# Policy Committee - Virtual Meeting

Thursday, August 6, 2020 4:00 PM
L.P. Wilson Community Center, Board Room - Closed to the Public Meeting ID meet.google.com/kpj-qhmt-yyw Phone Numbers (?US?) ?+1 234-719-3789? PIN: ?570 260 233#?, 601 Matianuck Avenue, Windsor, CT 06095

1. **Call to Order, Pledge to the Flag and Moment of Silence**
2. **Review of Policies/Regulations to be Considered for Waiver**
   a. Summary of Policies/Regulations Affected by COVID-19 Pandemic
   b. New 6114.81 P Emergencies and Disaster Preparedness - Pandemic/Epidemic Emergencies
   c. 1212 P/AR School Volunteers
   d. 1250 P/AR Visits to the Schools
   e. 1330 P/AR Use of School Facilities
   f. 3524.2 P Policy Regarding Use of Green Cleaning Products
   g. 3541 P/AR Transportation
   h. 4112.3 P Employment and Student Teacher Checks
   i. 4118.3 P Guidelines for Acceptable use of Computers, Networks, and the Internet (Personnel)
   j. 5113 P/AR Student Attendance, Truancy, and Chronic Absenteeism
   k. 5114 P/AR Student Discipline
   l. 5141.3 P/AR Health Assessments
   m. 6340 P/AR Guidelines for Acceptable Use of Computers, Networks, and the Internet (Students)
   n. 9325 BL Meeting Conduct
3. **Adjournment**

# Summary of Policies/Regulations Affected by COVID-19 Pandemic

## New Policies

- **6114.81 Emergencies and Disaster Preparedness, Pandemic/Epidemic Emergencies**
  - The Board, through this policy, acknowledges school closures in response to a pandemic/epidemic and would designate the Superintendent of Schools or his/her designee to act as a liaison for the District to ensure the health and safety of students, staff, and community. This new policy outlines the temporary authority given to the Superintendent to address the COVID-19 pandemic emergency.

## Policies/Regulations Affected by the COVID-19 Pandemic Emergency

### *1000 Series: Community*

- **P/AR 1212 School Volunteers**
  - Allows the administration flexibility to limit or restrict non-essential volunteers into the school buildings, and require any volunteers to comply with the school's health and safety protocols.

- **P/AR 1250 Visits to Schools**
  - Allows the administration flexibility to limit or restrict non-essential visitors into the school buildings, and require any visitors to comply with the school's health and safety protocols.

- **P/AR 1330 Use of School Facilities**
  - Provides flexibility to the administration to limit or restrict the use of school facilities by private and community organizations. These revisions also require compliance with health and safety protocols by any private or community organization that is permitted to use school facilities.

### *3000 Series: Business*

- **P 3524.2 Use of Green Cleaning Products**
  - Allows district to purchase disinfectants and sanitizer that may be used by the schools that are not in compliance with the green cleaning statute, but follows a recent memorandum from the Department of Administrative Services.

- **P/AR 3541 Transportation**
  - Allows the district administration to request that parents volunteer to transport their children to school, in accordance with state guidance, further clarifying that parents are responsible for the safety of their children while walking to and at the bus stop, which includes following health and safety rules.

### *4000 Series: Personnel*

- **P 4112.3 Employment and Student Checks**
  - Timeline allowances regarding state and national criminal record checks may be modified by the district in accordance with any executive order issued by the Governor or any order issued by the Commissioner of Education that is related to the COVID-19 pandemic or public health emergency.



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- **P 4118.3 Guidelines for Acceptable Use of Computers, Networks, and the Internet (Personnel)**
  - Allows administration to have computers installed and a computer network (including Internet access) on board premises and may provide other electronic devices that can access the network, but does not necessarily provide computers and Internet access in locations other than the board premises. Administration may use electronic monitoring specifying that employees are expected to exercise appropriate judgment and may be monitored electronically when engaged in remote teaching or use of a digital teaching platform.

***5000 Series: Students***

- **P/AR 5113 Student Attendance, Truancy and Chronic Absenteeism**
  - Schools will actively monitor student absences and collect data concerning medical absences to allow the district to identify trends that would suggest the spread of illness, such as COVID-19, in accordance with state guidance. Note that we anticipate receiving additional guidance from the State Department of Education concerning attendance and students who do not attend school during the COVID-19 pandemic. We may revise procedures in accordance with that guidance. Administration may revise procedures that link receipt of graduation credits to class attendance, in accordance with the impending state guidance.

- **P/AR 5141.3 Health Assessments**
  - Administration may implement flexibilities in the timing for required health assessments upon initial entry to school, in either 6th or 7th grade, and in either 9th or 10th grade per state guidance. Of note, the Department of Public Health has not at this time relaxed or otherwise amended the immunization requirements for school attendance.

- **P/AR 5114 Student Discipline**
  - Administration may discipline students, including suspension or expulsion, for failing to comply with the school's health and safety protocols developed as a result of the COVID-19 pandemic. Expulsion hearings may be held virtually if physical presence in school is limited or restricted.

***6000 Series: Instruction***

- **P 6340 Use of District Computer Systems**
  - Allows administration to have computers installed and a computer network (including Internet access) on board premises and may provide other electronic devices that can access the network, but does not necessarily provide computers and Internet access in locations other than the board premises. Administration will implement technology protection measures (*e.g.,* filtering technology) for board-owned computers or devices and board-provided Internet access, to the extent practicable.

***9000 Series: Bylaws***

- **BL 9325 Meeting Conduct**
  - Allows the board of education to convene virtually and limit or restrict public comment during virtual board meetings.



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## Emergencies and Disaster Preparedness

## Pandemic/Epidemic Emergencies

### Emergency Suspension of Policy During Pandemic

The Board of Education (Board) is authorized by statute to govern the District, including the adoption, revision, and suspension of Board policies.

The Board, through this policy, acknowledges school closures in response to a pandemic/epidemic and designates the Superintendent of Schools or his/her designee to act as a liaison for the District to ensure the health and safety of students, staff, and the community.

The World Health Organization on March 11, 2020 characterized COVID-19 as a pandemic. Governor Lamont declared a state of emergency and directed implementation of appropriate plans and procedures in response to the novel coronavirus (COVID-19). This action included closure of all Connecticut public schools. President Trump declared a national state of emergency.

The Connecticut State Department of Education (CSDE) has authority to waive instructional hours and school days, to interpret graduation requirements, and to oversee the allocation of resources for nutrition, transportation, and other crucial aspects of public education and is providing written guidance to school districts on issues related to COVID -19, including but not limited to student attendance, distance/online learning, high school credit, meal distribution, and other issues.

### Temporary Powers Granted to Superintendent of Schools

The Board grants to the Superintendent the following temporary powers to address the COVID-19 pandemic emergency:

1. Authority to temporarily waive such Board policies or provisions of Board policies as the Superintendent shall deem necessary to comply with guidance from appropriate health or governmental authorities or necessary for other effective response.
2. Authority to take any lawful actions necessary to ensure the continuation of public education, to provide for the health and safety of students and employees, or to respond to direction from appropriate health and government authorities. Such action may include, but are not limited to, adjustments to the curriculum and the provision of alternate educational program options; modifications to the school calendar; adjustments to the delivery of school-provided meals; limitations on access to District property; applying to any governmental body for financial or other aid as may be available; and applying to any governmental body for waiver of regulations or requirements, compliance with which is affected by the COVID-19 pandemic emergency.

# Instruction

## Pandemic/Epidemic Emergencies

**Emergency Suspension of Policy During Pandemic** (continued)

3. Authority to close any school facility without further action by this Board. Such closure shall continue during the emergency created by the COVID-19 pandemic until such time as the Superintendent, in consultation with appropriate health and government authorities, deems it in the best interests of the District and its students to open schools.
4. Authority based upon the needs of the District and the guidance from health and government agencies disseminated by CSDE, to direct staff assignments during District closures, including but not limited to essential employees who must report to work, employees who may be reassigned, and employees whose services are not needed.
5. Authority to limit access to public school grounds and District buildings during school closures.
6. Authority to waive the requirements requiring advertising for bids and competitive bid procedures for purchases which may be necessary due to the emergency. The Superintendent will document the reasons for which prompt remedial action is necessary to prevent physical injury to persons or to property of the District.

**Suspension of Policies**

The Board hereby suspends provisions of its policies and/or whole policies, as identified by the Superintendent or designee, if such suspension is necessary to implement the written guidance from CSDE relating to containing COVID-19 for the duration identified in the Governor's order of school closure.

**Consultation with Board of Education**

The Superintendent shall consult with and report to the Board as feasible, appropriate and timely regarding the emergency closure and efforts to implement written guidance from health and government agencies as disseminated by CSDE and other state agencies pertaining to this pandemic situation.

**Board of Education Meetings**

In the interest of public health, the Board encourages the public to attend its open public meetings via live streaming on television and/or the internet and to limit public comment to written comments. The Board reserves the right to adjust Board meeting dates, times, and locations during the District-wide emergency closure in a manner consistent with the Freedom of Information Act.

# Instruction

## Pandemic/Epidemic Emergencies

**Emergency Suspension of Policy During Pandemic** (continued)

(cf. 1212 – School Volunteers)
(cf. 1250 – Visits to Schools)
(cf. 1330 – Use of School Facilities)
(cf. 3524.2 – Use of Green Cleaning Products)
(cf. 3541 – Transportation)
(cf. 4112.3 – Employment and Student Checks)
(cf. 4118.3 – Guidelines for Acceptable Use of Computers, Networks, and the Internet (Personnel)
(cf. 5113 – Student Attendance, Truancy and Chronic Absenteeism)
(cf. 5141.3 – Health Assessments)
(cf. 5114 – Student Discipline)
(cf. 6340 – Guidelines for Acceptable Use of Computers, Networks and the Internet (Students)
(cf. 9325 – Meeting Conduct)

Legal Reference: Connecticut General Statutes
10-154a Professional communications between teacher or nurse and student.
10-207 Duties of medical advisors.
10-209 Records not to be public.
10-210 Notice of disease to be given parent or guardian.
10-221 Boards of education to prescribe rules.
19a-221 Quarantine of certain persons.
The Family Educational Rights and Privacy Act of 1974, (FERPA), 20 U.S.C. 1232g, 45 C.F.R. 99.

Policy adopted:

**P1212**

**Community Relations**

**SCHOOL VOLUNTEERS, STUDENT INTERNS AND OTHER NON-EMPLOYEES**

The Board of Education recognizes the importance of school volunteers at all levels of schooling. Volunteers can enhance collaboration between the school and community, broaden the school's educational environment and ultimately enrich students' school experience. The Board further acknowledges that it may, from time to time, be asked to provide learning experiences for student interns within the school environments. In recognition of the benefit of having volunteers, interns and other such non-employees providing services within the schools, the Board supports the involvement of these individuals in accordance with suitable regulations and safeguards to be developed by the Administration.

Volunteers, interns and other such non-employees working within the schools ("volunteers") must work under the supervision of Windsor Public Schools staff. Volunteers are held to the same standards of conduct as school staff and must observe all Board of Education policies, including applicable policies on the confidentiality of student information.

Volunteers may be required to submit to state and federal criminal record checks and a record check of the Department of Children and Families ("DCF") Child Abuse and Neglect Registry. No person who is required to register as a sex offender under state or federal law, or whose name is currently listed on the DCF registry, may volunteer in the Windsor Public Schools.

Persons interested in volunteering their services should contact the school principal.

Legal References:

Connecticut General Statutes § 10-4g

Connecticut General Statutes § 10-220

Connecticut General Statutes § 10-235

Connecticut General Statutes § 54-250 et seq.

**Adopted: 1/22/15**

Windsor Public Schools

Windsor, CT

**AR1212**

**Community Relations**

**SCHOOL VOLUNTEERS, INTERNS AND OTHER NON-EMPLOYEES**

**Screening Procedure**

The following procedure has been established for screening volunteers, interns and other non-employees ("volunteers") within the Windsor Public Schools. For the purpose of this procedure, volunteers are defined as those individuals who volunteer their time to assist in schools for the benefit of the student body with the express knowledge, consent and direction of a Windsor Public Schools employee. Student interns are defined as individuals currently enrolled in a post-secondary program for which an authorized internship is required or for

which the student may be granted credit as part of an approved course of study. As with other volunteers, all student interns must be approved in advance by the building administrator or his/her designee and must be under the direction of a Board employee.

This procedure identifies those situations in which an individual may be required to submit to state and federal criminal record checks and a record check of the Department of Children and Families ("DCF") Child Abuse and Neglect Registry within 10 days of application and/or request to volunteer within the Windsor Public Schools. All results must be received by the Human Resources Department before the volunteer may commence his or her services. No person who is a required to register as a sex offender under state or federal law, or whose name is currently listed on the DCF registry, may volunteer in the Windsor Public Schools.

**Screening Procedure Definitions**

The District has identified two classifications of volunteers: Group I and Group II.

**Group I**

Volunteers will be classified in Group I when they assist school staff members with school activities in the presence of a Windsor Public Schools employee. Background checks, other than the sex offender registry check, will not be required of Group I volunteers. Group I volunteers are those who assist school staff members with school activities such as those listed below:

a. assisting in a classroom, cafeteria, or library when a staff member is present; or

b. accompanying a class on a field trip during the school day with a staff member; or

c. helping in the school office during regular school hours; or

d. assisting in the cafeteria or library during regular school hours; or

e. assisting during extracurricular events, i.e., dances, fairs, open house, sporting events, etc.

**Group II**

Volunteers will be classified in Group II when they provide services to students when not in the direct presence of a Windsor Public Schools employee. Group II volunteers will be required to complete a consent form regarding the release of information concerning any prior or pending criminal offenses, and such volunteers will be required to submit to a record check of the Department of Children and Families (DCF) Abuse and Neglect Registry. Group II volunteers are those who engage in activities such as those listed below:

a. accompanying a class on a field trip in which the plans include that students be divided into small groups supervised solely by the volunteer chaperone for any length of time; or

b. chaperoning an overnight field trip; or

c. working in direct contact with students without the direct presence of a Windsor Public Schools employee;

d. working as a student intern; or

e. coaching.

Upon receipt of DCF Abuse and Neglect Registry results indicating that the volunteer is involved in an abuse or neglect investigation or that the volunteer is listed as a perpetrator of abuse or neglect on the Registry, the Superintendent or his or her designee will notify the volunteer of the results of the Registry check and will provide an opportunity for the volunteer to respond to the results of the Registry check. No person who is a

required to register as a sex offender under state or federal law, or whose name is currently listed on the DCF registry, may be approved to volunteer within the Windsor Public Schools.

When a criminal record check of a volunteer reveals a criminal conviction, whether disclosed or undisclosed on the volunteer's consent form, the Superintendent will make a case-by-case determination as to whether to allow the individual to volunteer in theWindsor Public Schools. Prior to any such decision by the Superintendent or designee, the Superintendent or designee shall inform the volunteer and shall provide an opportunity for the volunteer to respond. Notwithstanding the foregoing, the falsification or omission of any information on a volunteer consent form, including, but not limited to, information concerning criminal convictions or pending criminal charges, may be grounds for the Superintendent or designee to prohibit the individual from becoming a volunteer.

**Prior Approval Required**

All school volunteers (including student interns or other non-employee working in the schools) must be approved in advance by the building principal or other administrative designee. The school district, acting through the appropriate building administrator or his/her designee, reserves the right to discontinue or disallow the services of any volunteer at any time at the discretion of the administration.

**Sign-in Procedure**

All volunteers must report to the school office upon arrival, provide identification and sign in and must report to the office prior to departure to sign out. A sign-in/sign-out log will be maintained in each school office. Volunteers must indicate the purpose of their visit and include any other information (i.e. destination; provide proof of identification etc.) as may be required by the log. Additionally, volunteers will be provided with identification badges, which must be displayed during each visit.

Legal Reference:

Connecticut General Statutes § 10-4g

Connecticut General Statutes § 10-220

Connecticut General Statutes § 10-235

Connecticut General Statutes § 54-250 et seq.

**Administrative Regulation approved: 1/22/15**

Craig A. Cooke, Ph.D.

Superintendent of Schools

Windsor Public Schools

Windsor, CT

**P1250**

**Community Relations**

## VISITS TO THE SCHOOLS

The Board of Education and staff of the school district welcome and strongly encourage members of the community and other interested persons to visit the schools.

The Superintendent shall establish regulations which:

1. Encourage school visitations;
2. Provide for appropriate hospitality for visitors;
3. Channel expressions of approval and constructive criticism to the Board of Education;
4. Ensure that public visits will not hinder the educational program; and
5. Require all visitors to register in the principal's office upon arrival at the school.

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

Although Board of Education members are encouraged to visit schools independently, they have no more authority than any other citizen.

**Policy Revised: March 17, 2015**

**Policy Adopted: September 18, 2007**

Windsor Public Schools

Windsor, CT

**AR1250**

**Community Relations**

## VISITS TO THE SCHOOLS

### Unauthorized Personnel in School Building

It is required that all school personnel politely question any unknown person seen in school buildings and direct them to the office to register and receive a visitor badge.

All visitors shall be directed to the principal's office.

### Definitions

1. Visitor Anyone who wishes to frequent a school on school-related business.

2. Guest Someone who is invited to attend a school for one day.

**Visitor Regulations**

1. Upon arrival all visitors must report directly to the main office.

2. Visitors must provide photo identification. If photo identification is not available, additional identification will be required. A background check on the sex offender registry will be completed. If there is a result received, a school administrator will be contacted. Access to the building may be denied by the administrator.

3. An administrator, or his/her designee, must approve the visitor's request.

4. A visitor's badge will be issued by an administrator or his/her designee.

5. The visitor must comply with all school rules and regulations.

6. Before leaving the building, the visitor must return the visitor's badge to the main office and check out of the building.

The administration reserves the right to limit the number of visitors to the building and to limit the number and durations of visits by parents to classrooms as appropriate, given the potential that such visits will distract students or teachers or otherwise disrupt the educational program.

**Guest Regulations**

1. A student's request to have a guest must be presented at least one full day in advance of arrival.

2. Written permission from: (a) sponsor's parent/guardian, (b) guest's parent/ guardian, (c) guest's principal (if applicable), must be received prior to approval.

**Regulation Revised: March 17, 2015**

**Regulation Approved: July 13, 2005**

Craig A. Cooke, Ph.D.

Superintendent of Schools

Windsor Public Schools

Windsor, CT

**P1330**

## Community Relations

## Use of School Facilities

The Board of Education may grant the use of school facilities for activities of an educational, cultural, civic, social, recreational, religious, governmental or general political nature and other uses consistent with the public interest when such use does not interfere or conflict with school programs, school sponsored activities or maintenance at the facilities. In accordance with 20 U.S.C. § 7905, the Board of Education shall not deny equal access to or a fair opportunity to meet, or other discriminate, against any youth group listed as a patriotic society in Title 36 of the United States Code that wishes to conduct a meeting using school facilities pursuant to this policy. All such use of school facilities must be in accordance with all other applicable Board of Education policies and procedures. Fees shall be set by the Superintendent with the understanding that annually the Superintendent will review the costs of the extra use of facilities against the revenue received, and adjust the fee schedule up or down based on the costs incurred.

Consistent with this policy, the Superintendent of Schools, through his/her designee, shall approve and schedule the use of school facilities by an individual or group and shall develop administrative regulations for the use of the facilities.

Civil Defense and Red Cross emergency units may be exempted from this policy for the duration of need caused by any national, state or local disasters.

1. Types of Activities That Will Be Permitted

Type 1 Activities - Activities specifically sponsored by Windsor Public Schools and/or the Town of Windsor, with preference generally granted in the following order as determined by the Superintendent:

a. Elementary and secondary school activities of the Windsor Public School District.

b. Adult education activities of the Windsor Public Schools.

c. Windsor Board of Education activities.

d. Town of Windsor meetings and public voting activities.

e. Parent - Teacher Organization activities.

f. Political party caucuses and official town government business.

Type 2 Activities - Non-profit-making activities whose participants are 80% Windsor residents or employed in Windsor; and are not under the authority of, or pay either directly or indirectly a membership fee, to an out-of-state organization; where competition is limited to intra-town; and which benefit the Windsor community.

a. Youth and adult activities offered by Windsor Recreation and Leisure Services.

b. Youth sports and athletics - where competition is limited to intra-Town.

c. Boy Scout and Girl Scout activities.

Type 3 Activities - Any activity that does not meet the definition of Type 1 or 2 including but limited to:

a. Approved non-Windsor youth activities.

b. Approved activities of national, regional, or state athletic associations such as those sponsored by AAU or USS Swimming.

c. Approved athletic tournaments.

d. Approved activities of non-Windsor adults or the general public.

e. Approved activities for personal gain, fundraising and/or for commercial purposes.

2. Types of Activities That Will Not Be Permitted:

A. Activities promoting the overthrow of the United States or the State Connecticut, or of local governmental agencies.

B. Any activity that may violate the generally accepted standards of good morals, manners or taste, or be injurious to the buildings, grounds or equipment of the schools.

C. Any purpose in conflict with school activities or Board of Education policy.

D. Fund raising campaigns except as permitted by Board of Education policy or by special action of the Board of Education

E. Activities sponsored by any organization that violates the Windsor Public Schools' non-discrimination policy.

F. Activities which are unlawful.

A custodian must be present when the school building is being used to insure building security, proper maintenance, and to see that it is used appropriately and left in proper order. Depending on the type of activity, a group or organization may be required to pay any and all maintenance costs, including hourly rate for custodial services when and if a custodian's time extends beyond regular employment hours.

Any group or organization using the school building, grounds, or equipment is responsible for and must assume the cost of all damages to any school property.

The possession or consumption of alcoholic beverages and/or illicit drugs on school grounds or property is prohibited.

Legal Reference:

Connecticut General Statutes

10-239 Use of school facilities for other purposes.

20 U.S.C. § 7905 Equal Access to Public School for the Boy Scouts of America

26 U.S.C. § 101 et seq Patriotic and National Organizations

**ADOPTED: 3/21/06**

**REVISED: 2/12/14**

Windsor Public Schools

Windsor, CT

**AR1330**

**Community Relations**

**Use of School Facilities**

I Uses of School Facilities

A. School facilities will be made available for approved activities when school is not in session and the facilities are not scheduled for use by Windsor Public School District programs.

B. The Board of Education will provide school facilities to the extent practical for:

1. Type 1 Activities - Activities specifically sponsored by the Windsor Public Schools and/or the Town of Windsor, with preference generally granted in the following order as determined by the Superintendent:

a. Elementary and secondary school activities of the Windsor Public School District.

b. Adult education activities of the Windsor Public Schools.

c. Windsor Board of Education activities.

d. Town of Windsor meetings and public voting activities.

e. Parent - Teacher Organization activities.

f. Political party caucuses and official town government business.

2. Type 2 Activities - Non-profit-making activities whose participants are 80% Windsor residents or employed in Windsor; and are not under the authority of, or pay either directly or indirectly a membership fee, to an out-of-state organization; where competition is limited to intra-town; and which benefit the Windsor community:1

a. Youth and adult activities offered by Windsor Recreation and Leisure Services.

b. Youth sports and athletics - where competition is limited to intra-Town.

c. Boy Scout and Girl Scout activities.

1 Organizations who provide false and/or misleading information relative to the nature of the requested activity or its participants may be banned from use of Windsor school facilities for a period to be determined by the Superintendent of Schools.

3. Type 3 Activities - Any activity that does not meet the definition of Type 1 or 2 including but not limited to:

a. Approved non-Windsor youth activities.

b. Approved activities of national, regional, or state athletic associations such as those sponsored by AAU or USS Swimming.

c. Approved athletic tournaments.

d. Approved activities of non-Windsor adults or the general public.

e. Approved activities for personal gain, fundraising and/or for commercial purposes.

C. While school activities are given priority over those of the community, schools will, to the extent practical, avoid scheduling and/or rescheduling activities such that previously scheduled community activities must be canceled or postponed. When cancellation or postponement of a community activity becomes necessary, the school will provide as much advance notice as possible.

D. The Board of Education and/or the Superintendent of Schools may, on a case by case basis, refuse the use of school facilities to any group or activity deemed to be disruptive and/or not in the best interests of the Windsor Public School District or the Windsor community.

E. Use of facilities is not permitted for:

1. Activities promoting the overthrow of the United States or the State of Connecticut, or of local governmental agencies.

2. Any activity that may violate the generally accepted standards of good morals, manners or taste, or be injurious to the buildings, grounds or equipment of the schools.

3. Any purpose in conflict with school activities or Board of Education policy.

4. Fund raising campaigns except as permitted by Board of Education policy or by special action of the Board of Education.

5. Activities sponsored by any organization that violates the Windsor Public Schools' non-discrimination policy.

6. Activities which are unlawful.

F. Windsor Recreation and Leisure Services shall govern the use of outdoor athletic facilities at all Windsor Public Schools when school is not in session and the facilities are not scheduled for use by School District activities.

II. General Rules and Regulations

A. The following rules and regulations are applicable to all groups while using school facilities:

1. Gymnasiums may be used for approved activities provided protective footwear is worn or other effective measures are taken to protect the floors and all accessories used are so designed to insure against any damage to the gymnasium floor.

2. Organizations using school facilities agree to comply with all Board of Education regulations and further agree to be financially responsible for all damage to school facilities, furnishings and equipment related to the organization's activities.

3. All activities involving persons under the age of 18 years will vacate school premises no later than 10:00 PM on nights preceding school days.

4. Possession and consumption of alcoholic beverages and/or any controlled substance on school property are strictly prohibited.

5. Smoking on school property is strictly prohibited.

6. All Type 2 & 3 activities shall provide insurance coverage in the amount of $1,000,000 to protect the Board of Education, Town of Windsor and their employees from any and all liability and expenses.

7. All sale and/or distribution of food and/or beverage items by persons, other than those employed by Windsor Public Schools Food Services, shall not be permitted without the prior written approval of the

Windsor Health Department.

8. Under no circumstances shall tables, chairs or any other potential obstruction be placed in a doorway, corridor, foyer, stairwell, sidewalk, or any other exit pathway without the prior written approval of the Windsor Fire Marshall.

9. A Windsor Public School Custodian shall be present in the building for all non-school activities. All activity participants and attendees shall follow the directions of this on-duty Custodian at all times.

10. Groups may be required to contract, at the sponsoring group's expense, one or more police officers as determined necessary by the Physical Plant Manager, Director of Business Services or School Principal.

B. If any organization is found to have damaged and/or abused a school facility or its equipment, or violated any of the above rules, the Superintendent of Schools reserves the right to deny that organization future use of any school facility, and it shall be necessary for the organization to petition the Board of Education for reinstatement.

III Requesting Use of School Facilities

A. Requests for use of school facilities must be submitted using an Application for Use of School Facilities form and received by the Physical Plant Office no later than one week prior to the event.

1. A representative of the sponsoring organization must sign all Applications for Use of School Facilities. This representative, by signing the application, assumes full responsibility for compliance with all applicable rules and regulations contained in AR-1330 and full financial responsibility for all applicable fees in accordance with the approved Schedule of Fees.

2. Organizations, who provide false and/or misleading information relative to the nature of the requested activity or its participants, may be banned from use of Windsor school facilities for a period to be determined by the Superintendent of Schools.

3. Once approved and scheduled, a copy of the approved application will be promptly returned to the applicant.

IV. Duties and Responsibilities of Individuals & Groups Using Facilities

A. All organizations using school facilities will:

1. Ensure that an appropriately trained and equipped individual to deal with potential accidents and/or injuries is present at each event. This responsible individual will assume charge at such times and will ensure that appropriate public safety officials are contacted promptly.

2. Provide a non-coaching attendant who will be solely responsible for the following:

a. The set up, proper use and return of all school-owned furniture, equipment, etc., used in their program.

b. The proper conduct of all persons entering the facility.

c. Ensuring that all persons entering the facility remain in the immediate vicinity of the assigned space during the program and depart the facility promptly at the program's conclusion.

d. The return of the space used to its original condition less anticipated cleaning.

e. Reporting immediately any failure of school equipment or damage to school properties to the on-duty Custodian.

3. The on-duty Custodian shall be responsible for 2.a – 2.e above at Type 1 activities only.

B. The on-duty Custodian will:

1. Unlock and open the facility at the time specified on the Application for Use of Facility form.

2. Inspect the facility both prior to and immediately following the conclusion of the activity.

3. Immediately report all damage to school property which occurred during the activity to the Physical Plant Manager or his/her designee.

4. Make available only the equipment approved for use on the Application For Use of School Facilities Form.

5. Perform all required cleaning both during and after the program.

6. Ensure that all school-owned furniture, equipment, etc., is returned to its proper location.

7. Close and lock the facility upon conclusion of the activity.

8. Assume the duties and responsibilities of the activity attendant at all Type 1 activities.

C. The Physical Plant Secretary will:

1. Upon receipt of each Application for Use of School Facilities, determine whether a conflict with another planned event exists, and, if so, resolve all such conflicts.

2. Classify each requested activities as Type 1, Type 2 or Type 3.

3. Obtain concurrence from the Food Service Coordinator as applicable.

4. Forward each Application for Use of School Facilities to the School Principal or designee for approval and entry into the electronic scheduling system.

5. Invoice for and collect all applicable fees, except those associated with Food Services, in accordance with the approved Schedule of Fees.

6. Maintain accurate records of all fees charged and those collected.

7. Inform the Director of Business Services and the Physical Plant Manager of all unusual and/or major events.

V. Use of Equipment

A. A variety of audio/video, lighting, sound, kitchen, physical education and athletic equipment is available for use at each school.

1. Only that equipment approved in writing by the School Principal or designee (Food Service Coordinator for kitchen equipment) may be used.

2. The use of kitchen equipment such as coffee pots, refrigerators, freezers, and holding units may be approved for use without Food Service supervision. However, the use of all other kitchen equipment requires supervision by a Food Service employee.

B. Non-school groups shall not use school office equipment, except that Parent-Teacher Organizations may use school office equipment with the approval of the Superintendent to prepare informational materials

concerning meetings and activities. Such materials must be objective and must not attempt to influence opinion.

VI. Fees

A. Facility Fees

1. The Facility Fees for all activities will be in accordance with the approved Schedule of Fees.

2. Facility Fees shall apply to the entire time period requested or the actual time used, whichever is greater.

B. Associated Costs

1. Custodian Costs

a. During normal custodian working hours, the Custodian Cost will be charged in accordance with the approved Schedule of Fees for only the time spent in support of the activity.

b. When an activity is scheduled outside the normal custodian working hours, the Custodian Cost will be charged in accordance with the approved Schedule of Fees from 1/2 hour prior to and until at least 1/2 hour following the activity.

2. Food Service Worker Costs

a. The Food Service Worker Cost will be charged in accordance with the approved Schedule of Fees.

C. Should an organization wish to use an area where heavy or semi-permanently installed equipment is set up for student use, the cost of dismantling, moving, storing, setting up and recalibrating the equipment by qualified staff will be chargeable to the organization.

D. All fees associated with the use of school facilities shall be in accordance with the Schedule of Fees approved by the Superintendent of Schools.

1. A copy of the Schedule of Fees in effect, shall be available in the Office of the Superintendent and at each school.

2. Any organization wishing to use school facilities must agree to pay all applicable fees within thirty (30) days of receipt of invoice. Type 3 organizations may be required to pay part or all of the applicable fees in advance.

E. A Schedule of Fees is attached and is made a part of this Administrative Regulation.

**Regulation Approved: July 3, 2006**

**WINDSOR PUBLIC SCHOOLS**

**Use of School Facilities**

**Schedule of Fees - Effective July 1, 2014**

| | ----------Activity---------- | | |
|---|---|---|---|
| **Facility Fees** | **Type 1** | **Type 2** | **Type 3** |

| | | | |
|---|---|---|---|
| Windsor High School | | | |
| Indoor Pool | N/C | N/C | $50 / Hr. |
| Auditorium | N/C | N/C | $75 / Hr. |
| Main Gymnasium | N/C | N/C | $50 / Hr. |
| New (Rubber) Gymnasium | N/C | N/C | $25 / Hr. |
| Cafeteria 1 | N/C | N/C | $25 / Hr. |
| Other - Classroom | N/C | N/C | $20 / Hr. |
| Sage Park Middle School | | | |
| Auditorium | N/C | N/C | $50 / Hr. |
| Main Gymnasium | N/C | N/C | $50 / Hr. |
| New Gymnasium | N/C | N/C | $25 / Hr. |
| Cafeteria - 1 | N/C | N/C | $25 / Hr. |
| Other | N/C | N/C | $20 / Hr. |
| Elementary Schools | | | |
| Gymnasium | N/C | N/C | $25 / Hr. |
| Cafetorium - 1 | N/C | N/C | $25 / Hr. |
| Other | N/C | N/C | $20 / Hr. |
| L. P. Wilson Center | | | |
| BOE Meeting Room | N/C | N/C | $40 / Hr. |
| Other | N/C | N/C | $20 / Hr. |
| **Associated Costs** | | | |
| Custodian | | | |
| During Normal Working Hours | N/C | $25/ Hr.-2 | $25 / Hr. -2 |
| Weekends, Holidays, Vacations, Etc. | N/C | $40 / Hr. | $40 / Hr. |
| Food Service Worker | | | |
| During Normal Working Hours | | $25 / Hr. | $25 / Hr. |
| Weekends, Holidays, Vacations, Etc. | $40 / Hr. | $40 / Hr. | $40 / Hr. |
| Lighting Sound Technician - 3 | | | |
| For WHS Auditorium Use | | $55 / Hr. | $55 / Hr. |

1 - Fees do not include use of cooking or other food service equipment.

2 - Fees apply to setup & cleanup time only.

3 - Required for WHS Auditorium. If WPS staff not available, an approved vendor list will be provided to you. Approved contract with vendor must be provided to WPS prior to approval of application.

Windsor Public Schools reserves the right to determine fees and personnel needs based on the nature of each activity.

Approved By: _____ _____

Superintendent of Schools Date

Form AR-1330 - #2

**P3524.2**

**Business**

## POLICY REGARDING GREEN CLEANING PROGRAMS

It is the policy of the Windsor Board of Education to implement a green cleaning program in which the Board procures and properly uses environmentally preferable cleaning products in school buildings and facilities.

The Windsor Board of Education shall provide the staff of each school and, upon request, the parents and guardians of each child enrolled in each school with a written statement of the school district's green cleaning program. Such notice shall include (1) the types and names of environmentally preferable cleaning products being applied in schools, (2) the location of the application of such cleaning products in the school buildings and facilities, (3) the schedule of when such cleaning products are applied in the school buildings and facilities, (4) the statement, "No parent, guardian, teacher or staff member may bring into the school facility any consumer product which is intended to clean, deodorize, sanitize or disinfect." and (5) the name of the school administrator, or a designee, who may be contacted for further information. Such notice shall be provided to the parents or guardians of any child who transfers to a school during the school year and to staff hired during the school year.

The Windsor Board of Education shall make such notice, as well as the report submitted to the Department of Education pursuant to subsection (a) of section 10-220 of the Connecticut General Statutes (i.e. required report on condition of facilities, action taken to implement the Board's long-term school building program, indoor air quality and green cleaning program), available on its web site and the web site of each school under such board's jurisdiction. If no such web site exists, the board shall make such notice otherwise publicly available.

Legal References:

Connecticut General Statutes:

§ 10-220(a)

§ 10-231g

**Policy adopted: January 18, 2017**

**P3541**

**Business/Non-Instructional Operations**

**TRANSPORTATION**

The Windsor Board of Education will provide transportation for students under provisions of state law and regulations. In determining the provision of transportation, the superintendent of schools shall consider the guidelines contained in this policy and shall administer the operation so as to:

1. provide for the safety of students, including consideration of hazardous conditions whether or not described in this policy;

2. provide for appropriate supervision for students while on school transportation, consistent with the Board's student discipline policy; and

3. assist disabled students by providing appropriate specialized transportation when required by law.

**Definitions of terms used in this policy:**

A. "School transportation" means the procedure, program, or plan by which students are transported to and from school from their residence or bus stop at public expense, whether by use of publicly owned equipment or by contract. Such transportation shall be over public roads approved by the Town. Transportation may be provided over private roads in accordance with Section 10-220c, of the Connecticut General Statutes.

B. "Walking distance" means the linear measure of a prescribed or authorized pedestrian route between the student's residence and school from:

1. a point at the curb or edge of a public or private road nearest the student's residence to a point at the entrance of the school, or a

2. a safe entrance to the school grounds located within 100 feet of the school building entrance or the bus pick-up area, or

3. the route from the point on the public thoroughfare nearest the residence to the school bus stop or vehicle embarkation point established by the Board of Education or school administration.

C. For cul-de-sacs the walking distance shall be defined as the most direct route from the entrance to the school as defined above to the intersection of the cul-de-sac and the crossing thoroughfare most proximate to the school.

D. "One mile walking distance" means a reasonable measurement of a route to be traversed extending from the point of measurement at least 5,280 feet, but not more than 5,380 feet.

E. "Grade K" means kindergarten, or a school program appropriate to a beginning student.

F. "Hazard" means a possible source of peril, danger, duress, or difficulty affecting the safety

G. "Sidewalk" means a portion of the landscaped right of way, usually parallel to the traffic lanes which may be paved or unpaved, distinguished by some elevation above the street pavement level, marked by curbing, drainage ditch, grass area, fencing or any white line safety markings along the street pavement that cross entrances to business establishments.

H. "Raised walk area" means a portion of the landscape right of way approximately three feet wide, usually parallel to the traffic lanes which may be paved or unpaved, distinguished by some elevation above the street

pavement level and marked by curbing, drainage ditch, grass area or fencing; apart from and independent of any painted safety markings along the street pavement.

I. "Student" means any individual of school age residing in Windsor enrolled in a public school or enrolled in a vocational technical, agricultural, or special education program.

**General Responsibility**

It is the responsibility of the Windsor Board of Education to provide each child in grades kindergarten through twelve and up to age 21 as required through Planning and Placement Team (PPT) who resides in Windsor and is not a graduate of high school or vocational school with safe transportation to and from school from their designated pick-up points and their schools. This responsibility is shared with parents and other agencies. Transportation will be provided from the bus stop nearest the child's legal residence only; transportation to or from an alternate location shall require the approval of the Superintendent of Schools.

The Motor Vehicle Department establishes rules and regulations on equipment and operation of buses and makes annual inspections.

The Director of Business Services or his/her designee shall establish bus routes and designated bus stops. Careful consideration will be had around town boundaries, routes, schedules, number of students at each stop, distances students are required to walk, the number of stops on the route, the total travel time for the route, and safety hazards as described in this policy.

Town government is responsible for town roads and local police are responsible for physical security and enforcement of traffic regulations.

**Access to Bus Stops/Transportation**

Parents and/or guardians are responsible for ensuring the safety of their children up until the point when students board the school bus or other school provided transportation, and after students get off the bus after school. This responsibility includes the selection of walking routes to/from any bus stop and/or the school building and the provision of supervision that is appropriate to the student's age, maturity and conditions along the walking route and/or at the bus stop at all times.

Given that bus pick up times may vary, the Board expects that parents and/or guardians will ensure that their children arrive at the bus stop in advance of any scheduled pick up time.

Kindergarten students will only be released from a bus if there is adult supervision or parent designee present. If adult supervision is not present, the student will be returned to the school.

**Walking Requirements**

A. The maximum walking distances from home to school or to a designated bus stop are the following:

   1. Students enrolled in grades K through 5, one mile.

   2. Students enrolled in grades 6 through 12, one and one-half miles.

   Any walking route to either the bus stop or the school in excess of the above distances will be considered hazardous.

**Hazardous Conditions**

The administration shall consider the following guidelines for hazardous conditions when making decisions regarding the transportation of children:

1. A street or road having an adjacent or parallel sidewalk or raised walk area shall be deemed hazardous when any one of the following conditions exist:

a) For pupils under age ten, or enrolled in grades K through 3:

(i) the absence of a pedestrian crossing light or crossing guard where three or more streets intersect, and a pupil is expected to cross the street; OR

(ii) street crossings where there are no stop signs or crossing guards and the traffic count during the time that pupils are walking to or from school exceeds sixty vehicles per hour at the intersection, and a pupil is expected to cross the street.

b) For pupils over age ten, or enrolled in grades 4 through 12, the absence of a traffic light or stop signs or crossing guard at an intersection where three or more streets intersect which has a traffic count which exceeds ninety vehicles per hour during the time that pupils are walking to or from school, and such pupils are expected to cross the street;

c) For all pupils:

(i) any street, road, or highway with speed limits in excess of forty miles per hour which does not have pedestrian crossing lights or crossing guards or other safety provisions at points where pupils must cross when going to or from school or the bus stop; OR

(ii) the usual or frequent presence of any nuisance such as open man-holes, construction, snow plowed or piled on the walk area making walkways unusable, loading zones where delivery trucks are permitted to park on walkways, commercial entrances and exits where cars are crossing walking areas at speeds in excess of five miles per hour, and the like, including such nuisances which are hazardous or attractive to children.

2. Any street, road, or highway that has no sidewalks or raised walk areas shall be deemed hazardous if any one of the following conditions exist:

a) For pupils under age ten, or enrolled in grade K through 3:

(i) any street, road, or highway possessing a traffic count of sixty or more vehicles per hour at the time that pupils are walking to or from school; OR

(ii) any street, road, or highway possessing a speed limit in excess of thirty miles per hour.

b) For all pupils:

(i) the presence of man-made hazards including attractive nuisances, as stated in 1(c)(ii) above; OR

(ii) any roadway available to vehicles that does not have a minimum width of approximately twenty-two feet; OR

(iii) any roadway available to vehicles that, when plowed free of snow accumulations, does not have a minimum width of approximately twenty feet; OR

(iv) any street, road, or highway where the line-of-sight visibility together with posted speed limits do not permit vehicular braking/stopping in accordance with the Connecticut Drivers Manual or Department of Transportation, Division of Design Standard, or other reasonable standard.

3. Any walkway, path, or bridge in an area adjacent or parallel to railroad tracks shall be considered hazardous unless a suitable physical barrier along the entire pedestrian route is present and fixed between

students and the track; and any crossing of railroad tracks that carry moving trains during hours that students are to or from school shall be deemed hazardous unless,

(i). a crossing guard is present; or

(ii) an automatic control bar is present at crossings used by students under age ten, or, a bar or red flashing signal light is operational when the crossing is used by students over ten years of age.

4. For pupils in grades K through 4, the following conditions shall be deemed hazardous:

a) a lake, pond, stream, culvert, water-way, or bridge shall be deemed a hazard in the absence of a fence or other suitable barrier fixed between the pupil and the water; OR

b) any area adjacent to a roadway, sidewalk, or bridge having a drop of three or more feet per four feet of travel length on either side of the established lanes, in the absence of a fence or other suitable barrier.

5. For pupils in grades K through 8, walking to or from school or the bus stop at any time prior to one-half hour before sunrise or any time one-half hour after sunset shall be deemed hazardous.

6. For all students, walking along any street, road, walkway, sidewalk, or path designated as a walking route which passes through an area which has a history of aggressive acts of molestation resulting in actual or threatened physical harm or moral degradation during the hours when pupils ordinarily walk to or from school shall be deemed hazardous.

**Alternate Care Requests**

A. Requests to have a student picked up and/or dropped off at a home childcare must be made in writing to the Director of Business Services. These requests will be honored provided there is an existing bus route assigned to that location in the district and there is seating space available on the bus. Seating priority will be given to students whose residences are located on an existing bus route.

**Other Transportation**

A. Windsor residents with children attending private nonpublic schools in Windsor will be provided with transportation in accordance with Section 10-281 of the Connecticut General Statutes. All aspects of this policy referring to public school students also pertain to private school students.

B. Windsor Public Schools will not provide transportation to out-of-town schools except as required by State Statutes.

C. Transportation to and from work sites under the cooperative work experience program is the responsibility of the student and his or her family, and the Board of Education is not responsible for such transportation. Where there is an existing bus route to a job site in Windsor, the student may apply to the high school administration for permission to ride the bus to that job site. If there is space on that bus, the high school administration may permit the student to ride the bus, with the understanding that such transportation is provided as an accommodation to the student.

**Increased Ridership Program**

A. This program is available to students presently not eligible for home to school transportation. If permits a normally non-eligible student to ride the bus, if approved, starting October 1st of each school year.

1. Priority is given to younger students.

2. The design of the bus routes each year will determine available seats on each route.

3. The program is only applied to existing bus routes and bus stops. No additional bus stops will be made to accommodate additional students.

B. An application must be made in writing by the parent/guardian of the student requesting this service and sent to the Transportation Specialist of the Windsor Public Schools. Application to participate in the program must be done on a yearly basis.

D. The Transportation Specialist will review each request based on the following considerations: (1) available seats, (2) bus routes, (3) timing, (4) grade level, (5) age of student, (6) walking distance.

1. For those requests which can be accommodated, the Transportation Specialist will contact the parent/guardian in writing.

a. This approval will be valid for one year until or unless there are no longer seats available. In situations where seats are no longer available, every effort will be made to give advance notice of cancellation of this privilege.

**Applicability and Exceptions**

1. This policy is applicable to private roads approved for passage of school transportation vehicles in accordance with C.G.S. Section 10-220c.

2. Special Education pupils and pupils eligible for accommodations under Section 504 of the Rehabilitation Act shall be judged on an individual basis, and appropriate transportation provided.

3. The Superintendent of Schools may grant an exception to any guideline set forth in this policy where a peculiar condition or combination or conditions renders such condition(s) a hazard based upon reasonable judgment; or where under the circumstances, other conditions exist under which the safety of students necessitates a variance with the guidelines within this policy.

**Appeal**

Should a transportation request to the Board of Education require an appeal procedure, the Board of Education shall conduct a hearing in accordance with Connecticut General Statutes, Section 10-186.

**Student Transportation Safety Complaints**

All complaints regarding student transportation safety shall be made to the Director of Business Services. The Director of Business Services shall maintain a written record of all such complaints, and shall conduct appropriate investigations of the allegations. The Director of Business Services shall provide the Commissioner of Motor Vehicles with a copy of the written record of complaints within thirty days of the end of each school year.

**Transportation Hearing Procedure**

Transportation hearings will be conducted in accordance with Connecticut General Statutes, Section 10-186, and with Connecticut General Statutes, Sections 4-177 to 4-180, inclusive upon written request.

**Public Safety Guidelines**

The following factors are generally to be used when the Town's Legal Traffic Authority and/or the Police Department review requests for safety evaluations by the School District or parents. The requests generally involve issues of whether children should be bused, where bus stops should be placed and the relative safety of walking routes.

Town staff will evaluate each request in terms of the applicability of relevant provisions of Board of Education Policy 3541 - Transportation of Students. Staff will also evaluate the following factors as they may apply to situations which are outside the policy:

- Roadway conditions
- Sidewalk conditions
- Intersection nature & intersection control
- Crossing location & crossing control
- Traffic volume
- Speed of vehicles
- Accident history
- Line of site
- Nuisances & hazards
- Light conditions
- Age of children
- Other relevant factors as deemed appropriate

Town staff will review all the data available and will speak with all concerned parties. A finding will be forwarded to the Superintendent along with recommendation, if appropriate. It is understood that the final decision on these issues is the responsibility of the Superintendent of Schools.

Legal Reference: Connecticut General Statutes

10-186 Duties of local and regional boards of education.

10-220 Duties of boards of education.

10-221c Development of policy for reporting complaints regarding school transportation safety

14-275b Transportation of mobility impaired students.

14-275c Regulations re: school buses and motor vehicles used to transport special education students.

14-276a (c)Town./school district may require its school bus operators to have completed a safety training course

14-280 Letters and signals to be concealed when not used in transporting children. Signs on other vehicles.

20 U.S.C. NCLB Act of 2001, P.L. 107-110, Title I, Section 1116

McKinney-Vento Homeless Education Assistance Act of 2001, P.L., 107-110, 42 U.S.C., Sections 11431-11435

**Policy Adopted: October 17, 2006**

**Policy Revised: September 18, 2018**

Windsor Public Schools

Windsor, CT

**AR3541**

**Business/Non-Instructional Operations**

**TRANSPORTATION**

**Windsor Board of Education Responsibility**

A. In order to implement and administer the Board's policy on school transportation, Policy 3541, it shall be the responsibility of the Superintendent of Schools or his/her designee to manage and supervise the school transportation service. This includes:

1. Determination of eligibility for school transportation in accordance with Board of Education Policy 3541 and Section 10-186 of the Connecticut General Statutes.

2. Establishment of school transportation routes and designation of locations of and schedules for bus stops.

3. Development and enforcement of "Bus Behavior and Safety Procedures" for those children who are transported to and from school via the school transportation service. These procedures shall include the requirement that any bus driver witnessing or learning of conduct that has taken place at a bus stop or on the school bus that may be of a criminal nature shall contact the bus company dispatcher or the local police as soon as is safely practicable.

4. Development of procedures for responding to requests pertaining to matters of school transportation.

5. Performance of all other duties and responsibilities related to the furnishing of school accommodations by school transportation or otherwise consistent with Section 10-186 of the Connecticut General Statutes and in accordance with these guidelines.

6. Provision of an appeals procedure for matters relating to the furnishing of school accommodations by school transportation as follows:

a. Any parent, guardian or student at majority who believes that their pupil transportation needs are not being properly met should review this matter with the Transportation Specialist.

b. If no resolution is reached under (a) above, the matter should be referred in writing to the Director of Business Services who shall review the matter and issue a decision in writing within ten (10) working days after receipt of this request.

c. If no resolution is reached under (b) above, the matter should be referred in writing to the Superintendent of Schools who shall review the matter, meet, if requested, with all parties and issue a decision in writing ten (10) working days after receipt of this request.

d. If no resolution is reached under (c) above, the parent or guardian shall be advised of their right to request a hearing by the Board of Education concerning their request for transportation services.

1. The Board of Education shall give such parent or guardian (etc.) notice of the right to request a hearing concerning the denial of school accommodations;

2. The Board of Education shall hold a hearing within ten (10) days of receipt of a written request by the parent or guardian;

3. The Board of Education shall make a stenographic record or tape recording of such hearing;

4. The Board of Education shall render a written finding within ten (10) days after such hearing;

5. Such hearing shall be held in accordance with the provisions of Sections 4-176e to 180a, inclusive, and 4-181a;

6. The Board of Education shall, upon request, provide the parent or guardian with a transcript of the hearing within thirty (30) days of such request and may make an appeal there from to the State Board of Education; and

7. The findings of the Board of Education shall be upheld by the State Board of Education unless it is determined that such finding was illegal, arbitrary, capricious or unreasonable.

**Evaluation of Student Transportation Safety Issues**

Questions of safety relating to school bus transportation routes and stops are referred to the Director of Business Services

Legal Reference:

CT General Statutes

4-176a - 180a inclusive, 4-181a

10-186 - Duties of local and regional boards of education

**Administrative Regulation Approved: September 18, 2018**

Craig A. Cooke, Ph.D.

Superintendent of Schools

Windsor Public Schools

Windsor, CT

**P4112.3**

**Personnel**

## EMPLOYMENT AND STUDENT TEACHER CHECKS

As set forth below, each applicant for a position with the district and each student who is enrolled in a teacher preparation program, as defined in section 10-10a of the Connecticut General Statutes, and completing his or her student teaching experience in the district, shall be asked to provide in writing: (1) whether he/she has ever been convicted of a crime,; (2) whether there are any criminal charges pending against him/her at the time of the application and, if charges are pending, to state the charges and the court in which such charges are pending; and (3) whether the applicant is included on the Abuse and Neglect Registry of the Connecticut Department of Children and Families ("DCF") (the "Registry"). Applicants shall not be required to disclose any arrest, criminal charge or conviction that has been erased.

In addition, the district shall conduct an employment history check for each applicant for a position, as set forth below.

For the purposes of this policy:

"Sexual misconduct means" any verbal, nonverbal, written, or electronic communication, or any other act directed toward or with a student that is designed to establish a sexual relationship with the student, including a sexual invitation, dating or soliciting a date, engaging in sexual dialog, making sexually suggestive comments, self-disclosure or physical exposure of a sexual or erotic nature, and any other sexual, indecent, or erotic contact with a student.

"Abuse or neglect" means abuse or neglect as described in Conn. Gen. Stat. § 46b-120, and includes any violation of Conn. Gen. Stat. §§ 53a-70 (sexual assault in the first degree), 53a-70a (aggravated sexual assault in the first degree), 53a-71 (sexual assault in the second degree), 53a-72a (sexual assault in the third degree), 53a-72b (sexual assault in the third degree with a firearm), or 53a-73a (sexual assault in the fourth degree).

"Former employer" means any person, firm, business, educational institution, nonprofit agency, corporation, limited liability company, the state, any political subdivision of the state, any governmental agency, or any other entity that such applicant was employed by during any of the previous twenty years prior to applying for a position with a local or regional board of education.

I. Employment History Check Procedures

A. The district shall not offer employment to an applicant for a position, including any position that is contracted for, if such applicant would have direct student contact, prior to the district:

1. Requiring the applicant:

a. to list the name, address, and telephone number of each current employer or former employer (please note the definition of "former employer" above, including the applicable twenty year reporting period) during any of the previous twenty years, if:

(i) such current or former employer is/was a local or regional board of education, council of a state or local charter school, interdistrict magnet school operator, or a supervisory agent of a nonpublic school, and/or

(ii) the applicant's employment with such current or former employer caused the applicant to have contact with children;. such current or former employer was a local or regional board of education,

council or operator or if such employment otherwise caused the applicant to have contact with children;

b. to submit a written authorization that

(i) consents to and authorizes disclosure by the employers listed under paragraph I.A.1.a of this policy of the information requested under paragraph I.A.2 of this policy and the release of related records by such employers,

(ii) consents to and authorizes disclosure by the Department of Education of the information requested under paragraph I.A.3 of this policy and the release of related records by the department, and

(iii) releases those employers and the Department of Education from liability that may arise from such disclosure or release of records pursuant to paragraphs I.A.2 or I.A.3 of this policy; and

c. to submit a written statement of whether the applicant

(i) has been the subject of an abuse or neglect or sexual misconduct investigation by any employer, state agency or municipal police department, unless the investigation resulted in a finding that all allegations were unsubstantiated,

(ii) has ever been disciplined or asked to resign from employment or resigned from or otherwise separated from any employment while an allegation of abuse or neglect was pending or under investigation by DCF, or an allegation of sexual misconduct was pending or under investigation or due to an allegation substantiated pursuant to Conn. Gen. Stat. § 17a-101g or abuse or neglect, or of sexual misconduct or a conviction for abuse or neglect or sexual misconduct, or

(iii) has ever had a professional or occupational license or certificate suspended or revoked or has ever surrendered such a license or certificate while an allegation of abuse or neglect was pending or under investigation by DCF or an investigation of sexual misconduct was pending or under investigation, or due to an allegation substantiated by DCF of abuse or neglect or of sexual misconduct or a conviction for abuse or neglect or sexual misconduct;

2. Conducting a review of the employment history of the applicant by contacting those employers listed by the applicant under paragraph I.A.1.a of this policy. Such review shall be conducted using a form developed by the Department of Education, which shall request the following:

a. the dates employment of the applicant, and

b. a statement as to whether the employer has knowledge that the applicant:

(i) was the subject of an allegation of abuse or neglect or sexual misconduct for which there is an investigation pending with any employer, state agency, or municipal police department or which has been substantiated;

(ii) was disciplined or asked to resign from employment or resigned from or otherwise separated from any employment while an allegation of abuse or neglect or sexual misconduct was pending or under investigation, or due to a substantiation of abuse or neglect or sexual misconduct; or

(iii) has ever had a professional or occupational license, certificate, authorization or permit suspended or revoked or has ever surrendered such a license, certificate, authorization or permit while an allegation of abuse or neglect or sexual misconduct was pending or under investigation, or due to a substantiation of abuse or neglect or sexual misconduct. Such review may be conducted telephonically or through written communication. Notwithstanding the provisions of subsection (f) of Conn. Gen. Stat. § 31-51i, not later than five (5) business days after the district receives a request

for such information about an employee or former employee, the district shall respond with such information. The district may request more information concerning any response made by a current or former employer for information about an applicant, and, notwithstanding subsection (f), such employer shall respond not later than five (5) business days after receiving such request.

3. Requesting information from the Department of Education concerning:

a. the eligibility status for employment of any applicant for a position requiring a certificate, authorization or permit,

b. whether the Department of Education has knowledge that a finding has been substantiated by DCF pursuant to Conn. Gen. Stat. § 17a-101g of abuse or neglect or of sexual misconduct against the applicant and any information concerning such a finding, and

c. whether the Department of Education has received notification that the applicant has been convicted of a crime or of criminal charges pending against the applicant and any information concerning such charges.

B. Notwithstanding the provisions of subsection (f) of Conn. Gen. Stat. § 31-51i, if the district receives information that an applicant for a position with or an employee of the board has been disciplined for a finding of abuse or neglect or sexual misconduct, it shall notify the Department of Education of such information.

C. The district shall not employ an applicant for a position involving direct student contact who does not comply with the provisions of paragraph I.A.1 of this policy.

D. The district may employ or contract with an applicant on a temporary basis for a period not to exceed ninety (90) calendar days, pending the district's review of information received under this section, provided:

1. The applicant complied with paragraph I.A.1 of this policy;

2. The district has no knowledge of information pertaining to the applicant that would disqualify the applicant from employment with the district; and

3. The applicant affirms that the applicant is not disqualified from employment with the district.

E. The district shall not enter into a collective bargaining agreement, an employment contract, an agreement for resignation or termination, a severance agreement, or any other contract or agreement or take any action that:

1. Has the effect of suppressing information relating to an investigation of a report of suspected abuse or neglect or sexual misconduct by a current or former employee;

2. Affects the ability of the district to report suspected abuse or neglect or sexual misconduct to appropriate authorities; or

3. Requires the district to expunge information about an allegation or a finding of suspected abuse or neglect or sexual misconduct from any documents maintained by the district, unless, after investigation, such allegation is dismissed or found to be false.

F. The district shall not offer employment to a person as a substitute teacher, unless such person and the district comply with the provisions of paragraph I.A.1 of this policy. The district shall determine which such persons are employable as substitute teachers and maintain a list of such persons. The district shall not hire any person as a substitute teacher who is not on such list. Such person shall remain on such list as long as such person is continuously employed by the district as a substitute teacher as described in paragraph III.B.2

of this policy, provided the district does not have any knowledge of a reason that such person should be removed from such list.

G. In the case of an applicant who is a contractor, the contractor shall require any employee with such contractor who would be in a position involving direct student contact to supply to such contractor all the information required of an applicant under paragraphs I.A.1.a and I.A.1.c of this policy and a written authorization under paragraph I.A.1.b of this policy. Such contractor shall contact any current or former employer (please note the definition of "former employer" above, including the applicable twenty year reporting period) of such employee that was a local or regional board of education, council of a state or local charter school, interdistrict magnet school operator, or a supervisory agent of a nonpublic school, or if the employee's employment with such current or former employer caused the employee to have contact with children, and request, either telephonically or through written communication, any information concerning whether there was a finding of abuse or neglect or sexual misconduct against such employee. Notwithstanding the provisions of subsection (f) of Conn. Gen. Stat. § 31-51i, such employer shall report to the contractor any such finding, either telephonically or through written communication. If the contractor receives any information indicating such a finding or otherwise receives any information indicating such a finding or otherwise has knowledge of such a finding, the contractor shall, notwithstanding the provisions of subsection (f) of Conn. Gen. Stat. § 31-51i, immediately forward such information to the district, either telephonically or through written communication. If the district receives such information, it shall determine whether such employee may work in a position involving direct student contact at any school in the district. No determination by the district that any such employee shall not work under any such contract in any such position shall constitute a breach of such contract.

H. Any applicant who knowingly provides false information or knowingly fails to disclose information required in subdivision (1) of subsection (A) of this section shall be subject to discipline by the district that may include

1. denial of employment, or

2. termination of the contract of a certified employee, in accordance with the provisions of Conn. Gen. Stat. § 10-151.

I. If the district provides information in accordance with paragraph I.A.2. or I.G. of this policy, the district shall be immune from criminal and civil liability, provided the district did not knowingly supply false information.

J. Notwithstanding the provisions of Conn. Gen. Stat. § 10-151c and subsection (f) of Conn. Gen. Stat. § 31-51i, the district shall provide, upon request by another local or regional board of education, governing council of a state or local charter school or interdistrict magnet school operator, or supervisory agent of a nonpublic school for the purposes of an inquiry pursuant to paragraphs I.A.2 or I.G. of this policy or to the Commissioner of Education pursuant to paragraph I.B. of this policy any information that the district has concerning a finding of abuse or neglect or sexual misconduct by a subject of any such inquiry.

Prior to offering employment to an applicant, the district shall make a documented good faith effort to contact each current and any former employer(please note the definition of "former employer" employer above, including the applicable twenty year reporting period) of the applicant that was a local or regional board of education, governing council of a state or local charter school, interdistrict magnet school operator , or supervisory agent of a nonpublic school, or if the applicant's employment with such current or former employer caused the applicant to have contact with children in order to obtain information and recommendations that may be relevant to the applicant's fitness for employment. Such effort, however, shall not be construed to require more than three telephonic requests made on three separate days.

K. The district shall not offer employment to any applicant who had any previous employment contract terminated by a local or regional board of education, council of a state or local charter school, interdistrict magnet school operator, or a supervisory agent of a nonpublic school, or who resigned from such

employment, if the person has been convicted of a violation of Conn. Gen. Stat. § 17a-101a, when an allegation of abuse or neglect or sexual assault has been substantiated.

II. DCF Registry Checks

Prior to hiring any person for a position with the district, and before a student who is enrolled in a teacher preparation program, as defined in section 10-10a of the Connecticut General Statutes, and completing his or her student teaching experience with the district, begins such student teaching experience, the district shall require such applicant or student to submit to a records check of information maintained on the Registry concerning the applicant.

For any applicant whose current or most recent employment occurred out of state, the district shall request that the applicant provide the district with authorization to access information maintained concerning the applicant by the equivalent state agency in the state of most recent employment, if such state maintains information about abuse and neglect and has a procedure by which such information can be obtained. Refusal to permit the district to access such information shall be considered grounds for rejecting any applicant for employment.

The district shall request information from the Registry or its out of state equivalent promptly, and in any case no later than thirty (30) calendar days from the date of employment. Registry checks will be processed according to the following procedure:

A. No later than ten (10) calendar days after the Superintendent or his/her designee has notified a job applicant of a decision to offer employment to the applicant, or as soon thereafter as practicable, the Superintendent or designee will either obtain the information from the Registry or, if the applicant's consent is required to access the information, will supply the applicant with the release form utilized by DCF, or its out of state equivalent when available, for obtaining information from the Registry.

B. If consent is required to access the Registry, no later than ten (10) calendar days after the Superintendent or his/her designee has provided the successful job applicant with the form, the applicant must submit the signed form to DCF or its out of state equivalent, with a copy to the Superintendent or his/her designee. Failure of the applicant to submit the signed form to DCF or its out of state equivalent within such ten-day period, without good cause, will be grounds for the withdrawal of the offer of employment.

C. Upon receipt of Registry or out-of-state registry information indicating previously undisclosed information concerning abuse or neglect investigations concerning the successful job applicant/employee, the Superintendent or his/her designee will notify the affected applicant/employee in writing of the results of the Registry check and will provide an opportunity for the affected applicant/employee to respond to the results of the Registry check.

D. If notification is received by the Superintendent or designee that that the applicant is listed as a perpetrator of abuse or neglect on the Registry, the Superintendent or designee shall provide the applicant with an opportunity to be heard regarding the results of the Registry check. If warranted by the results of the Registry check and any additional information provided by the applicant, the Superintendent or designee shall revoke the offer of employment and/or terminate the applicant's employment if he or she has already commenced working for the district.

III. Criminal Records Check Procedure

A. Each person hired by the district shall be required to submit to state and national criminal record checks within thirty (30) calendar days from the date of employment. Each who is enrolled in a teacher preparation program, as defined in section 10-10a of the Connecticut General Statutes, and completing his or her student teaching experience with the district, shall be required to submit to state and national criminal record checks within sixty (60) calendar days from the date such student begins to perform such student teaching experience. Record checks will be processed according to the following procedure:*

1. No later than five (5) calendar days after the Superintendent or his/her designee has notified a job applicant of a decision to hire the applicant, or as soon thereafter as practicable, the Superintendent or his/her designee will provide the applicant with a packet containing all documents and materials necessary for the applicant to be fingerprinted by Biometric ID Services. This packet shall also contain all documents and materials necessary for the police department to submit the completed fingerprints to the State Police Bureau of Identification for the processing of state and national criminal record checks. The Superintendent or his/her designee will also provide each applicant with the following notifications before the applicant obtains his/her fingerprints: (1) Agency Privacy Requirements for Noncriminal Justice Applicants; (2) Noncriminal Justice Applicant's Privacy Rights; (3) and the Federal Bureau of Investigation, United States Department of Justice Privacy Act Statement.

2. No later than ten (10) calendar days after the Superintendent or his/her designee has provided the successful job applicant with the fingerprinting packet, the applicant must arrange to be fingerprinted by Biometric ID Services. Failure of the applicant to have his/her fingerprints taken within such ten-day period, without good cause, will be grounds for the withdrawal of the offer of employment.

3. Any person for whom criminal records checks are required to be performed pursuant to this policy must pay all fees and costs associated with the fingerprinting process and/or the submission or processing of the requests for criminal record checks. Fees and costs associated with the fingerprinting process and the submission and process of requests are waived for student teachers, in accordance with state law.

4. Upon receipt of a criminal record check indicating a previously undisclosed conviction, the Superintendent or his/her designee will notify the affected applicant/employee in writing of the results of the record check and will provide an opportunity for the affected applicant/employee to respond to the results of the criminal record check. The affected applicant/employee may notify the Superintendent or his/her designee in writing within five (5) calendar days that the affected/employee will challenge his/her criminal history record check. Upon written notification to the Superintendent or his/her designee of such a challenge, the affected applicant/employee shall have ten (10) calendar days to provide the Superintendent or his/her designee with necessary documentation regarding the affected applicant/employee's record challenge. The Superintendent or his/her designee may grant an extension to the preceding ten-day period during which the affected applicant/employee may provide such documentation for good cause shown.

5. Decisions regarding the effect of a conviction upon an applicant/employee, whether disclosed or undisclosed by the applicant/employee, will be made on a case-by-case basis. Notwithstanding the foregoing, the falsification or omission of any information on a job application or in a job interview, including but not limited to information concerning criminal convictions or pending criminal charges, shall be grounds for disqualification from consideration for employment or discharge from employment.

6. Notwithstanding anything in paragraph III.A.5 of this Policy, above, no decision to deny employment or withdraw an offer of employment on the basis of an applicant/employee's criminal history record shall be made without affording the applicant/employee the opportunities set forth in paragraph III.A.4 of this Policy, above.

B**. Criminal Records Check for Substitute Teachers:**

A substitute teacher who is hired by the district must submit to state and national criminal history record checks according to the procedures outlined above, subject to the following:

1. If the state and national criminal history record checks for a substitute teacher have been completed within one year prior to the date the district hired the substitute teacher, and if the substitute teacher arranged for such prior criminal history record checks to be forwarded to the Superintendent, then the substitute teacher will not be required to submit to another criminal history record check at the time of such hire.

2. If a substitute teacher submitted to state and national criminal history record checks upon being hired by the district, then the substitute teacher will not be required to submit to another criminal history record check so long as the substitute teacher is continuously employed by the district, that is, employed for at least one day of each school year, by the district, provided a substitute teacher is subjected to such checks at least once every five years.

IV. Sex Offender Registry Checks

School district personnel shall cross-reference the Connecticut Department of Public Safety's sexual offender registry prior to hiring any new employee and before a student who is enrolled in a teacher preparation program, as defined in section 10-10a of the Connecticut General Statutes, and completing his or her student teaching experience with the district, begins such student teaching experience. Registration as a sexual offender constitutes grounds for denial of employment opportunities and opportunities to perform student teaching experiences in the school district.

V. Credit Checks

The district may also ask a prospective employee for a credit report for employment for certain district positions, where the district's receipt of a credit report is substantially related to the employee's potential job. Substantially related is defined to mean "the information contained in the credit report is related to the position for which the employee or prospective employee who is the subject of the report is being evaluated." Prior to asking for a credit report, the district will determine whether the position falls within one of the categories as described in this paragraph. The position must: (1) be a managerial position which involves setting the direction or control of the district; (2) involve access to employees' personal or financial information; (3) involve a fiduciary responsibility to the district, including, but not limited to, the authority to issue payments, collect debts, transfer money or enter into contracts; (4) provide an expense account or district debit or credit card; or (5) involve access to the district's nonfinancial assets valued at two thousand five dollars or more.

When a credit report will be requested as part of the employment process, the district will provide written notification to prospective employee regarding the use of credit checks. That notification must be provided in a document separate from the employment application. The notification must state that the district may use the information in the consumer credit report to make decisions related to the individual's employment.

The district will obtain consent before performing the credit or other background checks. If the district intends to takes an action adverse to a potential employee based on the results of a credit report, the district must provide the prospective employee with a copy of the report on which the district relied in making the adverse decision, as well as a copy of "A Summary of Your Rights Under the Fair Credit Reporting Act," which should be provided by the company that provides the results of the credit check. The district will notify the prospective employee either orally, in writing or via electronic means that the adverse action was taken based on the information in the consumer report. That notice must include the name, address and phone number of the consumer reporting company that supplied the credit report; a statement that the company that supplied the report did not make the decision to take the unfavorable action and cannot provide specific reasons for the district's actions; and a notice of the person's right to dispute the accuracy or completeness of any information the consumer reporting company furnished, and to get an additional free report from the company if the person asks for it within sixty (60) calendar days.

**VI. Notice of Conviction**

If, at any time, the district receives notice of a conviction of a crime by a person holding a certificate, authorization or permit issued by the State Board of Education, the district shall send such notice to the State Board of Education. In complying with this requirement, the district shall not disseminate the results of any national criminal history records check.

VII. School Nurses

School nurses or nurse practitioners appointed by, or under contract with, the district shall also be required to submit to a criminal history records check in accordance with the procedures outlined above.

VIII. Personal Online Accounts

For purposes of these Administrative Regulations, "personal online account" means any online account that is used by an employee or applicant exclusively for personal purposes and unrelated to any business purpose of the district, including, but not limited to, electronic mail, social media and retail-based Internet web sites. "Personal online account" does not include any account created, maintained, used or accessed by an employee or applicant for a business purpose of the district.

A. During the course of an employment check, the Board may not:

1. request or require that an applicant provide the district with a user name and password, password or any other authentication means for accessing a personal online account;

2. request or require that an applicant authenticate or access a personal online account in the presence of the district; or

3. require that an applicant invite a supervisor employed by the district or accept an invitation from a supervisor employed by the district to join a group affiliated with any personal online account of the applicant.

B. The Board may request or require that an applicant provide the district with a user name and password, password or any other authentication means for accessing:

1. any account or service provided by district or by virtue of the applicant's employment relationship with the district or that the applicant uses for the district 's business purposes, or

2. any electronic communications device supplied or paid for, in whole or in part, by the district.

C. In accordance with applicable law, the district maintains the right to require an applicant to allow the district to access his or her personal online account, without disclosing the user name and password, password or other authentication means for accessing such personal online account, for the purpose of:

1. conducting an investigation for the purpose of ensuring compliance with applicable state or federal laws, regulatory requirements or prohibitions against work-related employee misconduct based on the receipt of specific information about activity on an applicant's personal online account; or

2. conducting an investigation based on the receipt of specific information about an applicant's unauthorized transfer of the district's proprietary information, confidential information or financial data to or from a personal online account operated by an applicant or other source.

IX. Policy Inapplicable to Certain Individuals

This policy shall also not apply to:

A. A student employed by the local or regional school district in which the student who attends a district school.

B. A person employed by the district as a teacher for a noncredit adult class or adult education activity, as defined in Conn. Gen. Stat. § 10-67, who is not required to hold a teaching certificate pursuant to Conn. Gen. Stat. § 10-145b for his or her position.

X. Falsification of Records.

Notwithstanding any other provisions of this policy, the falsification or omission of any information on a job application or in a job interview, including but not limited to information concerning abuse or neglect investigations or pending criminal applications, shall be grounds for disqualification from consideration for employment or discharge from employment.

Legal References: Conn. Gen. Stat. § 10-212

Conn. Gen. Stat. § 10-221d

Conn. Gen. Stat. § 10-222c

Conn. Gen. Stat. § 31-40x

Conn. Gen. Stat. § 31-51i

Conn. Gen. Stat. § 31-51tt

Public Act 19-91, "An Act Various Revisions and Additions to the Education Statutes."

Elementary and Secondary Education Act, reauthorized as the Every Student Succeeds Act, Pub. L. 114-95, codified at 20 U.S.C.§ 1001 *et seq.*

Fair Credit Reporting Act, 15 U.S.C. § 1681 *et seq*.

**Policy Adopted: 1/18/06**

**Policy Revised: 1/14/14**

**Policy Revised: 11/15/16**

**Policy Revised: 1/17/18**

**Policy Revised: 12/18/18**

**Policy Revised: 2/19/2020**

Windsor Public Schools

Windsor, CT

**Agency Privacy Requirements for Noncriminal Justice Applicants**

Authorized governmental and non-governmental agencies/officials that conduct a national fingerprint-based criminal history record check on an applicant for a noncriminal justice purpose (such as a job or license, immigration or naturalization matter, security clearance, or adoption) are obligated to ensure the applicant is provided certain notice and other information and that the results of the check are handled in a manner that protects the applicant's privacy.

· Officials must provide to the applicant written notice 1 that his/her fingerprints will be used to check the criminal history records of the FBI.

· Officials using the FBI criminal history record (if one exists) to make a determination of the applicant's suitability for the job, license, or other benefit must provide the applicant the opportunity to complete or challenge the accuracy of the information in the record.

· Officials must advise the applicant that procedures for obtaining a change, correction, or updating of an FBI criminal history record are set forth at Title 28, Code of Federal Regulations (CFR), Section 16.34.

· Officials should not deny the job, license, or other benefit based on information in the criminal history record until the applicant has been afforded a reasonable time to correct or complete the record or has declined to do so.

· Officials must use the criminal history record solely for the purpose requested and cannot disseminate the record outside the receiving department, related agency, or other authorized entity.2

The FBI has no objection to officials providing a copy of the applicant's FBI criminal history record to the applicant for review and possible challenge when the record was obtained based on positive fingerprint identification. If agency policy permits, this courtesy will save the applicant the time and additional FBI fee to obtain his/her record directly from the FBI by following the procedures found at 28 CFR 16.30 through 16.34. It will also allow the officials to make a more timely determination of the applicant's suitability.

Each agency should establish and document the process/procedures it utilizes for how/when it gives the applicant notice, what constitutes "a reasonable time" for the applicant to correct or complete the record, and any applicant appeal process that is afforded the applicant. Such documentation will assist State and/or FBI auditors during periodic compliance reviews on use of criminal history records for noncriminal justice purposes.

If you need additional information or assistance, contact:

| | |
|---|---|
| **Connecticut Records:**<br>**Department of Emergency Services and Public Protection**<br>**State Police Bureau of Identification (SPBI)**<br>**1111 Country Club Road**<br>**Middletown, CT 06457**<br>**860-685-8480** | Out-of-State Records:<br>Agency of Record<br>OR<br>FBI CJIS Division-Summary Request<br>1000 Custer Hollow Road<br>Clarksburg, West Virginia 26306 |

**Noncriminal Justice Applicant's Privacy Rights**

As an applicant who is the subject of a national fingerprint-based criminal history record check for a noncriminal justice purpose (such as an application for a job or license, an immigration or naturalization matter, security clearance, or adoption), you have certain rights which are discussed below.

· You must be provided written notification3 by Windsor Board of Education that your fingerprints will be used to check the criminal history records of the FBI.

· If you have a criminal history record, the officials making a determination of your suitability for the job, license, or other benefit must provide you the opportunity to complete or challenge the accuracy of the information in the record.

· The officials must advise you that the procedures for obtaining a change, correction, or updating of your criminal history record are set forth at Title 28, Code of Federal Regulations (CFR), Section 16.34.

· If you have a criminal history record, you should be afforded a reasonable amount of time to correct or complete the record (or decline to do so) before the officials deny you the job, license, or other benefit based on information in the criminal history record.4

· You have the right to expect that officials receiving the results of the criminal history record check will use it only for authorized purposes and will not retain or disseminate it in violation of federal statute, regulation or executive order, or rule, procedure or standard established by the National Crime Prevention and Privacy Compact Council.5

· If agency policy permits, the officials may provide you with a copy of your FBI criminal history record for review and possible challenge. If agency policy does not permit it to provide you a copy of the record, you may obtain a copy of the record by submitting fingerprints and a fee to the FBI. Information regarding this process may be obtained at http://www.fbi.gov/about-us/cjis/background-checks.

· If you decide to challenge the accuracy or completeness of your FBI criminal history record, you should send your challenge to the agency that contributed the questioned information to the FBI. Alternatively, you may send your challenge directly to the FBI at the same address as provided above. The FBI will then forward your challenge to the agency that contributed the questioned information and request the agency to verify or correct the challenged entry. Upon receipt of an official communication from that agency, the FBI will make any necessary changes/corrections to your record in accordance with the information supplied by that agency. (See 28 CFR 16.30 through 16.34.)

· If you need additional information or assistance, please contact:

| | |
|---|---|
| **Connecticut Records:**<br>**Department of Emergency Services and Public Protection**<br>**State Police Bureau of Identification (SPBI)**<br>**1111 Country Club Road**<br>**Middletown, CT 06457**<br>**860-685-8480** | Out-of-State Records:<br>Agency of Record<br>OR<br>FBI CJIS Division-Summary Request<br>1000 Custer Hollow Road<br>Clarksburg, West Virginia 26306 |

Federal Bureau of Investigation

United States Department of Justice

Privacy Act Statement

**Authority:** The FBI's acquisition, preservation, and exchange of fingerprints and associated information is generally authorized under 28 U.S.C. 534. Depending on the nature of your application, supplemental authorities include Federal statutes, State statutes pursuant to Pub. L. 92-544, Presidential Executive Orders, and federal. Providing your fingerprints and associated information is voluntary; however, failure to do so may affect completion or approval of your application.

**Social Security Account Number (SSAN).** Your SSAN is needed to keep records accurate because other people may have the same name and birth date. Pursuant to the Federal Privacy Act of 1974 (5 USC 552a), the requesting agency is responsible for informing you whether disclosure is mandatory or voluntary, by what statutory or other authority your SSAN is solicited, and what uses will be made of it. Executive Order 9397 also asks Federal agencies to use this number to help identify individuals in agency records.

**Principal Purpose:** Certain determinations, such as employment, licensing, and security clearances, may be predicated on fingerprint-based background checks. Your fingerprints and associated information/biometrics may be provided to the employing, investigating, or otherwise responsible agency, and/or the FBI for the purpose of comparing your fingerprints to other fingerprints in the FBI's Next Generation Identification (NGI) system or its successor systems (including civil, criminal, and latent fingerprint repositories) or other available records of the employing, investigating, or otherwise responsible agency. The FBI may retain your fingerprints and associated information/biometrics in NGI after the completion of this application and, while retained, your fingerprints may continue to be compared against other fingerprints submitted to or retained by NGI.

**Routine Uses:** During the processing of this application and for as long thereafter as your fingerprints and associated information/biometrics are retained in NGI, your information may be disclosed pursuant to your consent, and may be disclosed without your consent as permitted by the Privacy Act of 1974 and all applicable

Routine Uses as may be published at any time in the Federal Register, including the Routine Uses for the NGI system and the FBI's Blanket Routine Uses. Routine uses include, but are not limited to, disclosures to: employing, governmental or authorized non-governmental agencies responsible for employment, contracting licensing, security clearances, and other suitability determinations; local, state, tribal, or federal law enforcement agencies; criminal justice agencies; and agencies responsible for national security or public safety.

**Additional Information:** The requesting agency and/or the agency conducting the application-investigation will provide you additional information pertinent to the specific circumstances of this application, which may include identification of other authorities, purposes, uses, and consequences of not providing requested information. In addition, any such agency in the Federal Executive Branch has also published notice in the Federal Register describing any systems(s) of records in which that agency may also maintain your records, including the authorities, purposes, and routine uses for the system(s).

**P4118.3**

**Personnel – Certified/Non-Certified**

**Guidelines for Acceptable Use of Computers, Networks and the Internet**

**Introduction**

The tools and resources provided by computing equipment, networks and the Internet support the goals and objectives of the Windsor Public Schools. The district supports their use by students and staff for productivity, information access, communication and problem-solving. Technology provides new tools and exciting opportunities that truly enhance teaching and learning in our schools.

While actively supporting the use of available tools, the district also recognizes that there may be use that is inappropriate or objectionable. Although regulations cannot totally eliminate the possibility of such use, they can significantly limit unacceptable utilization of equipment, networks and the Internet. Our intent is to maximize the educational value of all electronic resources. These regulations provide direction for using these powerful resources in ways that are effective, safe, responsible and legal.

These regulations also address the district web site in terms of acceptable purposes, standards, safeguards and management. These are covered in Section 7.

1. **Responsibilities for Implementing Regulations**

   A. The district is responsible for informing staff about regulations for acceptable use of technology.

   B. The district will request that all personnel with access to technology sign and return a form stating that they understand and acknowledge these acceptable use regulations. A Technology Use Agreement form is included in the Appendix to these regulations. Signed copies will be maintained in employee personnel files. Forms may be revised as needed.

   C. Administration will also use Internet filtering software to prevent access to material that is obscene, pornographic, harmful to minors or is prohibited according to criteria in Section 2. See Section 4 for further information on Internet filtering.

   D. Staff must also be aware of the acceptable use regulations for students. All staff members who work with students are responsible for modeling regulations, supervising the use of technology and by regularly informing students about regulations for acceptable use. Staff will post information on regulations in all instructional areas. The Curriculum Leader for Libraries and Educational Technology will distribute this material to staff. Strategies such as room arrangements that aid in supervision should also be implemented.

   E. Staff members are responsible for following acceptable use regulations during all times in which they and/or the students under their supervision are using the computing resources of the district. This includes use of the district email system or other district resources that can be accessed off-site.

2. **Regulations**

   A. Users will access computers, networks and the Internet only for school-related purposes. This includes email. The only exception will be independent, personal research (not personal email) that may be conducted on the Internet by K-12 staff. Such staff research is permitted during times when users are not scheduled to be with students and such use does not interfere with duties, performance, system operations or the academic computer needs of students. All acceptable use regulations apply to both school work and personal research.

B. The data, files, email and Internet access of all users are considered to be the property of the school district and may be considered public record. Administration reserves the right to access, monitor and review all use of district computer resources, including the overriding of passwords, when necessary. Users should be aware that technology staff, in the performance of their duties, may inadvertently see staff email or files although they can not use or disclose such information except as required legally or in emergency situations. Staff should not have expectation of complete privacy or confidentiality in the use of district technology resources.

The district shall place, in each school and its offices, in a conspicuous place which is readily available for viewing by its employees, a notice concerning the types of electronic monitoring in which the district, as employer, may engage. A copy of such notice is included in the Appendix.

C. Staff should not use email for matters that are confidential or sensitive.

D. Staff will plan the use of electronic resources in ways that closely guide student experiences. In Grades K-8, teachers should identify in advance most of the Internet web sites that students will use for assignments. With appropriate guidance, middle school students may begin to do more searching for resources.

E. Home access to computers or the Internet can not be required for assignments. There may be students who have little or no access to technology beyond that which is provided by the school. Technology-based assignments should be planned accordingly. Reasonable time and opportunity should be given for in-school use of technology.

F. Staff will supervise student use of computing equipment, networks, and the Internet as closely as possible.

G. Staff must always plan the following activities in advance and closely supervise students:

1.) Use of Internet chat, real time conferencing, class blogs or similar activities. This type of activity will be used only for specific school-related purposes that are supervised by staff. All acceptable use regulations apply. Tools used for these purposes should provide secure, password-protected access. Any depiction of student work (or other information) that is on the public web will require signed parent/guardian approval.

2.) Downloading of files from outside sources whether for school purposes or personal research. This includes music, video and all other types of files. Students must always ask for permission from staff before downloading files. In addition, any downloaded file must be used in ways that do not violate copyright law as described district copyright regulations.

H. In order to ensure that technology use is effective, safe and responsible, certain activities and behaviors are not permitted. The following are prohibited:

1. ) Use of computing equipment, networks, and the Internet for purposes that are not school-related with the exception of independent, personal research as described earlier in this section.

2.) Use of school email for personal purposes, including fundraising or other activities for events or organizations without direct connection to the district.

3.) Bulk postings of any email that do not have direct relevance to all recipients. Such postings place an unnecessary load on the system and impinge on the time of other staff members.

4.) Email with individuals or organizations that can not be identified. Email, including attachments, from unknown sources should be deleted or forwarded to technology support staff.

5.) Creating, communicating, using, or knowingly accessing media or text that are obscene, profane, pornographic, inflammatory, harassing, threatening, bullying, degrading, defaming, harmful to minors or that promote violence or illegal activities.

6.) Creating, communicating, using, or knowingly accessing media or text that are offensive because they are based on slurs or stereotypes related to race, gender, ethnicity, religion, sexual orientation or disability or handicap.

7.) Creating, using or knowingly accessing sites that are used to post personal information or initiate personal relationships or dating.

8.) Playing of computer games unless they are directly connected to a school assignment or professional responsibility.

9.) Vandalism of equipment.

10.) Attempts to disrupt the performance of equipment, software or networks including attempts to access any resource or tool for which the user is not authorized.

11.) Tampering or unauthorized modification of hardware, software or networks including the uploading, creation and spread of computer viruses.

12.) Tampering with data and files belonging to or being used by others. Unauthorized access to others' files is also prohibited.

13.) Installation of any software or online services on district computersif such resources have not been acquired by the district and approved by a site administrator and either the Curriculum Supervisor for Libraries and Educational Technology or the Manager of Information Services. The district will not be expected to support resources that are acquired without proper approval.

14.) Connection of personal computers or other devices to school networks or the Internet. The district will also not be expected to support any resources (including hardware) that are the personal property of users. However, the district will provide staff with the information to set up access to school email from home computers.

15.) Use of file-sharing software or networks unless they have been set up by the district for school purposes.

16.) Sharing of personal data about students such as street address, phone number or home e-mail address on the Internet. See Section 7 for regulations on release of student information on the district web site.

17.) Allowing students to make personal plans to meet any person or persons contacted via the Internet even if they have been part of a school activity which involved interaction on the Internet.

18.) Sharing of passwords, use of others' accounts without authorization or other activities that compromise the security of the computer systems, including leaving computers “signed on” when unattended.

19.) Intentional wasting of network resources.

20.) Accessing of personal email accounts.

21.) Use of school technology for commercial purposes or financial gain, including buying and selling.

22.) Use of school technology to assist in a political campaign, promote a non-school organization or to proselytize individual views.

23.) Use or transmission of any resource that constitutes a violation of copyright laws as described in district copyright regulations.

24.) Use of school technology for any form of illegal behavior.

I. Staff members are to report security or technical problems to technology staff. Staff should also instruct students that if they inadvertently access objectionable materials on the Internet or other locations, they should report this immediately to the staff member in charge and not demonstrate the problem to other student users. That staff member is then responsible for reporting this to the Curriculum Supervisor for Libraries and Educational Technology.

J. If staff is unsure about the acceptability of any resource or activity, they should contact the Curriculum Supervisor for Libraries and Educational Technology for assistance.

3. **Notification of Staff Regarding Matters of Individual Student Access**

A. Parents will be informed about acceptable use regulations and the role of such regulations in providing a safe, appropriate, and productive learning environment. This will include distribution and return of a Technology Use Agreement form. Students in Grades 6 and above will also be asked to sign the form. Staff will be informed about any pertinent information that is collected through this process.

B. When use of a specific technology violates a specific tenet of the student's religion, parents/guardians may contact the Curriculum Supervisor for Libraries and Educational Technology to have their child exempted from use. This provision will be noted on the Technology Use Agreement form. The Curriculum Leader will inform the appropriate teachers and administrators of such requests.

C. Appropriate staff will also be informed of any disciplinary actions that are pertinent to students under their supervision. See Section 5 for more information or disciplinary action.

4. **Internet Filtering**

A. The Children's Internet Protection Act (CIPA) requires that schools filter Internet access if they receive E-Rate discounts for Internet access, service or internal connections. CIPA does not require schools to afford adults unfiltered access. The technology protection measures used to block or filter will not be disabled during use by an adult to enable unfiltered Internet access.

B. The district implements a system to filter out Internet sites with content/material considered inappropriate or harmful and unacceptable for student viewing. Such content includes that which is considered obscene, child pornography, harmful to minors or is prohibited according to criteria in Section 2.

C. The Internet changes rapidly making it impossible to filter all objectionable sites. The staff's role in supervising and monitoring student access is critical. In addition, users have the responsibility to monitor their own Internet use to avoid unacceptable sites.

D. Filtering is only one technique to manage Internet access and encourage acceptable usage. It should not be viewed as a foolproof approach to preventing access to material considered inappropriate or harmful to minors.

E. If staff members are made aware of a site that they believe is unacceptable according to these regulations, they can and should request that it be blocked locally. Staff can also request that a site be unblocked if it meets acceptable use criteria. Any student requests to unblock a site should come through a

staff member. The Curriculum Supervisor for Libraries and Educational Technology will make a decision to block or unblock sites according to criteria set forth in the acceptable use regulations.

F. Staff members will be aware that students are not allowed to bypass district filtering through proxy servers or other means. If a site is blocked by the district filter, it is not to be accessed by students through other means. As described above, requests to unblock a site from the district filter can be made.

5. **Student Supervision and Disciplinary Action**

As previously stated, staff is expected to supervise student use of technology and regularly inform students about acceptable use. Regulations must be followed at all times when computers, networks, the Internet and all district technology are being used.

When, in the course of their duties, staff becomes aware of student violations, they are expected to stop the activity and take appropriate action. Student failure to follow acceptable use regulations will lead to disciplinary action up to and including suspension and expulsion as well as the loss of privileges to use technology in one or more locations within the school for specific periods of time. Appropriate staff will receive notification of such restrictions. Illegal activity will also be reported to appropriate law enforcement authorities.

Students who engage in misconduct using personal technology outside of school may be subject to discipline. Any disciplinary action shall be based upon whether the conduct is determined to be severely disruptive of the educational process so that it markedly interrupts or severely impedes day-to-day operations of a school. In addition, such conduct must also be violative of a publicized school policy.

6. **Staff Violation of Regulations**

Any staff use of technology that is in violation of acceptable use regulations can be the basis for disciplinary action up to and including termination of employment. Any illegal uses of school technology will also result in referral to law enforcement authorities.

7. **Warranties and Compensation for Losses, Costs and/or Damages**

The school district makes no warranties of any kind, either express or implied, in connection with its provision of access to the Internet. It will not be responsible for any damages users suffer, including, but not limited to loss of data resulting from delays or interruptions in service. The district will not be responsible for the accuracy, nature or quality of information gathered through district provided Internet access. The district will not be responsible for any unauthorized financial obligations resulting from school system provided Internet access.

The employee will be responsible for any losses, costs or damages incurred by the district related to violations of acceptable use regulations.

8. **The Windsor Public Schools Web Site**

A. **Purposes of the site**

The Windsor Public Schools web site provides opportunities to communicate information about the district and its individual schools. Internal audience will include staff and students while external audience will include parents, community members, prospective employees and anyone who has an interest in the Windsor Public Schools. The site will foster communications not only by providing information but also by enabling others to contact the school district. The site may provide a forum in which we share with others the creative work of students and staff. The site can also be utilized to identify or provide instructional resources, projects and material for students and staff.

The Windsor Public Schools web site refers to all official pages published by the district and its schools at http://www.windsorct.org

B. **Standards**

1.) Subject matter will directly relate to the district and its schools.

2.) Material published on district web site should meet all acceptable use regulations.

3.) Material will be written in a clear style and be free of spelling or grammatical errors.

4.) Layout will reflect a professional appearance and support efficient and effective use of the web page.

5.) Graphics should enhance the information being published on the site. They should be of high quality and carefully placed. The time and technical capacity that will be needed for users to download graphics must be considered. Unnecessary graphics and animations that detract from the appearance and/or access of the site should be avoided.

6.) Links back to appropriate points on the web site should be included.

7.) The site can include links to other web sites. However, these sites will meet acceptable use regulations as well as the criteria found in district regulations on the selection of materials. All links should be regularly checked by the creators of pages to ensure that they are active and that they still meet guidelines. There should be not links to staff and student homepages that are of a personal nature.

8.) Advertising on district web pages is not acceptable.

9.) Out-of-date information should be removed in a timely manner by the creator of the specific web page. Each page should include the date of the last update.

10.) The Superintendent, the Curriculum Supervisor for Libraries and Educational Technology and District Webmaster can determine which pages and features within the web site must adhere to a consistent district wide format and which pages and features can be composed by the creators provided that all other regulations and standards are met.

C. **Copyright**

The web site must show respect for the intellectual property rights of others and adhere to copyright legislation. What may be considered fair use of materials within a single classroom for educational purposes does not typically apply to web pages because the latter is considered a “public performance.” Web pages must therefore adhere to copyright restrictions.

Staff should assume that art, photos and text are copyrighted unless there is a clear statement that they are in the public domain or that they are available for the legal owner of a software program to use on a web page. This includes the material of others that is found on other web sites. Written permission must be sought to use materials and if granted, such permission should be clearly stated on the web page along with clear identification of the creator. All other copyright regulations must be followed.

The main district web page should also include a statement that our entire site, including work by students and staff, is copyrighted and can not be reproduced without consent of the Windsor Public Schools.

C. **Student safeguards**

1.) The district may release the following information on its web site if a signed parent/guardian approval is obtained at the time of posting: Student name, school attended, participation in officially

recognized activities and sports, degrees and awards or depiction of student work.

2.) Photos or video will also require a signed parent/guardian approval at the time of posting.

3.) No other student data will be included.

4.) Any student information protected by statute will not be permitted on the district web site.

D. **Management and security of the web site**

1.) The Superintendent of Schools will appoint one staff member as the District Webmaster who will coordinate the site and monitor all web pages to ensure that regulations are being met.

2.) Other staff members are encouraged to publish pages on the district web site for a specific class, group, activity or other school-related purpose. These staff members will be asked to sign and return a Web Page Development Agreement, a copy of which is found in the Appendix. This form may be modified in the future as needed.

3.) The District Webmaster will keep the original copies of these agreements on file. Copies will be sent to appropriate principals and/or other administrators.

4.) Principals or the principal's administrative designee will approve web pages. The appropriate administrator will approve web pages done by staff members who are not assigned to one school building. The District Webmaster will inform creators of web pages which administrator will approve their pages. The administrator must approve the original web page and any substantive changes.

5.) Volunteers who are not staff members, such as parents or students, may assist in the creation of files for a web page but the authorized staff member must review all material and be the only person who uploads files to the web site. If such material represents an original version of the web page or a substantive change, the designated administrator must also approve it.

6.) Student work may be included on such pages after evaluation by staff.

7.) All pages must adhere to acceptable use regulations.

8.) The District Webmaster will coordinate access rights and passwords to upload pages. Passwords will be kept secure and not shared with other individuals who have not been authorized to upload.

9.) There will only be one official district web site for the Windsor Public Schools. No other sites are considered to be the approved or official web-based communication from the Windsor Public Schools.

10.) The only material on the district web site will come directly from authorized staff members who have created pages under the auspices of these regulations and in coordination with the District Webmaster.

11.) Links to pages identified as “teacher web pages” will be limited to those that reside on the district server.

9. **Revision of acceptable use regulations**

These regulations will be evaluated and updated as needed in response to the changing nature of technology and its application in the Windsor Public Schools.

The Superintendent or his/her designee may also develop additional administrative procedures to govern the day-to-day management and operations of the district's technology as long as they are consistent with Board policy and acceptable use regulations.

Legal Reference: Connecticut General Statutes

The Freedom of Information Act

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

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

10-209 Records not to be public

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)

53a-182b. Harassment in the first degree: Class D felony. (as amended by PA 95-143)

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

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

Children's Internet Protection Act of 2000 (HR 4577, P.L. 106-554)

Communications Act of 1934, as amended (47 U.S.C. 254[h],[I]

Public Law 106-554 fiscal 2001 Appropriations Law containing the Children's Internet Protection Act

Elementary and Secondary Education Act of 1965, as amended (20 U.S.C. 6801 et seq., Part F)

Public Law 94-553, The Copyright Act of 1976, 17 U.S.C. et seq.

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

Reno v. ACLU, 521 U.S. 844 (1997)

Ginsberg v. New York, 390 U.S. 629, at 642, n.10 (1968)

Board of Education v. Pico, 457 U.S. 868 (1988)

Hazelwood School District v. Kuhlmeier, 484 U.S. 620, 267 (1988)

P.A. 98-142 an Act Requiring Notice to Employees of Electronic Monitoring by Employers

**Regulation Approved: May 19, 2009**

**P5113**

**Students**

## STUDENT ATTENDANCE AND TRUANCY

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

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

Legal References:

Connecticut General Statutes § 10-220

Connecticut General Statutes § 10-184

Connecticut General Statutes § 10-186

Connecticut General Statutes § 10-198a

Connecticut General Statutes § 10-198b

Connecticut General Statutes § 10-198c

Connecticut General Statutes § 10-198d

Connecticut General Statutes § 10-198e

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

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

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

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

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

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

**Policy Adopted: March 18, 2008**

**Policy Revised: September 20, 2016**

**Policy Revised: March 17, 2015**

**Policy Revised: June 18, 2013**

**Policy Revised: January 17, 2018**

**Policy Revised: December 18, 2018**

Windsor Public Schools

Windsor, CT

**AR 5113**

Students

## STUDENT ATTENDANCE, TRUANCY AND CHRONIC ABSENTEEISM

I. Attendance and Truancy

A. Definitions for Section I

1. "Absence" - any day during which a student is not considered "in attendance" at his/her assigned school, or on a school sponsored activity (e.g. field trip), for at least one half of the school day.

2. "Disciplinary absence" - Any absence as a result of school or district disciplinary action. Any student serving an out-of-school suspension or expulsion should be considered absent. Such absence is not considered excused or unexcused for attendance and truancy purposes.

3. "Educational evaluation" - for purposes of this policy, an educational evaluation is an assessment of a student's educational development, which, based upon the student's presenting characteristics, would assess (as appropriate) the following areas: health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status and motor abilities.

4. "Excused absence" - a student is considered excused from school if the school has received written documentation describing the reason for the absence within ten (10) days of the student's return to school, or the child has been excluded from school in accordance with section 10-210 of the Connecticut General Statutes, and meets the following criteria:

a. Any absence before the student's tenth absence, is considered excused when the student's parent/guardian approves such absence and submits appropriate written documentation in accordance with this regulation.

b. For the student's tenth absence and all absences thereafter, a student's absences from school are, with appropriate documentation in accordance with this regulation, considered excused only for the following reasons:

i. student illness (verified by an appropriately licensed medical professional);

ii. religious holidays;

iii. mandated court appearances (documentation required);

iv. funeral or death in the family, or other emergency beyond the control of the student's family;

v. extraordinary educational opportunities pre-approved by the district administrators and in accordance with Connecticut State Department of Education guidance and this regulation;

vi. lack of transportation that is normally provided by a district other than the one the student attends.

c. A student, age five to eighteen, whose parent or legal guardian is an active duty member of the armed forces who has been called for duty, is on leave from or has immediately returned from deployment to a combat zone or combat support posting, shall be granted ten (10) days of excused absences in any school year, and, in the discretion of the administration, additional excused absences to visit such student's parent or legal guardian with respect to the parent's leave or deployment. In the case of such excused absences, the student and parent or legal guardian are responsible for obtaining assignments from the student's teacher prior to any period of excused absence, and for ensuring that such assignments are completed by the student prior to his or her return to school.

5. "In Attendance" - any day during which a student is not considered to be absent from his/her assigned school, or from an activity sponsored by the school (e.g. field trip), for at least one half of the school day.

6. "Student" - a student enrolled in the Windsor Public Schools (the "District").

7. "Truant" - any student five (5) to eighteen (18) years of age, inclusive, who has four (4) unexcused absences from school in any one month or ten (10) unexcused absences from school in any school year.

8. "Unexcused absence" - any absence from a regularly scheduled school day for at least one half of the school day, unless the absence an excused absence as defined above or the absence is a disciplinary absence.

The determination of whether an absence is excused will be made by the building principal or his/her designee. Parents or other persons having control of the child may appeal that decision to the Superintendent or his/her designee, whose decision shall be final.

B. Written Documentation Requirements for Absences

"Written Documentation" - includes a signed note from the student's parent/guardian, a signed note from a school official that spoke in person with the parent/guardian regarding the absence, or a note confirming the absence by the school nurse or by a licensed medical professional, as appropriate, that explains the nature of and the reason for the absence as well as the length of the absence.

C. Truancy Exceptions:

1. A student five (5) or six (6) years of age shall not be considered truant if the parent or person having control over such student has appeared personally at the school district office and exercised the option of not sending the child to school at five (5) or six (6) years of age.

2. A student seventeen (17) years of age shall not be considered truant if the parent or person having control over such student consents to such student's withdrawal from school. Such parent or person shall personally appear at the school district office and sign a withdrawal form indicating such consent. Such withdrawal form must include an attestation from a guidance counselor or school administrator from the school that the district provided the parent (or person having control of the child) with information on the educational options available in the school system and community.

3. If a parent or guardian of an expelled student chooses not to enroll the student in an alternative program, the student shall not be considered to be "truant."

D. Readmission to School Following Voluntary Withdrawal

1. Except as noted in paragraph 2 below, if a student voluntarily withdraws from school (in accordance with Section C.2, above) and subsequently seeks readmission, the Board may deny school accommodations to the student for up to ninety (90) school days from the date of the student's withdrawal from school.

2. If a student who has voluntarily withdrawn from school (in accordance with Section C.2, above) seeks readmission within ten (10) school days of his/her withdrawal, the Board shall provide school accommodations to the student not later than three (3) school days after the student requests readmission.

E. Determinations of Whether a Student is "In Attendance":

1. A student serving an out of school suspension or expulsion shall be reported as absent unless he or she receives an alternative educational program for at least one half of the regular school day. In any event, the absence is considered a disciplinary absence, and will not be designated as excused or unexcused.

2. On early dismissal days and days shortened due to inclement weather, the regular school day for attendance purposes is considered to be the amount of instructional time offered to students on that day. For example, if school is open for four hours on a shortened day scheduled, a student must be present for a minimum of two hours in order to be considered "in attendance."

3. Students placed on homebound instruction due to illness or injury in accordance with applicable regulations and requirements are counted as being "in attendance" for every day that they receive instruction from an appropriately certified teacher for an amount of time deemed adequate by the administration so as to ensure that the student is able to successfully return to the regular classroom setting.

F. Procedures for students in grades K-8*

1. Notification

a. Annually at the beginning of the school year and upon the enrollment of any child during the school year, the administration shall notify the parent or other person having control of the student enrolled in grades K - 8 in writing of the obligations pursuant to Conn. Gen. Stat. §10-184 to assure that such a student attends school regularly or to show that the child is elsewhere receiving equivalent instruction in the studies taught in the District.

b. Annually at the beginning of the school year and upon the enrollment of any child during the school year, the administration shall obtain from the parent or other person having control of the student in grades K-8 a telephone number or other means of contacting such parent or other person during the school day.

2. Monitoring

Each school shall implement a system of monitoring individual unexcused absences of students in grades K-8. Whenever such a student fails to report to school on a regularly scheduled school day, school personnel under the direction of the building principal [or his/her designee] shall make a reasonable effort to notify the parent or other person having control of such student by telephone and by mail of the student's absence, unless school personnel have received an indication that the parent or other person is aware of the student's absence. [Reasonable efforts shall include two (2) attempts to reach the parent or other person at the telephone number provided by the parent or other person. Such attempts shall be recorded on a form provided by the Superintendent.] Any person who, in good faith, gives or fails to give such notice shall be immune from liability, civil or criminal, which might otherwise be incurred or imposed and shall have the same immunity with respect to any judicial proceeding which results from such notice or failure to give notice.

G. Procedures applicable to students ages five (5) to eighteen (18)

1. Intervention

a. When a student is truant, the building principal or his/her designee shall schedule a meeting with the parent (or other person having control of such student) and appropriate school personnel to review and evaluate the reasons for the student's truancy. This meeting shall be held no later than ten (10) days after the student becomes truant. The district shall document the meeting, and if parent or other person declines to attend the meeting, or is otherwise is non responsive, that fact shall also be documented and the meeting shall proceed with school personnel in attendance.

b. When a student is truant, the Superintendent or his/her designee shall coordinate services with and referrals of students to community agencies providing child and family services, as appropriate. The district shall document efforts to contact and include families and to provide early intervention in truancy matters.

c. If the Commissioner of Education determines that any school under the jurisdiction of Board has a disproportionately high rate of truancy, the district shall implement in that school a truancy intervention model identified by the Department of Education pursuant to Conn. Gen. Stat. § 10-198e.

d. In addition to the procedures specified in subsections (a) through (c) above, a regular education student who is experiencing attendance problems should be referred to the building Child Study Team [or other appropriate school based team] to consider the need for additional interventions and/or assistance. The Team will also consider whether the student should be referred to a planning and placement team ("PPT") meeting to review the student's need and eligibility for special education. A special education student who is experiencing attendance problems should be referred to a PPT meeting for program review.

e. Where the documented implementation of the procedures specified in subsections (a) through (d) above does not result in improved outcomes despite collaboration with the parent/guardian, the Superintendent or his/her designee may, with written parental consent, refer a student who is truant to a Youth Service Bureau.

H. Attendance Records

All attendance records developed by the Board shall include the individual student's state-assigned student identifier (SASID).

II. Chronic Absenteeism

A. Definitions for Section II

1. "Chronically absent child" - a child who is enrolled in a school under the jurisdiction of the Board and whose total number of absences at any time during a school year is equal to or greater than ten percent (10%) of the total number of days that such student has been enrolled at such school during such school year;

2. "Absence" - an excused absence, unexcused absence or disciplinary absence, as those terms are defined by the State Board of Education pursuant to section 10-198b of the general statutes and these administrative regulations;

3. "District chronic absenteeism rate" - the total number of chronically absent children under the jurisdiction of the Board in the previous school year divided by the total number of children under the jurisdiction of the Board for such school year; and

4. "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.

B. Establishment of Attendance Review Teams

If the Board has a district chronic absenteeism rate of ten percent (10%) or higher, it shall establish an attendance review team for the school district.

If a school under the jurisdiction of the Board has a school chronic absenteeism rate of fifteen percent (15%) or higher, it shall establish an attendance review team for that school.

If the Board has more than one school with a school chronic absenteeism rate of fifteen percent (15%) or higher, it shall establish an attendance review team for the school district or at each such school.

If the Board has a district chronic absenteeism rate of ten percent (10%) or higher and one or more schools with a school chronic absenteeism rate of fifteen percent (15%) or higher, it shall establish an attendance review team for the school district or at each such school.

C. Composition and Role of Attendance Review Teams

Any attendance review team established under these regulations may include school administrators, guidance counselors, school social workers, teachers, representatives from community-based programs who address issues related to student attendance by providing programs and services to truants, and chronically absent children and their parents or guardians.

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.

D. State Chronic Absenteeism Prevention and Intervention Plan

The Board and its attendance review teams, if any, will consider any chronic absenteeism prevention and intervention plan developed by the State Department of Education.

III. Reports to the State Regarding Truancy Data:

Annually, each local and regional board of education shall include information regarding the number of truants and chronically absent children in the strategic school profile report for each school under its jurisdiction and for the school district as a whole submitted to the Commissioner of Education. Measures of truancy include the type of data that is required to be collected by the Department of Education regarding attendance and unexcused absences in order for the department to comply with federal reporting requirements and the actions taken by the board of education to reduce truancy in the school district.

Legal References:

Connecticut General Statutes § 10-220

Connecticut General Statutes § 10-184

Connecticut General Statutes § 10-186

Connecticut General Statutes § 10-198a

Connecticut General Statutes § 10-198b

Connecticut General Statutes § 10-198c

Connecticut General Statutes § 10-198d

Connecticut General Statutes § 10-198e

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

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

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

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

**Regulation Approved: December 18, 2018**

Craig A. Cooke, Ph.D.

Superintendent of Schools

Windsor Public Schools

Windsor, CT

**P5114**

**Students**

**STUDENT DISCIPLINE**

I. Definitions

**A. 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.

**B. 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 air soft pistol may constitute a deadly weapon if such weapon is designed for violence and is capable of inflicting death or serious bodily harm. In making such determination, the following factors should be considered: design of weapon; how weapon is typically used (e.g. hunting); type of projectile; force and velocity of discharge; method of discharge (i.e. spring v. CO2 cartridge) and potential for serious bodily harm or death.

**C. Electronic Defense Weapon** means a weapon which by electronic impulse or current is capable of immobilizing a person temporarily, but is not capable of inflicting death or serious physical injury, including a stun gun or other conductive energy device.

**D. Emergency** means a situation in which the continued presence of the student in school poses such a danger to persons or property or such a disruption of the educational process that a hearing may be delayed until a time as soon after the exclusion of such student as possible.

**E. Exclusion** means any denial of public school privileges to a student for disciplinary purposes.

**F. Expulsion** means the exclusion of a student from school privileges 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 pupil was assigned at the time such disciplinary action was taken. The expulsion period may not extend beyond one (1) calendar year.

**G. Firearm**, as defined in 18 U.S.C § 921, means (a) any weapon (including a starter gun) that will, is designed to, or may be readily converted to expel a projectile by the action of an explosive, (b) the frame or receiver of any such weapon, (c) a firearm muffler or silencer, or (d) any destructive device. The term firearm does not include an antique firearm. As used in this definition, a "**destructive device**" includes any explosive, incendiary, or poisonous gas device, including a bomb, a grenade, a rocket having a propellant charge of more than four ounces, a missile having an explosive or incendiary charge of more than one-quarter ounce, a mine, or any other similar device; or any weapon (other than a shotgun or shotgun shell which the Attorney General finds is generally recognized as particularly suited for sporting purposes) that will, or may be readily converted to, expel a projectile by explosive or other propellant, and which has a barrel with a bore of more than ½" in diameter. The term "destructive device" also includes any combination of parts either designed or intended for use in converting any device into any destructive device and from which a destructive device may be readily assembled. 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.

**H. In-School Suspension** means an exclusion from regular classroom activity for no more than ten (10) consecutive school 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. No student shall be placed on in-

school suspension more than fifteen (15) times or a total of fifty (50) days in one (1) school year, whichever results in fewer days of exclusion.

**I. Martial Arts Weapon** means a nunchaku, kama, kasari-fundo, octagon sai, tonfa or chinese star.

**J. Removal** is the exclusion of a student from a classroom for all or part of a single class period, provided such exclusion shall not extend beyond ninety (90) minutes.

**K. School Days** shall mean days when school is in session for students.

**L. School-Sponsored Activity** means any activity sponsored, recognized or authorized by the Board and includes activities conducted on or off school property.

**M. Seriously Disruptive of the Educational Process**, as applied to off-campus conduct, means any conduct that markedly interrupts or severely impedes the day-to-day operation of a school.

**N. Suspension** means the exclusion of a student from school and/or transportation services for not more than ten (10) consecutive school days, provided such suspension shall not extend beyond the end of the school year in which such suspension is imposed; and further provided no student shall be suspended more than ten (10) times or a total of fifty (50) days in one school year, whichever results in fewer days of exclusion, unless such student is granted a formal hearing as provided below.

**O. Weapon** means any BB gun, any blackjack, any metal or brass knuckles, any police baton or nightstick, any dirk knife or switch knife, any knife having an automatic spring release device by which a blade is released from the handle, having a blade of over one and one-half inches in length, any stiletto, any knife the edged portion of the blade of which is four inches and over in length, any martial arts weapon or electronic defense weapon, or any other dangerous or deadly weapon or instrument, unless permitted by law under Section 29-38 of the Connecticut General Statutes.

P. Notwithstanding the foregoing definitions, the reassignment of a student from one regular education classroom program in the district to another regular education classroom program in the district shall not constitute a suspension or expulsion.

II. Scope of the Student Discipline Policy

A. ***Conduct on School Grounds or at a School-Sponsored Activity:***

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

2. Expulsion. Students may be **expelled** for conduct on school grounds or at any school-sponsored activity that either **(1) violates a publicized policy of the Board and is seriously disruptive of the educational process, or (2) endangers persons or property**.

B. ***Conduct off School Grounds:***

Discipline. Students may be disciplined, including suspension and/or expulsion, for conduct off school grounds if such conduct **violates a publicized policy of the Board and is seriously disruptive of the educational process.**

C. ***Seriously Disruptive of the Educational Process:***

In making a determination as to 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**. The Administration and/or the Board of Education may also consider (5) **whether the off-campus conduct involved the illegal use of drugs**.

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

Conduct that is considered to violate a publicized policy of the Board of Education includes the offenses described below. Any such conduct may lead to disciplinary action (including, but not limited to, removal from class, suspension and/or expulsion in accordance with this policy):

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, ancestry, gender identity or expression or any other characteristic protected by law.

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, whether 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. Possession, sale, distribution, use, or consumption of tobacco, electronic nicotine delivery systems (e.g. e-cigarettes), or vapor products, or the unlawful possession, sale, distribution, use or consumption of 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 used in the delivery of nicotine or other substances to a person inhaling from the device, and includes, but is not limited to, an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or electronic hookah and any related device and any cartridge or other component of such device, including, but not limited to, electronic cigarette liquid. 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 and 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. 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 planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing or concealing, or injecting, ingesting, inhaling or otherwise introducing controlled drugs or controlled substances into the human body, including but not limited to 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, radio, portable audio player, CD player, blackberry, personal data assistant, walkie talkie, 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 or tampering with 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, defined as the repeated use by one or more students of a written, oral or electronic communication, such as cyberbullying, directed at another student attending school in the same district, or a physical act or gesture by one or more students repeatedly directed at another student attending school in the same school district, which:

a. causes physical or emotional harm to such student or damage to such student's property;

b. places such student in reasonable fear of harm to himself or herself, or of damage to his or her property;

c. creates a hostile environment at school for such student;

d. infringes on the rights of such student at school; or

e. substantially disrupts the education process or the orderly operation of a school.

Bullying includes, but is not limited to, repeated written, oral or electronic communications or physical acts or gestures based on any actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression, socioeconomic status, academic status, physical appearance, or mental, physical, developmental or sensory disability, or by association with an individual or group who has or is perceived to have one or more of such characteristics.

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 by electronic means acts of violence 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.

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

40. Any action prohibited by any Federal or State law.

41. Any other violation of school rules or regulations or a series of violations which makes the presence of the student in school seriously disruptive of the educational process and/or a danger to persons or property.

IV. Discretionary and Mandatory Expulsions

A. A principal may consider recommendation of expulsion of a student in **grades three to twelve, inclusive**, in a case where he/she has reason to believe the student has engaged in conduct described at Sections II.A. or II.B., above.

B. A principal must recommend expulsion proceedings in all cases against any student in **grades kindergarten to twelve, inclusive**, whom the Administration has reason to believe:

1. was in **possession on school grounds** or at a **school-sponsored activity** of a **deadly weapon**, **dangerous instrument**, **martial arts weapon**, or **firearm** as defined in 18 U.S.C. § 921 as amended from time to time; or

2. **off school grounds**, **possessed a firearm** as defined in 18 U.S.C. § 921, in violation of Conn. Gen. Stat. § 29-35, or **possessed and used a firearm** as defined in 18 U.S.C. § 921, a **deadly weapon**, a **dangerous instrument** or a **martial arts weapon** in the **commission of a crime** under chapter 952 of the Connecticut General Statutes; or

3. was engaged **on or off school grounds** in **offering for sale or distribution a controlled substance** (as defined in Conn. Gen. Stat. § 21a-240(9)), whose manufacturing, distribution, sale, prescription, dispensing, transporting, or possessing with intent to sell or dispense, offering or administering is subject to criminal penalties under Conn. Gen. Stat. §§21a-277 and 21a-278.

The terms "**dangerous instrument**," "**deadly weapon**," **electronic defense weapon**," "**firearm**," and "**martial arts weapon**," are defined above in Section I.

C. In any preschool program provided by the Board of Education or provided by a regional educational service center or a state or local charter school pursuant to an agreement with the Board of Education, no **student enrolled in such a preschool program** shall be expelled from such preschool program, except an expulsion hearing shall be conducted by the Board of Education in accordance with Section VIII of this policy whenever the Administration has reason to believe that that a student enrolled in such preschool program was in **possession of a firearm** as defined in 18 U.S.C. § 921, as amended from time to time, on or off school grounds or at a preschool program-sponsored event. The term **"firearm"** is defined above in Section I.

D. Upon receipt of an expulsion recommendation, the Superintendent may conduct an inquiry concerning the expulsion recommendation.

If the Superintendent or his/her designee determines that a student should or must be expelled, he or she shall forward his/her recommendation to the Board of Education so that the Board can consider and act upon this recommendation.

E. In keeping with Conn. Gen. Stat. § 10-233d and the Gun-Free Schools Act, it shall be the policy of the Board to expel a student in grades kindergarten to twelve, inclusive, for one (1) full calendar year for the conduct described in Section IV.B(1), (2) and (3) of this policy and to expel a student enrolled in a preschool program for one (1) calendar year for the conduct described in Section IV.C. For any mandatory expulsion offense, the Board may modify the term of expulsion on a case-by-case basis.

V. Procedures Governing Removal from Class

A. A student may be removed from class by a teacher or administrator if he/she deliberately causes a serious disruption of the educational process. When a student is removed, the teacher must send him/her to a designated area and notify the principal or his/her designee at once.

B. A student may not be removed from class more than six (6) times in one school year nor more than twice in one week unless the student is referred to the building principal or designee and granted an informal hearing at which the student should be informed of the reasons for the disciplinary action and given an opportunity to explain the situation.

C. The parents or guardian of any minor student removed from class shall be given notice of such disciplinary action within twenty-four (24) hours of the time of the institution of such removal from class.

## VI. Procedures Governing Suspension

A. The principal of a school, or designee on the administrative staff of the school, shall have the right to suspend a student for breach of conduct as noted in Section II of this policy for not more than ten (10) consecutive school days. In cases where suspension is contemplated, the following procedures shall be followed.

1. Unless an emergency situation exists, no student shall be suspended prior to having an informal hearing before the principal or designee at which the student is informed of the charges and given an opportunity to respond. In the event of an emergency, the informal hearing shall be held as soon after the suspension as possible.

2. If suspended, such suspension shall be an in-school suspension, except the principal or designee may impose an out-of-school suspension on any pupil:

a. in grades three to twelve, inclusive, if, during the informal hearing, (i) the principal or designee determines that the student poses such a danger to persons or property or such a disruption of the educational process that he or should be excluded from school during the period of suspension; or (ii) the principal or designee determines that an out-of-school suspension is appropriate based on evidence of (*A*) the student's previous disciplinary problems that have led to suspensions or expulsion of such student, and (*B*) previous efforts by the Administration to address the student's disciplinary problems through means other than out-of-school suspension or expulsion, including positive behavioral support strategies, or

b. in grades preschool to two, inclusive, if the principal or designee determines that an out-of-school suspension is appropriate for such pupil based on evidence that such pupil's conduct on school grounds is of a violent or sexual nature that endangers persons.

3. Evidence of past disciplinary problems that have led to removal from a classroom, suspension, or expulsion of a student who is the subject of an informal hearing may be received by the principal or designee, but only considered in the determination of the length of suspensions.

4. By telephone, the principal or designee shall make reasonable attempts to immediately notify the parent or guardian of a minor student following the suspension and to state the cause(s) leading to the suspension.

5. Whether or not telephone contact is made with the parent or guardian of such minor student, the principal or designee shall forward a letter promptly to such parent or guardian to the last address reported on school records (or to a newer address if known by the principal or designee), offering the parent or guardian an opportunity for a conference to discuss same.

6. In all cases, the parent or guardian of any minor student who has been suspended shall be given notice of such suspension within twenty-four (24) hours of the time of the institution of the suspension.

7. Not later than twenty-four (24) hours after the commencement of the suspension, the principal or designee shall also notify the Superintendent or his/her designee of the name of the student being suspended and the reason for the suspension.

8. The student shall be allowed to complete any classwork, including examinations, without penalty, which he or she missed while under suspension.

9. The school Administration may, in its discretion, shorten or waive the suspension period for a student who has not previously been suspended or expelled, if the student completes an Administration-specified program and meets any other conditions required by the Administration. Such Administration-specified program shall not require the student and/or the student's parents to pay for participation in the program.

10. Notice of the suspension shall be recorded in the student's cumulative educational record. Such notice shall be expunged from the cumulative educational record if the student graduates from high school. In cases where the student's period of suspension is shortened or waived in accordance with Section VI.A(9), above, the Administration may choose to expunge the suspension notice from the cumulative record at the time the student completes the Administration-specified program and meets any other conditions required by the Administration.

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

12. The decision of the principal or designee with regard to disciplinary actions up to and including suspensions shall be final.

13. During any period of suspension served out of school, the student shall not be permitted to be on school property and shall not be permitted to attend or participate in any school-sponsored activities, unless the principal specifically authorizes the student to enter school property for a specified purpose or to participate in a particular school-sponsored activity.

B. In cases where a student's suspension will result in the student being suspended more than ten (10) times or for a total of fifty (50) days in a school year, whichever results in fewer days of exclusion, the student shall, prior to the pending suspension, be granted a formal hearing before the Board of Education. The principal or designee shall report the student to the Superintendent or designee and request a formal Board hearing. If an emergency situation exists, such hearing shall be held as soon after the suspension as possible.

VII. Procedures Governing In-School Suspension

A. The principal or designee may impose in-school suspension in cases where a student's conduct endangers persons or property, violates school policy or seriously disrupts the educational process as determined by the principal or designee.

B. In-school suspension may not be imposed on a student without an informal hearing by the building principal or designee.

C. In-school suspension may be served in the school that the student regularly attends or in any other school building within the jurisdiction of the Board.

D. No student shall be placed on in-school suspension more than fifteen (15) times or for a total of fifty (50) days in one school year, whichever results in fewer days of exclusion.

E. The parents or guardian of any minor student placed on in-school suspension shall be given notice of such suspension within twenty-four (24) hours of the time of the institution of the period of the in-school suspension.

VIII. Procedures Governing Expulsion Hearing

A. ***Emergency Exception:***

Except in an emergency situation, the Board of Education shall, prior to expelling any student, conduct a hearing to be governed by the procedures outlined herein and consistent with the requirements of Conn. Gen. Stat. § 10-233d or Conn. Gen. Stat. § 10-233*l*, if applicable, as well as the applicable provisions of the Uniform Administrative Procedures Act, Conn. Gen. Stat. §§ 4-176e to 4-180a, and § 4-181a. Whenever an emergency exists, the hearing provided for herein shall be held as soon as possible after the expulsion.

B. ***Hearing Panel:***

1. Expulsion 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 less than three (3) affirmative votes to expel are cast.

2. Alternatively, the Board may appoint an impartial hearing board composed of one (1) or more persons to hear and decide the expulsion matter, provided that no member of the Board may serve on such panel.

C. ***Hearing Notice and Rights of the Student and Parent(s)/Guardian(s):***

1. Written notice of the expulsion hearing must be given to the student, and, if the student is a minor, to his/her parent(s) or guardian(s) at least five (5) business days before such hearing.

2. A copy of this Board policy on student discipline shall also be given to the student, and if the student is a minor, to his/her parent(s) or guardian(s), at the time the notice is sent that an expulsion hearing will be convened.

3. The written notice of the expulsion hearing shall inform the student of the following:

a. The date, time, place and nature of the hearing.

b. The legal authority and jurisdiction under which the hearing is to be held, including a reference to the particular sections of the legal statutes involved.

c. A short, plain description of the conduct alleged by the Administration.

d. The student may present as evidence relevant testimony and documents concerning the conduct alleged and the appropriate length and conditions of expulsion; and that the expulsion hearing may be the student's sole opportunity to present such evidence.

e. The student may cross-examine witnesses called by the Administration.

f. The student may be represented by an attorney or other advocate of his/her choice at his/her expense or at the expense of his/her parent(s) or guardian(s).

g. A student is entitled to the services of a translator or interpreter, to be provided by the Board of Education, whenever the student or his/her parent(s) or guardian(s) requires the services of an interpreter because he/she/they do(es) not speak the English language or is(are) disabled.

h. The conditions under which the Board is not legally required to give the student an alternative educational opportunity (if applicable).

i. Information concerning the parent's(s') or guardian's(s') and the student's legal rights about free or reduced-rate legal services and how to access such services.

j. The parent(s) or guardian(s) of the student have the right to have the expulsion hearing postponed for up to one week to allow time to obtain representation, except that if an emergency exists, such hearing shall be held as soon after the expulsion as possible.

D. ***Hearing Procedures:***

1. The hearing will be conducted by the Presiding Officer, who will call the meeting to order, introduce the parties, Board members and counsel, briefly explain the hearing procedures, and swear in any witnesses called by the Administration or the student.

2. The hearing will be conducted in executive session. A verbatim record of the hearing will be made, either by tape recording or by a stenographer. A record of the hearing will be maintained, including the verbatim record, all written notices and documents relating to the case and all evidence received or considered at hearing.

3. The Administration shall bear the burden of production to come forward with evidence to support its case and shall bear the burden of persuasion. The standard of proof shall be a preponderance of the evidence.

4. Formal rules of evidence will not be followed. The Board has the right to accept hearsay and other evidence if it deems that evidence relevant or material to its determination. The Presiding Officer will rule on testimony or evidence as to it being immaterial or irrelevant.

5. The hearing will be conducted in two (2) parts. In the first part of the hearing, the Board will receive and consider evidence regarding the conduct alleged by the Administration.

6. In the first part of the hearing, the charges will be introduced into the record by the Superintendent or his/her designee.

7. Each witness for the Administration will be called and sworn. After a witness has finished testifying, he/she will be subject to cross-examination by the opposite party or his/her legal counsel, by the Presiding Officer and by Board members.

8. The student shall not be compelled to testify at the hearing.

9. After the Administration has presented its case, the student will be asked if he/she has any witnesses or evidence to present concerning the charges. If so, the witnesses will be sworn, will testify, and will be subject to cross examination and to questioning by the Presiding Officer and/or by the Board. The student may also choose to make a statement at this time. If the student chooses to make a statement, he or she will be sworn and subject to cross examination and questioning by the Presiding Officer and/or by the Board. Concluding statements will be made by the Administration and then by the student and/or his or her representative.

10. In cases where the student has denied the allegation, the Board must determine whether the student committed the offense(s) as charged by the Superintendent.

11. If the Board determines that the student has committed the conduct as alleged, then the Board shall proceed with the second portion of the hearing, during which the Board will receive and consider relevant evidence regarding the length and conditions of expulsion.

12. When considering the length and conditions of expulsion, the Board may review the student's attendance, academic and past disciplinary records. The Board may not review notices of prior expulsions or suspensions which have been expunged from the student's cumulative record, except as so provided in Section VI.A (9), (10), (11), above, and Section X, below. The Board may ask the Superintendent for a recommendation as to the discipline to be imposed.

13. Evidence of past disciplinary problems which have led to removal from a classroom, suspension or expulsion of a student being considered for expulsion may be considered only during the second portion of the hearing, during which the Board is considering length of expulsion and nature of alternative educational opportunity to be offered.

14. Where administrators presented the case in support of the charges against the student, such administrative staff shall not be present during the deliberations of the Board either on questions of evidence or on the final discipline to be imposed. The Superintendent may, after reviewing the incident with administrators, and reviewing the student's records, make a recommendation to the Board as to the appropriate discipline to be applied.

15. The Board shall make findings as to the truth of the charges, if the student has denied them; and, in all cases, the disciplinary action, if any, to be imposed. While the hearing itself is conducted in executive session, the vote regarding expulsion must be made in open session and in a manner that preserves the confidentiality of the student's name and other personally identifiable information.

16. Except for a student who has been expelled based on possession of a firearm or deadly weapon as described in subsection IV.B(1) and (2) above, the Board may, in its discretion, shorten or waive the expulsion period for a student who has not previously been suspended or expelled, if the student completes a Board-specified program and meets any other conditions required by the Board. The Board-specified program shall not require the student and/or the student's parents to pay for participation in the program.

17. The Board shall report its final decision in writing to the student, or if such student is a minor, also to the parent(s) or guardian(s), stating the reasons on which the decision is based, and the disciplinary action to be imposed. Said decision shall be based solely on evidence presented at the hearing. The parents or guardian or any minor student who has been expelled shall be given notice of such disciplinary action within twenty-four (24) hours of the time of the institution of the period of the expulsion.

E. ***Presence on School Grounds and Participation in School-Sponsored Activities During Expulsion:***

During the period of expulsion, the student shall not be permitted to be on school property and shall not be permitted to attend or participate in any school-sponsored activities, except for the student's participation in any alternative educational opportunity provided by the district in accordance with this policy, unless the Superintendent specifically authorizes the student to enter school property for a specified purpose or to participate in a particular school-sponsored activity.

F. ***Stipulated Agreements:***

In lieu of the procedures used in this Section, the Administration and the parent(s) or legal guardian(s) 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 parent(s) or legal guardian(s) 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.

IX. Alternative Educational Opportunities for Expelled Students

A. ***Students under sixteen (16) years of age:***

Whenever the Board of Education expels a student under sixteen (16) years of age, it shall offer any such student an alternative educational opportunity.

B. ***Students sixteen (16) to eighteen (18) years of age:***

1. The Board of Education shall provide an alternative educational opportunity to a sixteen (16) to eighteen (18) year-old student expelled for the first time if he/she requests it and if he/she agrees to the conditions set by the Board of Education. Such alternative educational opportunity may include, but shall not be limited to, the placement of a pupil who is at least seventeen years of age in an adult education program. Any pupil participating in an adult education program during a period of expulsion shall not be required to withdraw from school as a condition to his/her participation in the adult education program.

2. The Board of Education is not required to offer an alternative educational opportunity to any student between the ages of sixteen (16) and eighteen (18) who is expelled for a second, or subsequent, time.

3. The Board of Education shall count the expulsion of a pupil when he/she was under sixteen (16) years of age for purposes of determining whether an alternative educational opportunity is required for such pupil when he/she is between the ages of sixteen and eighteen.

C. ***Students eighteen (18) years of age or older:***

The Board of Education is not required to offer an alternative educational opportunity to expelled students eighteen (18) years of age or older.

D. ***Content of Alternative Educational Opportunity***

1. For the purposes of Section IX, and subject to Subsection IX.E, below, any alternative educational opportunity to which an expelled student is statutorily entitled shall be (1) alternative education, as defined by Conn. Gen. Stat. § 10-74j and in accordance with the *Standards for Educational Opportunities for Students Who Have Been Expelled,* adopted by the State Board of Education, with an individualized learning plan, if the Board provides such alternative education, or (2) in accordance with the *Standards for Educational Opportunities for Students Who Have Been Expelled*, adopted by the State Board of Education.

2. The Superintendent, or his/her designee, shall develop administrative regulations concerning alternative educational opportunities, which administrative regulations shall be in compliance with the standards

adopted by the State Board of Education. Such administrative regulations shall include, but not limited to, provisions to address student placement in alternative education; individualized learning plans; monitoring of students placements and performance; and a process for transition planning.

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

Notwithstanding Subsections IX.A. through D. above, 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, and in accordance with the *Standards for Educational Opportunities for Students Who Have Been Expelled*, adopted by the State Board of Education.

F. ***Students for whom an alternative educational opportunity is not required:***

The Board of Education may offer an alternative educational opportunity to a pupil for whom such alternative educational opportunity is not required by law or as described in this policy. In such cases, the Board, or if delegated by the Board, the Administration, shall determine the components, including nature, frequency and duration of such services, of any such alternative educational opportunity.

X. Notice of Student Expulsion on Cumulative Record

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

In cases where the student's period of expulsion is shortened or waived in accordance with Section VIII.D(14), above, the Board may choose to expunge the expulsion notice from the cumulative record at the time the student completes the Board-specified program and meets any other conditions required by the Board.

If a student's period of expulsion was not shortened or waived, the Board may choose to expunge the expulsion notice from the student's cumulative record prior to graduation if such student has demonstrated to the Board that the student's conduct and behavior in the years following such expulsion warrants an expungement. In deciding whether to expunge the expulsion notice, the Board may receive and consider evidence of any subsequent disciplinary problems that have led to removal from a classroom, suspension or expulsion of the student.

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

XI. 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.

XII. 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 that which is 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 for expulsion 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 for 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 educational placement:

1. Upon the decision by the Administration to recommend expulsion or impose a suspension that would constitute a change in educational placement, the Administration shall promptly notify the parent(s)/guardian(s) of the student of the recommendation of expulsion or the suspension that would constitute a change in educational placement, and provide the parents(s)/guardian(s) a copy of the special education procedural safeguards either by hand-delivery or by mail (unless other means of transmission have been arranged).

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 the 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. ***Removal of Special Education Students for Certain Offenses:***

1. School personnel may remove a student eligible for special education under the IDEA to an appropriate interim alternative educational setting for not more than forty-five (45) school days if the student:

a. 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

b. 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

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

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

a. **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 pocket knife with a blade of less than 2.5 inches in length.

b. **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).

c. **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.

d. **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.

XIII. 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.

XIV. Procedures Governing Expulsions for Students Placed in a Juvenile Detention Center

A. Any student who commits an expellable offense and is subsequently placed in a juvenile detention center 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 placement in 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 placed in a juvenile detention center 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.

XV. Early Readmission to School

An expelled student may apply for early readmission to school. The Board delegates the authority to make decisions on readmission requests to the Superintendent. Students desiring readmission to school shall direct such readmission requests to the Superintendent. The Superintendent has the discretion to approve or deny such readmission requests, and may condition readmission on specified criteria.

XVI. Dissemination of Policy

The Board of Education shall, at the beginning of each school year and at such other times as it may deem appropriate, provide for an effective means of informing all students, parent(s) and/or guardian(s) of this policy.

XVII. Compliance with Documentation and Reporting Requirements

A. The Board of Education shall include on 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, as defined in Conn. Gen. Stat. § 21a-240(9), whose manufacture, distribution, sale, prescription, dispensing, transporting or possessing with the intent to sell or dispense, offering, or administration is the subject to criminal penalties under Conn. Gen. Stat. §§ 21a-277 and 21a-278, 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 firearm, as defined in 18 U.S.C. § 921, or deadly weapon, dangerous instrument or martial arts weapon, as defined in Conn. Gen. Stat. § 53a-3, the Board shall report the violation to the local police.

Legal References:

Public Act 19-91, "An Act Concerning Various Revisions and Addition to the Education Statutes."

Public Act 19-13, "An Act Prohibiting the Sale of Cigarettes, Tobacco Products, Electronic Nicotine Delivery Systems and Vapor Products to Persons Under Age Twenty-One."

§ 10-16 Length of school year

§§ 4-176e through 4-180a and § 4-181a Uniform Administrative Procedures Act

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

§§ 10-233a through 10-233f Suspension and expulsion of students.

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

§ 10-253 School privileges for children in certain placements, nonresident children, children in temporary shelters, homeless children and children in juvenile detention facilities. Liaison to facilitate transitions between school districts and juvenile and criminal justice systems.

§ 21a-240 Definitions

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

§§ 21a-408a through 408p Palliative Use of Marijuana

§ 29-38 Weapons in vehicles

§ 53a-3 Definitions

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

§ 53-206 Carrying of dangerous weapons prohibited.

*Packer v. Board of Educ. of the Town of Thomaston*, 246 Conn. 89 (1998).

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

*State v. Guzman*, 955 A.2d 72, 2008 Conn. App. LEXIS 445 (Sept. 16, 2008).

Connecticut State Department of Education, *Standards for Educational Opportunities for Students Who Have Been Expelled*, adopted January 3, 2018.

Federal law:

Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.*, as amended by the Individuals with Disabilities Education Improvement Act of 2004, Pub. L. 108-446.

Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794(a).

18 U.S.C. § 921 (definition of "firearm")

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")

34 C.F.R. § 300.530 (defining "illegal drugs")

Gun-Free Schools Act, 20 U.S.C. § 7961

*Honig v. Doe*, 484 U.S. 305 (1988)

**Adopted policy: 9/18/07**

**Revised policy: 6/18/13**

**Revised policy: 1/20/16**

**Revised policy: 4/17/18**

**Revised policy: 9/18/18**

**Revised policy: 2/19/2020**

**AR 5114**

**Students**

**ADMINISTRATIVE REGULATIONS REGARDING ALTERNATIVE EDUCATIONAL OPPORTUNITIES FOR EXPELLED STUDENTS**

I. Applicability of these Administrative Regulations

These administrative regulations shall apply in cases when, pursuant to state law, a student in the Windsor Public Schools (the "District") is entitled to an alternative educational opportunity during a period of expulsion.

II. Responsible Personnel

The building principal of the school from which the student has been expelled, or his/her designee(s), shall maintain responsibility for compliance with these administrative regulations relative to the individual student who is being provided with the alternative educational opportunity.

III. Student Placement Procedures

A. After a student has been expelled, and unless extraordinary circumstances exist, the building principal, or his/her designee(s), will take the following steps:

1. Meet with the expelled student's parent(s)/guardian(s) prior to the student's placement in an alternative educational setting to provide information concerning the potentially appropriate alternative educational opportunities for the student and to inform the parent(s)/guardian(s) and student of the right to apply for early readmission to school in accordance with Conn. Gen. Stat. Section 10-233d(j).

2. Consult with relevant school personnel from the school from which the student was expelled, who are knowledgeable about the student, to obtain information regarding the student's academic, social, and behavioral history that will help inform the decision concerning an appropriate alternative educational opportunity. Such information may be gathered by written reports.

3. After placement options have been shared with the parent(s)/guardian(s), convene a placement meeting at which all alternative educational opportunities are explored and a placement decision is made.

B. The educational programming and placement for expelled students who are eligible to receive special education and related services under the Individuals with Disabilities Education Act ("IDEA") shall be determined by the student's Planning and Placement Team ("PPT"). In such case, Subsection A above shall not apply.

IV. Individualized Learning Plan

A. Development of the Individualized Learning Plan

After the student has been accepted into an alternative educational placement, the principal, or his/her designee, will develop an Individualized Learning Plan ("ILP") that will govern the programming for the student for the period of expulsion. To develop the ILP, the principal, or his/her designee, will collaborate with school personnel from the school from which the student was expelled, the student and the parent/guardian, and will review all relevant student records.

B. Contents of the Individualized Learning Plan

1. The ILP will reference student records with information relevant to the provision of an alternative educational opportunity. These records may include:

a. Student success plan (for students who have a student success plan as mandated by state law, the student success plan may inform the ILP but does not replace the ILP);

b. Individualized education program ("IEP");

c. Section 504 Plan;

d. Individualized health care plan or emergency care plan; and/or

e. Other relevant academic and behavioral data.

2. The ILP will address the following:

a. The student's academic and behavioral needs and appropriate academic and behavioral goals and interventions, including the student's core classes at the time of expulsion and the student's current placement or progress in the curriculum for those classes so that the student has an opportunity to continue to progress in the Board's academic program and earn graduation credits, if applicable;

b. Benchmarks to measure progress towards the goals and ultimately, progress towards graduation;

c. Provision for the timing and method for reviewing the student's progress in the alternative educational opportunity and for communicating that progress to the parent/guardian or student. For most students, monitoring and reviewing the student's progress will include monitoring the student's attendance, work completion and progress toward meeting the relevant academic standards for particular coursework, and thus progressing toward graduation, if applicable. The student's progress and grades will be communicated to the parents/guardians or student with the same frequency as similar progress for students in the regular school environment is reported and communicated to

parents/guardians or students. The student's progress and grades will also be reported to the school from which the student was expelled;

d. Provision for the timely transfer of the student's records both from the student's school to the alternative educational opportunity provider, and also from the alternative educational opportunity provider to the student's school; and

e. The possibility of early readmission to the school from which the student was expelled and the early readmission criteria, if any, established by the Board of Education or Superintendent, as applicable.

V. Review of Student's Placement in Alternative Educational Opportunity and Individualized Learning Plan

A. A review of the appropriateness of the placement must occur at least once per marking period.

B. The placement review must include:

1. Review of the ILP to (1) assess progress and make adjustments as necessary and (2) determine its alignment with the goals of the student's IEP, where applicable; and

2. Consideration of opportunities for early readmission as set forth in the ILP, as established by the Board of Education or Superintendent, as applicable.

VI. Transition Plan for Readmission

A. Before a student is readmitted to the school from which the student was expelled, relevant staff should provide an opportunity to meet with the parents/guardians and student to discuss the student's readmission. As part of the readmission process and the student's ILP, the principal, or his/her designee, should consider:

1. Efforts to readmit the student at a semester starting point (at the high school level);

2. A plan to transfer the student's credits and records back to the school from which the student was expelled:

a. The District will award an expelled high school student appropriate high school credit for work satisfactorily completed during the period the student participates in the alternative educational opportunity and will transfer relevant records back to the school from which the student was expelled;

b. The District will provide an expelled student transferring to a new school district a progress summary of all work completed during the course of the student's expulsion, and will indicate the course credit earned by the student for that work.

3. The student's need for academic and other supports upon returning to his/her school; and

4. Efforts to connect the returning student with opportunities to participate in extracurricular activities.

B. In the event the principal, or his/her designee, determines that a student's alternative educational opportunity is no longer beneficial to the student, but it remains inappropriate to return the student to the school from which the student was expelled, a plan for a different alternative educational opportunity may be developed in accordance with the procedures outlines in these Administrative Regulations.

Legal References:

Connecticut General Statutes:

Conn. Gen. Stat. § 10-233d

Federal law:

Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq., as amended by the Individuals with Disabilities Education Improvement Act of 2004, Pub. L. 108-446.

Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794(a).

Connecticut State Department of Education, Standards for Educational Opportunities for Students Who Have Been Expelled (January 3, 2018).

**Regulation approved: 9/18/18**

Craig A. Cooke, Ph.D.
Superintendent

Windsor Public Schools

Windsor, CT

**AR 5114**

**Students**

## ADMINISTRATIVE REGULATIONS REGARDING ALTERNATIVE EDUCATIONAL OPPORTUNITIES FOR EXPELLED STUDENTS

I. Applicability of these Administrative Regulations

These administrative regulations shall apply in cases when, pursuant to state law, a student in the Windsor Public Schools (the "District") is entitled to an alternative educational opportunity during a period of expulsion.

II. Responsible Personnel

The building principal of the school from which the student has been expelled, or his/her designee(s), shall maintain responsibility for compliance with these administrative regulations relative to the individual student who is being provided with the alternative educational opportunity.

III. Student Placement Procedures

A. After a student has been expelled, and unless extraordinary circumstances exist, the building principal, or his/her designee(s), will take the following steps:

1. Meet with the expelled student's parent(s)/guardian(s) prior to the student's placement in an alternative educational setting to provide information concerning the potentially appropriate alternative educational opportunities for the student and to inform the parent(s)/guardian(s) and student of the right to apply for early readmission to school in accordance with Conn. Gen. Stat. Section 10-233d(j).

2. Consult with relevant school personnel from the school from which the student was expelled, who are knowledgeable about the student, to obtain information regarding the student's academic, social, and behavioral history that will help inform the decision concerning an appropriate alternative educational opportunity. Such information may be gathered by written reports.

3. After placement options have been shared with the parent(s)/guardian(s), convene a placement meeting at which all alternative educational opportunities are explored and a placement decision is made.

B. The educational programming and placement for expelled students who are eligible to receive special education and related services under the Individuals with Disabilities Education Act ("IDEA") shall be determined by the student's Planning and Placement Team ("PPT"). In such case, Subsection A above shall not apply.

## IV. Individualized Learning Plan

A. Development of the Individualized Learning Plan

After the student has been accepted into an alternative educational placement, the principal, or his/her designee, will develop an Individualized Learning Plan ("ILP") that will govern the programming for the student for the period of expulsion. To develop the ILP, the principal, or his/her designee, will collaborate with school personnel from the school from which the student was expelled, the student and the parent/guardian, and will review all relevant student records.

B. Contents of the Individualized Learning Plan

1. The ILP will reference student records with information relevant to the provision of an alternative educational opportunity. These records may include:

a. Student success plan (for students who have a student success plan as mandated by state law, the student success plan may inform the ILP but does not replace the ILP);

b. Individualized education program ("IEP");

c. Section 504 Plan;

d. Individualized health care plan or emergency care plan; and/or

e. Other relevant academic and behavioral data.

2. The ILP will address the following:

a. The student's academic and behavioral needs and appropriate academic and behavioral goals and interventions, including the student's core classes at the time of expulsion and the student's current placement or progress in the curriculum for those classes so that the student has an opportunity to continue to progress in the Board's academic program and earn graduation credits, if applicable;

b. Benchmarks to measure progress towards the goals and ultimately, progress towards graduation;

c. Provision for the timing and method for reviewing the student's progress in the alternative educational opportunity and for communicating that progress to the parent/guardian or student. For most students, monitoring and reviewing the student's progress will include monitoring the student's attendance, work completion and progress toward meeting the relevant academic standards for particular coursework, and thus progressing toward graduation, if applicable. The student's progress and grades will be communicated to the parents/guardians or student with the same frequency as similar progress for students in the regular school environment is reported and communicated to parents/guardians or students. The student's progress and grades will also be reported to the school from which the student was expelled;d. Provision for the timely transfer of the student's records both from the student's school to the alternative educational opportunity provider, and also from the alternative educational opportunity provider to the student's school; and

e. The possibility of early readmission to the school from which the student was expelled and the early readmission criteria, if any, established by the Board of Education or Superintendent, as applicable.

**V. Review of Student's Placement in Alternative Educational Opportunity and Individualized Learning Plan**

A. A review of the appropriateness of the placement must occur at least once per marking period.

B. The placement review must include:

1. Review of the ILP to (1) assess progress and make adjustments as necessary and (2) determine its alignment with the goals of the student's IEP, where applicable; and

2. Consideration of opportunities for early readmission as set forth in the ILP, as established by the Board of Education or Superintendent, as applicable.

**VI. Transition Plan for Readmission**

A. Before a student is readmitted to the school from which the student was expelled, relevant staff should provide an opportunity to meet with the parents/guardians and student to discuss the student's readmission. As part of the readmission process and the student's ILP, the principal, or his/her designee, should consider:

1. Efforts to readmit the student at a semester starting point (at the high school level);

2. A plan to transfer the student's credits and records back to the school from which the student was expelled:

a. The District will award an expelled high school student appropriate high school credit for work satisfactorily completed during the period the student participates in the alternative educational opportunity and will transfer relevant records back to the school from which the student was expelled;

b. The District will provide an expelled student transferring to a new school district a progress summary of all work completed during the course of the student's expulsion, and will indicate the course credit earned by the student for that work.

3. The student's need for academic and other supports upon returning to his/her school; and

4. Efforts to connect the returning student with opportunities to participate in extracurricular activities.

B. In the event the principal, or his/her designee, determines that a student's alternative educational opportunity is no longer beneficial to the student, but it remains inappropriate to return the student to the school from which the student was expelled, a plan for a different alternative educational opportunity may be developed in accordance with the procedures outlines in these Administrative Regulations.

Legal References:

Connecticut General Statutes:

Conn. Gen. Stat. § 10-233d

Federal law:

Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.*, as amended by the Individuals with Disabilities Education Improvement Act of 2004, Pub. L. 108-446.

Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794(a).

Connecticut State Department of Education, *Standards for Educational Opportunities for Students Who Have Been Expelled* (January 3, 2018).

**Regulation approved: 2/19/2020**

Craig A. Cooke, Ph.D.

Superintendent

Windsor Public Schools

Windsor, CT

**P5141.3**

**Students**

**Health Assessment**

**Health Assessments and Immunizations**

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

To determine the health status of students, and to adapt the school program to students' medical needs, the Board of Education requires that students have health assessments.

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

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

The school nurse shall contact parents or guardians to make them aware if immunizations and/or health assessments are insufficient or not up-to-date. The school nurse will maintain in good order, the immunization and health assessment records of each student enrolled.

As required, the District will annually report to the Department of Public Health and to the local Health Director the asthma data, pertaining to the total number of students Pre School and for the district, obtained through the required asthma assessments, including student demographics. Required asthma diagnosis shall occur at the time of mandated health assessment at the time of enrollment, in grade six, and in grade ten. Such asthma diagnosis shall be reported whether or not it is recorded on school surveys conducted by the Department of Public Health pertaining to asthma.

(cf. 5111 – Admission)

(cf. 5141.31 – Physical Examinations for School Programs)

(cf. 5125 – Student Records)

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

(cf. 5141 – Student Health Services)

Legal Reference: Connecticut General Statutes

10-204 Vaccination.

10-204a Required immunizations.

10-204c Immunity from liability.

10-205 Appointment of school medical advisor.

10-206 Health assessments (as amended by June Special Session PA 01-1, PA 05-272 and PA 07-58).

10-207 Duties of medical advisors.

10-206a Free health assessments.

10-208 – Exemption from examination or treatment.

10-208a Physical activity of student restricted; board to honor notice.

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

10-212 School nurses.

10-214 Vision, audiometric and postural screenings. When required. Notification of parents re defects; record of results.

20 U.S.C. Section 1232h, No Child Left Behind Act.

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

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

**Policy approved: May 19, 2009**

**AR5141.3**

**Students**

**HEALTH ASSESSMENT**

A. Prior to enrollment in the Windsor Public Schools each student, and for each student enrolled in grade six or seven, and in grade nine or ten, must undergo a health assessment, which shall include:

(a) a physical examination including blood pressure, height, weight, hematocrit or hemoglobin, and a chronic disease assessment which shall include, but not be limited to, asthma as defined by the Commissioner of Public Health pursuant to subsection (c) of section 19a-62a of the Connecticut General Statutes. The assessment form shall include (A) a check box for the provider conducting the assessment, to indicate an asthma diagnosis, (B) screening questions relating to appropriate public health concerns to be answered by the parent or guardian, and (C) screening questions to be answered by such provider;

(b) an updating of immunizations as required by law (see AR-5141.31);

(c) vision, hearing, speech and gross dental screenings;

(d) such other information, including health and developmental history, as the physician feels is necessary and appropriate.

The health assessment shall also include tests for tuberculosis, sickle cell anemia or Cooley's anemia and test for lead levels in the blood when the Board of Education, after consultation with the school medical advisor and the local health department, determine such tests are necessary. Such tests must be conducted by a registered nurse acting pursuant to the written order of a physician, or physician's assistant, licensed under state law, or of an advanced practice registered nurse, licensed under state law.

B. The Board of Education will provide the following health screenings, and they shall be required for all students according to the following schedule:

- Vision Screening Grades K, 1, 3, 4, 5
- Audiometric Screening Grades K, 1, 3, 4, 5
- Postural Screening Female, Grades 5, 7

  Male, Grade 8 or 9

All of the screenings required under these administrative regulations will be performed in accordance with regulations applicable to such screenings as adopted by the State Board of Education.

The school system shall provide these screenings to students at no cost to parents. Parents shall be provided an annual written notification of screenings to be conducted. Parents wishing to have these screenings to be conducted by their private physician shall be required to report screening results to the school nurse.

C. Parents of students failing to meet standards of screening or deemed in need of further testing shall be notified in writing by the Superintendent of Schools, and the Windsor Public Schools shall make reasonable efforts to ensure that such further testing or treatment is provided. Reasonable efforts include determination of whether the parent or guardian has obtained the necessary testing or treatment for the student and, if not, advising the parent or guardian how such treatment may be obtained. Parents of those students choosing to have a health assessment conducted by medical personnel outside of the school system shall do so at no cost to the school system. Students eligible for health assessments shall have them provided by the Health Services staff.

D. The Superintendent shall give written notice to the parent or guardian of each student who did not receive a vision screening, audiometric screening or postural screening with a brief statement explaining why such student did not receive a vision screening, audiometric screening or postural screening.

E. Health records shall be maintained in accordance with Policy #5125.

F. Any student participating in an interscholastic sports program must have a health assessment before participating in a sport. Medical clearance must be obtained every 13 months for all candidates for athletic teams by either a private physician or school medical advisor at a time and place determined by the Director of Athletics and the Medical Advisor.

No candidate will be permitted to engage in either a practice or a contest unless this requirement has been met, and he or she has been declared medically fit for athletics.

An athlete need not be re-examined upon entering another sport unless the coach requests it.

If a student is injured either in practice, a contest, or from an incident outside of school activities that requires him or her to forego either a practice session or contest, that student will not be permitted to return to athletic activity until a physician examines the student and pronounces him/her medically fit for athletics.

G. Health assessment and health screening requirements are waived if the parent/legal guardian of the student or the student (if he or she is an emancipated minor or is eighteen years of age or older) notifies the school personnel in writing that the parent, guardian or student objects on religious grounds to such physical or medical examination or treatment or medical instruction.

Legal Reference: Connecticut General Statutes

10-204 Vaccination.

10-204c Immunity from liability.

10-205 Appointment of school Medical Advisor.

10-206 Health assessments (as amended by June Special Session PA 01-1).

20-207 Duties of Medical Advisor.

10-208 Exemption from examination or treatment.

10-208a Physical activity of student restricted; board to honor notice.

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

10-212 School nurses.

10-214 Vision, audiometric and postural screenings. When required. Notification of parents re defects; record of results, as amended by PA 96-229, An Act Concerning Scoliosis Screening.

20 U.S.C. Section 1232h, NCLB.

Public Act 15-215, "An Act Concerning Various Revisions and Additions to the Education Statutes."

**Administrative Regulation approved: February 1, 2016**

Craig A. Cooke, Ph.D.

Superintendent of Schools

Windsor Public Schools

Windsor, CT

**P6340**

Section: Instruction

Subject: COMPUTER TECHNOLOGY

**BOARD OF EDUCATION POLICY**

**WINDSOR PUBLIC SCHOOLS**

**WINDSOR, CT**

1. The Windsor Board of Education recognizes that today's students will grow up in a technological society in which the computer will play a major role. To prepare students to be successful and contributing members of such a society, the Windsor Schools have an obligation to provide students, K-12, with the experience necessary to understand and use computers.

2. It is the commitment of the Board that students and staff be provided the opportunity to acquire computer literacy. Computer technology will be used for both instruction and management.

3. The Superintendent and staff are directed to develop programs toward these ends.

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Policy Adopted: 6/16/92

**AR6340**

**Instruction**

**Guidelines for Acceptable Use of Computers, Networks and the Internet (Students)**

**Introduction**

The tools and resources provided by computing equipment, networks and the Internet support the goals and objectives of the Windsor Public Schools. The district supports their use by students for productivity, information access, communication and problem-solving. Technology provides new tools and exciting opportunities that truly enhance teaching and learning in our schools.

While actively supporting the use of available tools by all students, the district also recognizes that there may be use that is inappropriate or objectionable. Although regulations cannot totally eliminate the possibility of such use, they can significantly limit unacceptable utilization of equipment, networks and the Internet. Our intent is to maximize the educational value of all electronic resources. These regulations provide direction for the privilege of using these powerful resources in ways that are effective, safe, responsible and legal.

**User Access and Explanation of Guidelines**

Access to information technology through the Windsor Public Schools is a privilege, not a right. Students and parents/guardians shall be required to read, sign and return the WPS Technology Use Agreement form to their appropriate school.

Newly hired staff shall be required to read and sign the WPS Technology Use Agreement form.

The Windsor Public School Acceptable Use Regulations (AUR) shall govern all use of technology devices, digital resources, and network infrastructure. Because information technology is constantly changing, not all circumstances can be anticipated or addressed in this AUR. All users are expected to understand and comply with both the "letter" and the "spirit" of the AUR and show good judgment in their use of these resources.

In Section 7, these regulations also address topics regarding the district web site including the release of student information, work or images.

**1. Responsibilities for Implementing Regulations**

A. The district is responsible for informing students and families about these regulations for the acceptable use of technology.

B. The district will request that parents/guardians and/or students annually sign and return forms stating that they have read regulations and agree to abide by them. This procedure will include information on release of student information on the district web site. A Technology Use Agreement form is included in the Appendix to these regulations. Forms may be revised as needed.

C. The district will also use Internet filtering software to prevent access to material that is obscene, pornographic, harmful to minors or is prohibited according to criteria in Section 2. See Section 4 for further information on Internet filtering.

D. Students are responsible for following acceptable use regulations whenever they use the computing resources of the district. This includes use of the district email system (for example, if sending a message to a teacher) or other district resources that can be accessed or used off-site.

E. The district will educate students about Internet safety and appropriate online behavior including social networking, chat and cyberbullying.

**2. Regulations**

A. Technology is provided for educational purposes in keeping with the academic goals of Windsor Public Schools, and that student use for any other purpose is inappropriate.

B. The data, files and Internet access of all students are considered to be the property of the school district. Administration reserves the right to access, monitor and review all use of district computer resources, including the overriding of passwords, when necessary. Students should not have any expectation of privacy in the use of district technology resources.

C. In order to ensure that technology use is effective, safe and responsible, certain activities and behaviors are not permitted. The following are prohibited:

1) Creating, communicating, using or knowingly accessing media or text that are obscene, profane, pornographic, inflammatory, harassing, threatening, bullying, degrading, defaming, harmful to minors or promote violence or illegal activities.

2) Creating, communicating, using or knowingly accessing media or text that are offensive because they are based on slurs or stereotypes related to race, gender, ethnicity, religion, sexual orientation or disability or handicap.

3) Creating, using or knowingly accessing sites that are used to post personal information or initiate personal relationships or dating.

4) Vandalism of equipment.

5) Attempts to bypass or circumvent Internet filtering. If a website is blocked by the district filter, it is not be accessed through other means such as proxy servers or the use of cellular networks.

6) Attempts to disrupt the performance of equipment, software or networks including attempts to access any resource or tool for which the user is not authorized.

7) Tampering or unauthorized modification of hardware, software or networks including the uploading, creation and spread of computer viruses.

8) Tampering with data and files belonging to or being used by others. Unauthorized access to others' files is also prohibited.

9) Installation of any programs or online services on district computers.

10) Use of file-sharing software or networks unless they have been set up by the district for school purposes.

11) Sharing of personal data. See Section 7 for regulations on release of student information on the district website.

12) Making personal plans to meet any person or persons contacted via the Internet even if they have been part of a school activity which involved interaction on the Internet.

13) Sharing of passwords, using of others' accounts or other activities that compromise the security of the computer systems, including leaving computers "signed on" when unattended.

14) Intentional wasting of network resources.

15) Use of school technology for commercial purposes or financial gain, including selling or buying. Students should not enter credit card or Social Security information.

16) Use or transmission of any resource that constitutes a violation of copyright laws as described in district copyright regulations.

17) Use of school technology for any form of illegal behavior including accessing dangerous information that, if acted upon, could cause damage or danger to others.

18) Saving any files to district computing resources for which you do not have a legal license or that violates copyright laws.

D. Students are to report security or technical problems as well as other violations of regulations to an appropriate staff member. Students will be instructed that if they inadvertently access objectionable materials on the Internet or other locations. They should report this immediately to the staff member in charge. Students shall not demonstrate problems to other student users.

**3. Role of Parents/Guardians**

A. Parents/guardians will be informed about acceptable use regulations and the role of such regulations in providing a safe, appropriate and productive learning environment. This will include distribution and return of a Technology Use Agreement form. Parents/guardians will also be provided with information on how to reach the Educational Technology Curriculum Supervisor with any questions regarding these regulations.

B. When use of a specific technology violates a specific tenet of the student's religion, parents/guardians may contact the Educational Technology Curriculum Supervisor to have their child exempted from use. This provision will be noted on the Technology Use Agreement form.

**4. Internet Filtering**

A. The Children's Internet Protection Act (CIPA) requires that schools filter Internet access if they receive ERate discounts for Internet access, service or internal connections.

B. The district implements a system to filter out Internet Sites with content/material considered inappropriate or harmful and unacceptable for student viewing. Such content includes that which is considered obscene, child pornography, harmful to minors or is prohibited according to criteria in Section 2.

C. The Internet changes rapidly making it impossible to filter all objectionable sites. Students have the responsibility to monitor their own Internet use. As noted in Section 2, if objectionable materials are inadvertently accessed, students should report this to the staff member in charge.

D. Filtering is only one technique to manage Internet access and encourage acceptable usage. It should not be viewed as a foolproof approach to preventing access to material considered inappropriate or harmful to minors.

E. Filtering systems will not be disabled during any times when students are using technology. However, specific sites may be unblocked if determined to be appropriate according to these regulations. If a student believes that a site should not be blocked, they should report this to the appropriate teacher who can send a request to the Educational Technology Curriculum Supervisor.

**5. Student Disciplinary Action**

As previously stated, students are expected to follow these regulations at all times when using computers, networks, the Internet and all district technology. Failure to follow acceptable use regulations will lead to disciplinary action up to and including suspension and expulsion as well as possible loss of privileges to use technology in one or more locations within the school for specific periods of time. Illegal activity will also be reported to appropriate authorities.

Students who engage in misconduct using personal technology outside of school may be subject to discipline. Any disciplinary action shall be based upon whether the conduct is determined to be severely disruptive of the educational process so that it markedly interrupts or severely impedes day-today operations of a school. In addition, such conduct must also be violative of a publicized school policy.

**6. Warranties/Indemnification**

The district makes no warranties of any kind, whether expressed or implied, related to the use of district computers and computer systems, including access to the Internet and electronic communications services. Providing access to these services does not imply endorsement by the district of the content, nor does the district make any guarantee as to the accuracy or quality of information received. The district shall not be responsible for any damages, losses or costs a student suffers in using the Internet and electronic communications. This includes loss of data and service interruptions. Use of any information obtained via the Internet and electronic communications is at the students' own risk.

**7. The Windsor Public Schools Web Site**

**A. Purposes of the Site**

The Windsor Public Schools web site provides opportunities to communicate information about the district and its individual schools. Internal audience will include staff and students while external audience will include parents, community members, prospective employees and anyone who has an interest in the Windsor Public Schools, The site will foster communications not only by providing information but also by enabling others to contact the school district. The site may provide a forum in which the district shares

with others the creative work of students and staff. The site can also be utilized to identify or provide instructional resources, projects and material for students and staff.

The Windsor Public Schools web site refers to all official pages published by the district and its schools at http://www.windsorct.org.

**8. Student Safeguards**

A. District employees may release student information in accordance with applicable provisions of the education records law and Board policies governing directory information and personally identifiable information.

B. Any student information protected by statute will not be permitted on the district website.

**9. Technology Related Services Provided by the Windsor Public Schools**

**What are Google Apps for Education?**

Windsor Public Schools provides staff and students with a Google Apps for Education account. Google Apps is a free web based suite of programs provided by Google for schools to use. All staff and students in Windsor Public Schools have access to Google Apps for Education. All of the Google Apps services can be accessed from anywhere an Internet connection is available (school, home, smart phone, etc.).

**10. Bring Your Own Technology**

Technology plays a large role in our students' lives. Personal devices, defined as privately owned portable electronic devices, can enhance and enrich learning opportunities both at home and at school. Windsor Public Schools is committed to allowing responsible, learning-centered use of personal devices at school so as to provide as many pathways to understanding as possible for our students.

**A. General Information**

The district maintains a wireless network with access only to the Internet. Access to the Windsor Public Schools staff and student wireless network, whether with school-provided or personal devices, is filtered in compliance with the Children's Internet Protection Act (CIPA). Access to the Windsor Public Schools wireless network is a privilege, not a right. Any use of the wireless network entails personal responsibility and compliance with all school rules and the signed Technology Use Agreement. The use of the wireless network also allows IT staff to conduct investigations regarding inappropriate Internet use at any time.

**B. Guidelines for Use**

1) Use of personal devices during the school day is at the discretion of teachers and staff.

2) The primary purpose of the use of personal devices at school is educational.

3) The use of personal devices falls under the Windsor Public School's Acceptable Use Regulations, found in the student handbook.

4) Students shall make no attempts to circumvent the school's network security and/or filtering policies. This includes setting up proxies and downloading programs to bypass security.

5) Students shall not distribute pictures, audio or video of students or staff without their permission (distribution can be as small as emailing/texting to one other person or as large as posting images or video online).

6) Only the Internet gateway provided by the district may be accessed while on school grounds. Personal Internet-connected devices such as but not limited to cell phones/cell network adapters are not permitted to be used to access outside Internet sources at any time.

7) Students are required to have updated anti-virus software running on their device. Free virus protection products are readily available online.

8) Personal technology may be searched by school personnel if there are reasonable grounds for suspecting that the search will turn up evidence that a student has violated or is violating either the law or the rules of the school.

9) There is no expectation of personal privacy in the use of personal technology at school. The District's information technology staff have the ability to identify users and monitor all BYOD devices logged on to the network.

**C. School Liability Statement**

1) Students bring their devices to use at Windsor Public Schools at their own risk. It is their duty to be responsible in the upkeep and protection of their devices.

2) Windsor Public Schools is in no way responsible for:

a. Personal devices that are broken while at school or during school-sponsored activities

b. Personal devices that are lost or stolen at school or during school-sponsored activities

c. Maintenance or upkeep of any device (keeping it charged, installing updates or upgrades, fixing any software or hardware issues)

**10. Revision of Acceptable Use Regulations**

These regulations will be evaluated and updated as needed in response to the changing nature of technology and its application in the Windsor Public Schools.

The Superintendent or his/her designee may also develop additional administrative procedures to govern the day-to-day management and operations of the district's technology as long as they are consistent with Board policy and acceptable use regulations.

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.

10-209 Records not to be public.

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 PL 93-568, codified at 20

U.S.C. 1232g.).

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

Children's Internet Protection Act of 2000 (HR 4577, P.L.106-554)

Communications Act of 1934, as amended (47 U.S.C. 254[h],[I])

Elementary and Secondary Education Act of 1965, as amended (20 U.S.C. 6801 et seq., Part F)

Public Law 94-553, The Copyright Act of 1976, 17 U.S.C. 101 et. seq.

Reno v. ACLU, 521 U.S. 844 (1997)

Ginsberg v. New York, 390 U.S. 629, at 642, n.10 (1968)

Board of Education v. Pico, 457 U.S. 868 (1988)

Hazelwood School District v. Kuhlmeier, 484 U.S. 620, 267 (1988)

**Regulation revised: July 12, 2016**

**Regulation approved: October 28, 2013**

Craig A. Cooke, Ph.D.

Superintendent of Schools

Windsor Public Schools

Windsor, CT

**B9325**

## Bylaws of the Board

## Meeting Conduct

Meetings of the Board of Education shall be conducted by the President in a manner consistent with the adopted bylaws of the Board.

All Board meetings shall commence at the stated time or as soon thereafter as a quorum is present and shall be guided by the posted agenda.

The conduct of meetings shall, to the fullest possible extent, enable members of the Board to consider problems to be solved, weigh evidence related thereto, and make wise decisions intended to solve the problems, and receive, consider and take any needed action with respect to reports of accomplishments of students or of school system operations.

Provisions for permitting any individual or group to address the Board concerning any subject that lies within its jurisdiction shall be as follows:

1. Three minutes may be allotted to each speaker and a maximum of thirty minutes to each subject matter.

2. Speakers must identify themselves by name and address, and speakers shall speak from the speakers' table.

3. No loud, disruptive or discourteous conduct shall be permitted at any Board of Education meeting. Persistence in loud, disruptive or discourteous conduct shall be grounds for summary termination, by the President, of that person's privilege of address. If necessary, the President may clear the room so that the Board can continue the meeting.

4. No oral presentation shall include formal charges against any employee of the Board of Education, regardless of whether or not the employee is identified in the presentation by name or by another reference which tends to identify an individual. All formal charges against employees shall be submitted to the Superintendent of Schools or the Board of Education under provisions of Board of Education policy.

The Board of Education may adjourn any regular or special meeting to a specified time and place. If all members of the Board are absent, the clerk may adjourn the meeting. A copy of the notice of adjournment shall be conspicuously displayed near the meeting room door within twenty-four hours of adjournment.

## Actions by the Board

No action will be taken unless the subject acted upon was listed in the agenda published for that meeting, except that an item of business not included on the agenda of a regular meeting may be considered and acted upon after a two-thirds vote of the members present and voting to add such business to the agenda.

All actions taken by the Board shall be identified clearly in minutes of the Board meeting as provided in Bylaw 9326, minutes.

(cf. 1120 - Board of Education Meetings re public participation)

(cf. 1312 – Public Complaints)

(cf. 9321 - Time, Place, Notification of Meetings)

(cf. 9322 - Public and Executive Sessions)

(cf. 9323 - Construction/Posting of Agenda)

Legal Reference: Connecticut General Statutes

1-200 Definitions

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

1-210 Access to public records

1-225 Meetings of government agencies to be public

1-226 Recording, broadcasting or photographing meetings

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

1-231 Executive sessions

1-232 Conduct of meetings (re disturbances)

10-224 Duties of the Secretary

**Bylaw adopted: January 19, 2005**