60.00 Fine (or equal to the going rate for a ticket by law enforcement at the time of violation).
Parents informed of violation.
Loss of all privileges for 10 weeks.
Ten day out-of-school suspension.
Mandatory hearing with the Superintendent to discuss possible hearing with the Board of Education in consideration of expulsion from school up to 180 days.

Any smoker/tobacco user will be encouraged to participate in a smoking cessation program, the cost of which may be reimbursed up to $100. Such reimbursement is contingent upon the student's successful completion of the program as certified by the program director.

A student who has violated the school no smoking policy may have his/her fine eliminated if he/she successfully completes a smoke ending program within 90 calendar days of the smoking offense and provided that no additional violations occur from the time of the initial date of the violation.

Saturday Stop Smoking Class – Stop smoking classes will be periodically scheduled for selected Saturday mornings from 9:00 am until 12:00pm. During the session, students will participate in an educational program designed to increase awareness of issues related to teen-age smoking. A student who fails to comply with a directive to attend the stop smoking class will be considered insubordinate and will be suspended for one day, lose commons privileges for 10 school days, and be additionally fined for his/her proportional cost of the class.

All fines must be paid before a student will be allowed to participate in the junior or senior prom, senior picnic, graduation, or other significant class event.

Any money collected in fines will be deposited in a Student Activity Account and be used to support the smoke ending initiative, to purchase anti-smoking materials and to purchase cessation programs.

Administrative Regulations to Policy 5131.61
Smoking (continued…)
HIGH SCHOOL (continued…)

Possession of all smoking products, including cigarettes, chewing tobacco, lighters, and so forth, is prohibited on school grounds and will result in penalties as listed above.

MIDDLE SCHOOL

Discipline and Fines

A. First Offense: $60.00 Fine (or equal to going rate for a ticket by law)
Parents informed of violation.

B. Second Offense: $60.00 Fine (or equal to going rate for a ticket by law)
Parents informed of the violation
Three-hour Saturday Stop Smoking Class

C. Third Offense: $60.00 Fine (or equal to going rate for ticket by law)
Parents informed of violation
Two-Day In-School Suspension

D. Fourth or Subsequent Offense:
$60.00 Fine (or equal to going rate for ticket by law)
Parents informed of the violation
Five-Day Out-Of-School Suspension
Mandatory hearing with the Superintendent to discuss possible hearing with Board of Education in consideration of expulsion from school up to 180 days.

Item 6.1

ADOPTION OF BUDGET TO TAKE TO ANNUAL DISTRICT BUDGET MEETING

Ms. Sexton Read States:

"A **MOTION** is needed to ADOPT that the RSD#7 Board of Education agrees to proceed with the 2026-2027 Regional School District No. 7 Proposed Budget of $25,257,227.00 representing a 1.74% percent increase above the 2025-2026 Adopted Budget to take to the Annual District Budget Meeting on May 4, 2026, at 7:00 p.m. in the RSD#7 Little Theater."

Item 6.2

MOTION TO ADOPT THE CALL OF THE DISTRICT BUDGET MEETING with REFERENDUM

Ms. Sexton Read States:

"**MOTION** to **ADOPT** the Call of the District Meeting of Regional School District No. 7 will be held on Monday, May 4, 2026, at 7:00 p.m., at the school building in Winsted, Connecticut, for the following business:

1) To authorize the Regional Board of Education to apply for, accept, and expend, in addition to the regular school budget, any state, federal, or private grant money which may be available for special purposes during the fiscal year 2026-2027.

2) To accept the annual budget for the fiscal year commencing July 1, 2026. Copies of the budget are on hand in the offices of the Town Clerks of each of the member towns.

3) The Board of Education for Regional School District No. 7 has designated that the vote on the motion to adopt the budget shall be by a **"yes"** or **"no"** vote on the optical scan machines in each of the member towns on Tuesday, May 5, 2026, with hours to be set by individual towns as established by state statutes.

Dated at Winsted, CT, the 20th day of April, 2026, signed by Molly Sexton Read, Regional School District No. 7 Board of Education Chair"

Item 6.3

Authorization of Explanatory Text for the 2026-2027 Budget

Ms. Sexton Read states:

"**MOTION** to AUTHORIZE the Secretary of the Board of Education to prepare and cause to be printed and disseminated a concise explanatory text with respect to the 2026-2027 budget referendum question that will be submitted to the District's voters, subject to any necessary further legal review and approval by District legal counsel, and which shall otherwise be prepared, printed, and disseminated in accordance with Connecticut General Statutes Section 9-369b and the Secretary's discretion, and to be amended as necessary."

Budget Explanatory Text

Overview

On Monday, May 4, 2026, at 7:00 p.m. in the Roberta S. Ohotnicky Little Theater, the Regional School District No. 7 Board of Education (the "Board") will hold a District Meeting on its proposed 2026-2027 budget. No vote will be taken at this meeting. A budget referendum will be held on Tuesday, May 5, 2026, and voters are encouraged to participate.

Budget development began in September and involved an extensive development and review process with district staff over more than a six-month period. The proposed budget was then reviewed in February and further reduced with Board input. The latest revised board proposed budget was presented to each of the region's sending towns during the months of March and April.

The total budget request of $25,257,227 is an increase of $432,498, or 1.74 percent more than the current budget of $24,824,729. The increase is due primarily to: an increase of $75,493 in the Salary account due to contractual obligations along with staffing changes and staff reductions; an increase in Benefits of $265,713 primarily due to a 9.4 percent increase in health insurance; an increase of $221,064 in Professional/Technical Services mostly attributable to Special Education programming requirements; an increase of $38,777 in Property Services attributed mainly to energy, fuel and utilities; a decrease of $208,334 in Other Purchased Services from a decrease in Special Education outplacement tuitions and transportation for outplaced students; an increase in Supplies of $35,404; minor shifts between accounts net a $0 impact under Property; and an increase in Other Objects and Other Use of Funds of $4,381 due to adjustments to dues and fees and no new borrowing since 2012.

Salaries and Benefits

Salaries are based on 130.70 full-time equivalent positions (FTE) – including 98.0 certified positions. The Benefits section includes a 9.4 percent increase from health insurance renewal costs.

Revenues

The overall 2026-2027 revenues are anticipated to decrease by an estimated $10,093. This is primarily due to a decrease in Regular Education and Vo-Ag Tuition revenues.

Budget Explanatory Text

Revenues are derived from taxation, state grants and other sources. The primary source is through regional taxpayers. The budget expenditure summary and allocations are as follows:

Budget Summary:
Expenditures by Category

Category	2026-2027
Salaries	$12,684,227
Benefits	$ 4,173,831
Purchased Professional Services	$ 2,528,355
Purchased Property Services	$ 1,408,035
Other Purchased Services	$ 3,388,456
Supplies	$ 648,739
Property	$ 370,859
Other Objects	$ 66,225
Other Use of Funds	$ -11,500
Total Budget	**$25,257,227**

Increase of 1.74%

Percentage of budget (allocations) paid by each town is based on Average Daily Membership (10/1/2025).

	Students	% Allocation
Barkhamsted	182	26.57%
Colebrook	70	10.22%
New Hartford	372	54.31%
Norfolk	61	8.90%
Totals	**685**	**100.00%**

Member Town Allocations

	2025-2026	2026-2027	Change
Barkhamsted	$5,983,177	$6,116,861	$133,684
Colebrook	$2,398,702	$2,352,816	-$45,886
New Hartford	$12,271,850	$12,503,075	$231,225
Norfolk	$1,975,535	$2,048,929	$73,394
Other Sources	$2,195,465	$2,235,546	$40,081

Average Daily Membership
(Enrollment from each town)

The Barkhamsted School

INSPIRE ✦ EMPOWER ✦ SOAR

65 RIPLEY HILL ROAD
BARKHAMSTED, CONNECTICUT 06063
PHONE (860) 379-2729

ERIKA SACHARKO
SUPERINTENDENT
esacharko@barkhamstedschool.org

March 9, 2026

Dear Mr. LePage,

Thank you for your communication regarding the Special Education Expansion and Development (SEED) grant and for the time you have taken to seek clarity on a process that has created understandable confusion across many regional school districts this year.

I truly value the generosity reflected in your message and in the decision you and the Regional School District No. 7 Board of Education have made. Barkhamsted is appreciative of the opportunity to access the full SEED grant allocation. Given the particularly challenging budget year we are experiencing, the district will utilize this funding to support qualifying in-district special education services for students.

We value the strong partnership that exists among our districts and the spirit of collaboration that continues to guide our work on behalf of students and families across the region. Thank you again for your thoughtful and collegial approach.

Sincerely,

Erika F. Sacharko

Erika Sacharko
Superintendent
The Barkhamsted School

NEW HARTFORD PUBLIC SCHOOLS

NEW HARTFORD TOWN HALL
530 MAIN STREET P. O. BOX 315
NEW HARTFORD, CONNECTICUT 06057
OFFICE (860) 379-8546 FAX (860) 738-1766

Jeffrey Sousa	Michael Lynch	Amy Kennedy	Kelly Carroll, Ed.D.
Superintendent of Schools	Director of Student Services	Principal Bakerville & New Hartford Elementary	Principal Ann Antolini School

November 24, 2025

Dear Superintendent Steve LePage and Regional School District No. 7 Board of Education,

Your partnership exemplifies what it means to lead with clarity, purpose, and inclusivity. The support you've provided will significantly enhance our capacity to serve students, particularly in strengthening special education resources and staffing as we welcome new learners into the district. New Hartford Public Schools will use the entire SEED grant funding to support our special education students.

Your responsiveness and shared vision make a measurable difference and I remain grateful for the professionalism and dedication you bring to our collective work in serving all students and families. You continue to affirm my strong sentiment regarding your leadership and true collaboration with every stakeholder in our entire region.

I am honored to call you a colleague and friend. Thank you.

Respectfully and with deep appreciation,

Jeffrey F. Sousa
Superintendent
New Hartford Public Schools

Timothy Klepps
Chair, Board of Education
New Hartford Public Schools