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Students

Student Personnel

The Orange Board of education is focused on each student's educational development. To this end the school district goals and objectives for student learning are the central concerns of Board of Education policy and the Superintendent of Schools' administrative regulations.

Each child shall be given an educational opportunity as nearly equal to those of each other child as possible. Since children vary widely in capacities, interests, social and economic background, no two can be treated exactly alike if the fullest development of each is to be achieved.

Discrimination among students, applying for admission to or attending district schools, with respect to race, color, religious creed, age, national origin, sex, or disabilities is prohibited.

(cf. 0521 Non-Discrimination)

Legal Reference: Connecticut General Statutes

10-15 Towns to maintain schools.

10-15c Discrimination in public schools prohibited. School attendance by five-year olds.

10-184 Duties of parents. (re mandatory schooling of children seven years of age and over and under sixteen)

10-186 Duties of local and regional boards of education re school attendance. Hearings. Appeals to state board. Establishment of hearing board.

10-226a Students of racial minorities.

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

Students

Admission/Placement

Admission

District schools shall be open to all children five years of age and over who reach age five on or before the first day of January of any school year. Each such child shall have, and shall be so advised by the appropriate school authorities, an equal opportunity to participate in the program and activities of the school system without discrimination on account of race, color, sex, religion, national origin or sexual orientation. Students who are classified as homeless under federal law, and therefore do not have a fixed residence, will be admitted pursuant to federal law and policy 5118.1. Exceptions from routine admission may be made by the school Principal on the basis of supporting evidence from physical and psychological examinations.

Parent or other persons having control of a child five years of age and over and under eighteen years of age shall cause such child to attend a public school regularly during the hours and terms the public school in the district in which such child resides is in session, unless such child is a high school graduate or the parent or person having control of such child is able to show that the child is elsewhere receiving equivalent instruction in the studies taught in the public schools. The parent or person having control of a child sixteen or seventeen years of age may consent, as provided in this section, to such child's withdrawal from school. Such parent or person shall personally appear at the school district office and sign a withdrawal form. The school district shall provide such parent or person with information on the educational options available in the school system and in the community.

The parent or person having control of a child five years of age shall have the option of not sending the child to school until the child is six years of age and the parent or person having control of a child six years of age shall have the option of not sending the child to school until the child is seven years of age. The parent or person shall exercise such option by personally appearing at the school district office and signing an option form. The school district shall provide the parent or person with information on the educational opportunities available in the school system.

According to Connecticut General Statute 10-76d(b2), special education will be provided for children who have attained the age of three and who have been identified as being in need of special education, and whose educational potential will be irreparably diminished without special education. If a special education student is being considered for an exception, the Planning and Placement Team (PPT) will make a recommendation to the administrator in charge of special education.

Each child entering the district schools for the first time must present a birth certificate or offer legal evidence of birth data, as well as proof of a recent physical examination and required immunizations and proof of residency. If the parents or guardians of any children are unable to pay for such immunizations, the expense of such immunizations shall on the recommendation of the Board, be paid by the town.

Placement

A transfer from a public or private out-of-town kindergarten will not be honored unless the child can meet the entrance age requirements to our first grade. School personnel will place transfer students at other grade levels at the grade level they would have reached elsewhere pending observation and evaluation.

A child who is not six (6) years of age on or before the first day of January of the current school year, but who is attending first grade in a town where he/she resides, may be transferred to a first grade in Orange if

Students

Admission/Placement (Con't.)

he/she becomes an Orange resident, providing that the child has been enrolled in a public school first grade, and that his/her records in that grade accompany his/her transfer.

(cf. 0521 - Nondiscrimination)
(cf. 5112 - Ages of Attendance)
(cf. 5118.1 - Homeless Students)
(cf. 5141 - Student Health Services)
(cf. 6171 - Special Education)
(cf. 6146 - Graduation Requirements)

Legal Reference: Connecticut General Statutes
10-15 Towns to maintain schools
10-15c Discrimination in public schools prohibited. School attendance by five-year olds, as amended by P.A. 97-247
10-76a - 10-76g re special education
10-184 Duties of parents (re mandatory schooling for children ages five to sixteen, inclusive) - as amended by PA 98-243.
10-186 Duties of local and regional boards of education re school attendance. Hearings. Amended by PA 96-26, An Act Concerning Graduation Requirements and Placement of Older Students
Appeals to state board. Establishment of hearing board
10-233a - 10-233f Inclusive; re: suspend, expel, removal of pupils
10-233c Suspension of pupils
10-233d Expulsion of pupils
10-261 Definitions
State Board of Education Regulations
10-76a-1 General definitions (c) (d) (q) (t)
10-76d-7 Admission of student requiring special education (referral)
10-204a Required immunizations (as amended by PA 98-243)
McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11431 et seq.

Policy revised:
/2002

Students

Attendance and Excuses

Connecticut State Law requires parents/guardians to cause their children to attend school regularly during the hours and terms the public school is in session. Learning experiences that occur in the classroom are considered to be meaningful and essential components of the learning process. Time lost from class tends to be irretrievable in terms of opportunity for instructional interaction. The Orange Board of Education requires that accurate records be kept of the attendance of each child. A student should not be absent from school without the parents' or guardian's knowledge and consent. Parent or guardian should write verification of absence.

An absence shall be considered "excused" when a child does not attend school due to illness or injury, death in the immediate family, religious obligation, an emergency, or other exceptional circumstances. Written excuse for such absences should be submitted to school officials by the child's parent or guardian. All other absences with or without written explanation shall be considered unexcused.

Students attending school who are under seven and whose attendance is not required by law, but are registered in the Orange Public Schools, must maintain satisfactory attendance.

The Superintendent shall ensure that administrative procedures and disciplinary actions for student attendance will be contained in each school's parent-student handbook.

Request for Early Dismissal

Request for release of a student during the school day must be handled by the administration to ensure maximum provisions for the safety and welfare of the student.

Parents/guardians or designee requesting dismissal before the normal end of the school day for students in grades kindergarten through 12 must make a written request. The designated adult of students in grades K-8 must come into the school office to pick the student up and sign the student out.

Early dismissal should be requested only in emergency or unusual situations.

(cf. 5113.2 - Truancy)

Legal Reference: Connecticut General Statutes

10-184 Duties of parents.

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

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

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

Campbell v New Milford, 193 Conn 93 (1984).

New Policy Adopted
/2002

Students

Attendance, Excused Absences and Truancy

Connecticut State Law requires parents to cause their children to attend school regularly during the hours and terms the public school is in session. The responsibility for regular attendance rests with the students' parents, guardian or with the student themselves when they become legal age.

In order for students to develop to their full potential, the Board of Education deems it essential that students attend school on a regular basis. The learning experiences that occur in the classroom are considered to be meaningful and essential components of the learning process. Time lost from class tends to be irretrievable in terms of opportunity for instructional interaction.

Excused Absence

The Board believes a student should not be absent from school without the parent's knowledge and consent. Therefore verification of an absence should be in writing by the parent or guardian.

An absence shall be considered "excused" when a child does not attend school due to:

- a. Illness or injury;
- b. Death in the immediate family;
- c. Religious obligation;
- d. Court appearance;
- e. School sponsored activity;
- f. An emergency, or
- g. Other exceptional circumstances. Written excuse for such absences should be submitted to school officials by the child's parent or guardian. All other absences with or without written explanation shall be considered unexcused.

Unexcused Absences

Board policy with respect to unexcused absences stresses prevention and inquiry leading to remediation of absences. The schools will make all reasonable efforts to keep parents and students informed as to attendance problems and will make all reasonable efforts to help students to improve their attendance when such improvement is needed. Only when all local resources are exhausted is referral to legal authorities recommended.

Students

Attendance, Excused Absences and Truancy (continued)

Release of Student During the School Day

The Board recognizes the need for students to be in school for the full instructional day. It is encouraged that early dismissal should be requested only in an emergency or unusual situations.

Request for release of a student during the school day originating outside the schools must be handled by the administration to ensure maximum provisions for the safety and welfare of the student.

Students who request to be dismissed before the normal end of the school day must be requested and or acknowledged in writing which remains on file.

Students who become ill during the school day may be excused by the school nurse, and transportation home will be arranged through the contact with the parent or guardian.

Truancy

The Board of Education must provide each child with a continuing education, which will prepare the student to assume adult roles and responsibilities. Therefore, regular attendance and punctuality are expected from all children enrolled in our schools. By statute, responsibility for assuring that students attend school rests with the parent(s) or legal guardian having control of the child. Every effort must be made to keep absences and tardiness to a minimum. To assist parents or guardians in meeting their responsibility, the Board of Education shall develop procedures regarding attendance and truancy for students ages seven (7) to sixteen (16) inclusive.

Legal Reference: Connecticut General Statutes

10-184 Duties of parents.

10-198a Policies and procedures concerning truants.

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

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

46b-149 Family with Service Needs.

Campbell v New Milford, 193 Conn 93 (1984)

Policy Revised
/2002

5113.2 Procedures

Student

Attendance, Excused Absences and Truancy

The administration has established an attendance regulation which reflects that time lost from class is essentially irretrievable in terms of opportunity for instructional exchange; that excessive absences rob teachers and students of teaching time that could be better spent on programs and activities; and that a student has an obligation to give, as well as receive, in the context of the classroom setting.

Definitions

The following is a listing of definitions pursuant to this regulation.

1. "Absence" - is when a student in grades kindergarten through 6 is absent from an entire day or class or school with or without parental permission.
2. "Excused Absence" include absences from school due to:
 - A. Illness with doctor's verification
 - B. Death in the family
 - C. Religious holidays
 - D. Court appearances
 - E. School sponsored activities
 - F. Suspension from school
 - G. Limited absence from school for special activities with parental consent, subject to the approval of the Principal.

The administration will determine whether absences are excused or unexcused. The school does not consider all absences from class or school, which have been explained by parents to be excused.

Students who have been absent from school must turn in a note from a parent or have a parent call to explain the student's absence if it is to be considered excused, otherwise it will be treated as an unexcused.

3. "Unexcused Absence" is an absence from any entire regularly scheduled school day or part of a regularly scheduled school day for which the absence is not excused as defined above.

5113.2 Procedures

Student

Attendance, Excused Absences and Truancy

The administration has established an attendance regulation which reflects that time lost from class is essentially irretrievable in terms of opportunity for instructional exchange; that excessive absences rob teachers and students of teaching time that could be better spent on programs and activities; and that a student has an obligation to give, as well as receive, in the context of the classroom setting.

Definitions

The following is a listing of definitions pursuant to this regulation.

1. "Absence" - is when a student in grades kindergarten through 12 is absent from an entire day or class or school with or without parental permission.
2. "Excused Absence" include absences from school due to:
 - A. Illness with doctor's verification
 - B. Death in the family
 - C. Religious holidays
 - D. Court appearances
 - E. School sponsored activities
 - F. Suspension from school
 - G. Limited absence from school for special activities with parental consent, subject to the approval of the Principal.

The administration will determine whether absences are excused or unexcused. The school does not consider all absences from class or school, which have been explained by parents to be excused.

Students who have been absent from school must turn in a note from a parent or have a parent call to explain the student's absence if it is to be considered excused, otherwise it will be treated as an unexcused.

3. "Unexcused Absence" is an absence from any entire regularly scheduled school day or part of a regularly scheduled school day for which the absence is not excused as defined above.

Student

Attendance, Excused Absences and Truancy (con't)

Definitions

4. "Tardiness" is when students arrive at school later than the beginning of school. Tardiness may be explained by a parent but any absence from class that results will be considered as an accumulated absence and treated in accordance with the absence policy. Students tardy to school are responsible for work done in classes missed as well as assignments made or due.
5. "Truant" is any student who has four (4) unexcused absences from school in any one month or ten (10) unexcused absences from school in any school year.
6. "Habitual Truant" is any student who has twenty (20) unexcused absences within a school year.

Attendance Procedure (Students age seven through sixteen inclusive)

1. If a student is absent from school, the parent or legal guardian of the student, will contact the school by 9:00 a.m.
2. If no contact is received, the school will make a reasonable effort to notify the parent or legal guardian by telephone of the student's absence. A written record of these attempts shall be kept in the principal's office.
3. The building principal will determine if the absence is unexcused. When the student has four (4) unexcused absences **IN ANY ONE MONTH**, a referral will be made to the appropriate staff. The appropriate staff will arrange a meeting with the parent or legal guardian of the student to review and evaluate the reason for the student being a truant. This meeting shall be held not later than ten (10) days after the child is identified as a truant. If the parent or legal guardian declines to attend the meeting, that fact shall be documented and the meeting will be held without a parent. The appropriate staff will develop a plan to help improve the student's attendance.
4. If the parent or other guardian having control of a child identified as "truant" fails to attend the required meeting or fails to cooperate with the school in trying to solve the truancy problem, the building principal or designee shall notify the Superintendent. The Superintendent shall file a written complaint with the Superior Court under the Family with Service Needs law.

5113.2Procedures

Student

Attendance, Excused Absences and Truancy

Attendance Procedure (con't.)

5. If the student has ten (10) unexcused absences, a Planning and Placement Team (PPT) meeting shall be held. The PPT will review the student's academic achievement and previous evaluations to determine if additional testing for special education is necessary.
6. After twenty (20) unexcused absences, the student will be identified as a habitual truant.
7. The appropriate staff shall coordinate services and refer truants and habitual truants to community agencies providing child and family services.
8. Family trips and vacations will not generally be regarded as reasons for exceeding the absence limitation. Parents are strongly discouraged from scheduling vacations during times when school is in session. Any parents contemplating family vacations during school should contact the school at least two weeks prior to the vacation to ascertain its probable impact on their child's absence. The child is responsible for making up missed work.

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

Administrative Discretion

The administration will reject any explanation which it finds is not factual. The administration reserves the right to excuse any absence which it concludes has occurred because of mitigating circumstances.

Legal Reference: Connecticut General Statutes
 10-184 Duties of parents.
 10-199 through 10-202 Attendance, truancy in general.
 (Revised 1995 - PA 95-304)
 10-221(b) Board of Education to prescribe rules.
 46-149 Family with Service Needs.
 Campbell v New Milford, 193 Conn 93 (1984).

Regulation adopted:
June 10, 1996

ORANGE BOARD OF EDUCATION
Orange, Connecticut

Revised /02

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

Dear (Parent Name),

Connecticut law requires that annually the school district provide you a written notice of your obligations under Connecticut General Statute 10-184. This law requires each parent or guardian of a child seven years of age and older and under sixteen years of age to ensure that the child attends school regularly when school is in session — unless such parent or other person shows that the child is receiving equivalent instruction elsewhere.

Regular student attendance is essential to the educational process. So we can inform you if your child is absent without a previous explanation, Connecticut laws also require that we obtain from you a telephone number or other means of contacting you during the school day. Please complete and return the form attached.

Thanks for your cooperation.

Sincerely,

Principal

PARENT NOTIFICATION LETTER FOR TRUANCY PROBLEMS

Dear (Parents Name),

As you know, children must attend school regularly to be successful. There is a compulsory school attendance law in Connecticut and parents and guardians are legally responsible for keeping their children in school. I'm sure that you want your child to do well in school and therefore, we are asking you for your help. (Child's Name) has (Number of unexcused absences) from school. You have already received information from the school district on the attendance policy which states that if a student is absent for more than 20 days, s/he may not be promoted to the next grade.

(Child's Name) has a serious attendance problem and we all need to work together solve it. Please contact (Staff Contact Person) at (Telephone Number) immediately for an appointment. We will work with you and your child to improve school attendance.

Sincerely,

Principal

Suspension and Expulsion/Due Process**Suspension**

The initiation of suspension or expulsion is an unusual measure, which requires careful consideration. Since suspension is less restrictive, it should be considered first when serious disciplinary procedures need to be involved.

Students**Suspension and Expulsion/Due Process**

It is the goal of the Board of Education to ensure the safety and welfare of all students in attendance, and to maintain an atmosphere conducive to learning. In keeping with this goal, students are expected to comply with school rules and regulations, as well as Board policies. Students may be disciplined for conduct on school grounds or at any school-sponsored activity that endangers persons or property, is seriously disruptive of the educational process, or that violates a publicized policy of the Board. Students may be disciplined for conduct off school grounds if such conduct is seriously disruptive of the educational process and violates a publicized policy of the Board.

In working with students, emphasis shall be placed upon developing effective self-discipline as the most effective disciplinary approach.

A. Definitions

1. **“Exclusion”** shall be defined as any denial of public school privileges to a student for disciplinary purposes.
2. **“Removal”** shall be defined as an exclusion from a classroom for all or a part of single class period, provided such exclusion shall not extend beyond ninety (90) minutes.
3. **“In-School Suspension”** shall be defined as an exclusion from regular classroom activity for no more than ten 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. Such suspensions shall be served in the school attended by the student.
4. **“Suspension”** shall be defined as an exclusion from school privileges or from transportation services for no more than ten (10) consecutive school days, provided such exclusion shall not extend beyond the end of the school year in which such suspension was imposed. Suspensions shall be in-school suspensions unless the administration determines (1) that the student being suspended poses such a danger to persons or property or such a disruption of the educational process that the student shall be excluded from school during the period of suspension) or (2) that an out-of-school suspension is appropriate based on evidence of previous disciplinary problems that have led to suspensions or expulsion of the student and efforts by the administration to address such disciplinary problems through means other than out-of-school suspension or expulsion, including positive support strategies.

Suspension and Expulsion/Due Process (continued)**B. Suspension Procedure**

1. The administration of each school shall have the authority to invoke suspension for a period of up to ten days or to invoke in-school suspension for a period of up to ten school days of any student for one or more of the reasons stated in paragraph C, above, in accordance with the procedure outlined in this paragraph. Suspensions shall be in-school suspensions unless the administration determines that the student being suspended poses such a danger to persons or property or such a disruption of the educational process that the student shall be excluded from school during the period of suspension. The administration may also consider a student's previous disciplinary problems when deciding whether an out-of-school suspension is warranted, as long as the school previously attempted to address the problems by means other than an out-of-school suspension or an expulsion.

An authorized member of the administrative staff may suspend a student from school or transportation services only whose conduct endangers persons or property or is seriously disruptive of the educational process, or which conduct violates a published policy of the Board of Education.

A student may be suspended whose conduct off school grounds violates a publicized policy of the Board and seriously disrupts the educational process.

For any one incident a student shall not be suspended for more than ten consecutive school days.

No student shall be suspended more than ten times or a total of fifty days in one school year, whichever results in fewer days of exclusion, unless the student is granted a formal hearing as specified in C.G.S. 4-176e through 4-180.

Students may not be suspended without an informal hearing before the building Principal or the Principal's designee unless the Principal determines that an emergency situation exists. If it is necessary to suspend a student before an informal hearing is held, such hearing shall be held as soon after the suspension as possible. In the informal hearing the student and parent shall be informed of the reasons for the disciplinary action and be given an opportunity to explain the situation. The Principal or designee may receive and consider evidence of past disciplinary problems, which have led to removal from a classroom, suspension, or expulsion of the student.

Nothing in the informal hearing shall be taken to prevent a more formal hearing from being held if the circumstances warrant. Either parent or administration may request a formal hearing. If a hearing is held at least six (6) members of the Board of Education will be present.

Whenever the authorized member of the administrative staff suspends a student, that person shall inform the Superintendent or the Superintendent's designee of the name of the student, the disciplinary action taken, and the reason for it within twenty-four hours.

A suspended student must be given an opportunity to complete any class work including examinations, which were missed during the suspension.

At the discretion of the school building Principal, in-school suspensions (not to exceed five consecutive days) may be given when deemed appropriate. No more than fifteen times or a total of fifty days in one school year whichever results in fewer days of exclusion. Any student who is suspended three times will be referred to the planning and placement team.

A suspension shall not extend past the end of the school year.

Notice of suspension and a description of the conduct must be included in the student's cumulative folder.

Suspension and Expulsion/Due Process (continued)

A special education student's disability shall be considered before making a decision to suspend. A student with disabilities may be suspended for up to ten school days in a school year without the need for the district to provide any educational services. A disabled student may be additionally removed (suspended) for up to ten school days at a time for separate acts of misconduct as long as the removals do not constitute a pattern. During any subsequent suspension of ten days or less of a student with disabilities, the district shall provide services to the disabled student to the extent determined necessary to enable the student to appropriately advance in the general curriculum and toward achieving his/her IEP goals. In cases involving removals for ten days or less, school personnel (school administration) in consultation with the child's special education teacher, shall make the service determination.

If the disabled student's suspensions beyond ten school days in a school year constitute a pattern because of factors such as the length of each removal, the total amount of time the child is removed and the proximity of the removals to one another, the IEP team (PPT) shall conduct a manifestation determination. Meetings of a student's IEP team (PPT) are required to develop a behavioral assessment plan or to review and modify as necessary one previously developed when the disabled student has been removed (suspended) from his/her current placement for more than ten school days in a school year and when commencing a removal (suspension) that constitutes a change in placement.

Whenever a student is suspended, notice of the suspension and the conduct for which the student was suspended shall be included on the student's cumulative educational record.

Expulsion

The superintendent will make a recommendation to the board of education regarding any student being considered for expulsion.

The Board of Education may expel any student whose conduct endangers persons or property or is seriously disruptive of the educational process, or violates a published policy of the Board, provided that a formal hearing is held under Connecticut General Statutes 4-177 through 4-180.

Disciplinary records will be considered in determining expulsion. Grounds for expulsion may occur on or off school property, while receiving or awaiting school transportation services, or at any school-sponsored activity. Examples of conduct, which may lead to expulsion, are:

- a. Willfully striking or assaulting a student or any member of the school staff.
- b. Theft.
- c. The use of obscene or profane language or gestures to a member of the school staff.
- d. Deliberate refusal to obey a member of the school staff; including refusal to remain in class, or school, or refusal to leave class or school when requested by school staff.
- e. A walk-out from or a sit-in within a classroom or school building or class.
- f. Blackmailing, threatening or intimidating school staff or another student.
- g. Having in personal possession any kind of weapon such as a pistol, knife, blackjack, martial arts weapon etc. or weapon facsimile;
- h. Unauthorized possession, selling on or off school grounds, distribution or consumption of dangerous drugs, narcotics or alcoholic beverages (Dangerous drugs or narcotics shall mean any "controlled" drug as defined in C.G.S. 21a-240, subsection (8).)
- i. Willful destruction of school property or of property of staff members or other students.

Students

Suspension and Expulsion/Due Process (continued)

Mandatory Expulsion

It shall be the policy of the Board to expel a student for one full calendar year if:

1. The student, on grounds or at a school-sponsored activity, was in possession of a firearm, as defined in 18 U.S.C. 921, as amended from time to time, or deadly weapon, dangerous instrument or martial arts weapon, as defined in C.G.S. 53A-3; or the student, off school grounds, did possess such firearm in violation of C.G.S. 29-35 or did possess and use such a firearm, instrument or weapon in the commission of a crime; or the student, on or off school grounds offered for sale or distribution a controlled substance, as defined in subdivision (9) of C.G.S. 21a-240, whose manufacture, distribution, sale, prescription, dispensing, transporting or possessing with intent to sell or dispense, offering or administering is subject to criminal penalties under C.G.S. 21-277 and 21a-278.
2. Such a student shall be expelled for one calendar year if the Board of Education or impartial hearing board finds that the student did so possess or so possess and use, as appropriate, such a weapon or firearm, instrument or weapon or did so offer for sale or distribution such a controlled substance.
3. The Board may modify the period of a mandatory expulsion on a case-by-case basis.
4. A firearm, as defined by C.G.S. 53a-3 includes any sawed-off shotgun, machine gun, rifle, shotgun, pistol, revolver, or other weapon, whether loaded or unloaded from which a shot may be discharged, or a switchblade knife, a gravity knife, billy, black jack, bludgeon or metal knuckles.

Students with Disabilities

A special education student's and/or 504 disability shall be considered before making a decision to suspend. A student with disabilities may be suspended for up to ten school days in a school year without the need for the district to provide educational services. A disabled student may be additionally removed (suspended) for up to ten school days at a time for separate acts of misconduct as long as the removals do not constitute a pattern. During any subsequent suspension of ten days or less of a student with disabilities, the district shall provide services to the disabled student to the extent determined necessary to enable the student to appropriately advance in the general education curriculum and toward achieving his/her IEP goals. In cases involving removals for ten days or less, school personnel (school administration) in consultation with the child's special education teacher, shall make the service determination.

If the disabled student's suspensions beyond ten school days in a school year constitute a pattern because of factors such as the length of each removal, the total amount of time the child is removed and the proximity of the removals to one another, the IEP Team (PPT) shall conduct a manifestation determination. Meetings of a student's IEP Team (PPT) are required to develop a behavioral assessment plan or to review and modify as necessary one previously developed when the disabled student has been removed (suspended) from his/her current placement for more than ten school days in a school year and when commencing a removal (suspension) that constitutes a change in placement.

Whenever a student is suspended, notice of the suspension shall be included on the student's cumulative educational record. Such notice shall be expunged from the record by the Board if the student graduates from high school.

Notwithstanding the foregoing, the following procedures shall apply to students who have been identified as having one or more disabilities under the IDEA and/or Section 504 of the Rehabilitation Act (a "student with disabilities"):

Suspension and Expulsion/Due Process (continued)

1. If a student with disabilities engages in conduct that would lead to a recommendation for expulsion, the district shall promptly convene an IEP team (PPT) meeting to determine whether the misconduct was caused by or had a direct and substantial relationship to the student's disability or if the conduct in question was the direct result of the District's failure to implement the IEP. A student may be suspended for up to ten days pending the IEP team (PPT) determination.
2. If the District, parent and relevant members of the IEP team (PPT) determine that the misconduct was not caused by or had a direct and substantial relationship to the disability, the Superintendent may proceed with a recommendation for expulsion. During any period of the expulsion, a student with disabilities under the IDEA shall receive an alternative educational plan consistent with the student's educational needs as determined by the IEP team (PPT) in light of such expulsion and the student's IEP. The services must continue to the extent determined necessary to enable the disabled student to appropriately advance in the general education curriculum and to advance toward achieving the goals of his/her IEP, and be provided a free and appropriate education.
3. If the District, parent and relevant members of the IEP team (PPT) determine that the misconduct was caused by or had a direct and substantial relationship to the disability, or the conduct in question was the direct result of the District's failure to implement the student's IEP, the Superintendent shall not proceed with the recommendation for expulsion. The IEP team (PPT) shall consider the student's misconduct and revise the IEP to prevent a recurrence of such misconduct and to provide for the safety of the other students and staff. A functional behavioral assessment shall be conducted, if not previously done, and a behavioral intervention plan implemented or revised, if in existence. The student shall be returned to the placement from which he/she was removed unless agreed otherwise by the District and parent.
4. Should a parent of a student with disabilities who is eligible for services under the IDEA file a request for a due process hearing to contest an expulsion under subparagraph (2) above or a proposed change in placement under subparagraph (3), unless the parents and the Board otherwise agree, the child shall stay in the interim alternative educational setting, if so placed by school authorities, pending decision in said due process hearing and any subsequent judicial review proceedings.
5. Notwithstanding the provisions of the preceding subparagraph (4), a student with disabilities may be assigned to an interim alternative educational setting for not more than forty-five (45) school days if the student brings a weapon to school or to a school function or knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function, or has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function. For purposes of this paragraph, "weapon" means a device instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, but excludes a pocket knife with a blade of less than 2 ½ inches in length. "Serious bodily injury" is defined as bodily injury which involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ, or mental faculty. The interim alternative placement shall be determined by the IEP team (PPT). If a due process hearing is requested, the student shall remain in said interim alternative placement pending a decision in the due process hearing, unless the Board and the parents otherwise agree, or the Board obtains a court order.
6. In order for the district to unilaterally obtain a 45-day change in placement from a federal judge or Connecticut hearing officer, it must prove by substantial evidence that maintaining the current placement of the student is substantially likely to result in injury to the child or others. The school must also prove that it has made reasonable efforts to minimize the risk of harm the student presents in the current placement.

Suspension and Expulsion/Due Process (continued)**Change in Placement for Not More than 10 days**

School personnel may transfer a student with a disability to an appropriate interim alternative educational setting, another setting, or suspend the student for not more than ten school days per school year, if such disciplinary action would also apply to students without disabilities. A disabled student may be suspended for additional removals (suspensions) for up to ten school days for separate acts of misconduct as long as such removals do not constitute a pattern or change in placement. Educational services must be provided in cases of removals (suspensions) beyond the original ten days in a school year. The services are to be provided to the extent determined necessary to enable the student to appropriately progress in the general education curriculum and appropriately advance toward achieving the goals of his/her IEP and to receive, as appropriate, a functional behavioral assessment, behavioral intervention services and modifications that are designed to address the behavior violation so it does not recur. In cases involving removals (suspensions) for ten days or less, school personnel (administration) in consultation with the student's special education teacher shall make the service determination.

Change In Placement for Not More than 45 Calendar Days

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

1. was in possession of a dangerous weapon, as defined in 18 U.S.C. §930(g)(2), as amended from time to time, on school grounds or at a school-sponsored activity;
or
2. knowingly possessed or used illegal drugs or sold or solicited the sale of a controlled substance while at school or at a school-sponsored activity.
3. inflicted serious bodily injury upon another person, as defined in 18 U.S.C. §1365(h)(3), upon another person while at school, on school premises or at a school function

Alternative Educational Opportunity

The Board of Education recognizes its obligation to offer any student under the age of sixteen (16) who is expelled an alternative educational opportunity during the period of expulsion. Any parent or guardian of such student who does not choose to have his or her child enrolled in an alternative educational program shall not be subject to the provision of Section 10-184 of the Connecticut General Statutes. In determining the nature of the alternative education opportunity to be offered under this Section, the Board of Education may receive and consider evidence of past disciplinary problems, which have led to removal from a classroom, suspension, or expulsion.

If the Board expels a student for the sale or distribution of such a controlled substance, the Board shall refer the student to an appropriate state or local agency for rehabilitation, intervention or job training, or any combination thereof, and inform the agency of its action. If a student is expelled for possession of a firearm or deadly weapon, the Board shall report the violation to the local police department.

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

Suspension and Expulsion/Due Process (continued)**General Provisions**

In determining the length of an expulsion and the nature of any alternative educational opportunity provided, the Board of Education may receive and consider evidence of past disciplinary problems which have led to removal from the classroom, suspension and expulsion of such student.

The maximum period of expulsion is for a period of up to one calendar year.

A student may be expelled before the formal hearing provided that an emergency exists, but in this case the hearing shall be held as soon after the expulsion as possible.

The notice or formal hearing required by C.G.S. 4-177 shall be given to the parents or guardians of the student as well as to the student if he/she is a minor.

Under provisions of C.G.S. 10-233d, a student may be expelled at a meeting at which six (6) or more members of the Board are present, and provided that at least five affirmative votes for expulsion are cast.

The Board may adopt the decision of a student expulsion hearing conducted by another school district in accordance with statute, provided that prior to adopting any such decision, the Board shall hold a hearing that shall be limited to a determination of whether the misconduct that was the basis for the expulsion would also warrant expulsion under the provisions of this policy. Any such student shall be excluded from school pending such hearing, and if the expulsion decision is adopted, the student shall be provided an alternative educational opportunity if otherwise eligible in accordance with this policy and state law.

If a student withdraws from school after notification of an expulsion hearing, but before the hearing is completed and a decision rendered, (1) notice of the pending expulsion hearing shall be included on the student's cumulative record, and (2) the Board shall complete the hearing and render a decision.

An expelled student may apply for early readmission to school. Such readmission shall be at the discretion of the Board of Education. Readmission decisions are not subject to appeal to Superior Court. The Board or Superintendent, as appropriate, may condition such readmission on specified criteria.

The Board may delegate its responsibilities under this policy and the relevant state statutes to an impartial hearing board, in accordance with C.G.S. 10-233d(b). No member of the board of education may be a part of an impartial panel.

Legal Reference: Connecticut General Statutes

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

10-233a through 10-233f. Suspension, removal and expulsion of students, as amended by PA 95-304, PA 96-244, and PA 98-139.

53a-3 Definitions.

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

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

PA 10-111 An Act Concerning Education Reform in Connecticut

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

18 U.S.C. 921 Definitions.

Title III - Amendments to the Individuals with Disabilities Education Act.

Sec. 314 (Local Control Over Violence)

Suspension and Expulsion/Due Process (continued)

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

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

Kyle P. Packer PPA Jane Packer v. Thomaston Board of Education.
20 U.S.C Section 7114,
No Child Left Behind Act

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

Change to Legal Reference:

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

Policy revised: 10/12/2010
1/26/06; /2002

Orange School System
Orange, CT

Students

School Attendance Areas

The Board of Education shall designate the various attendance zones to facilitate educational programs and to use existing facilities with optimum effectiveness. The Superintendent of Schools shall recommend school attendance areas in accordance with the following criteria:

1. Safety of students;
2. Student educational needs;
3. Educational programs to be housed;
4. Optimum use of existing facilities;
5. Student residential patterns;
6. Ages of students served;
7. Racial/ethnic balance.

The Board of Education shall reserve to itself out-of-school attendance zone placement of a resident student for the reasons specifically listed below:

1. Recommendation of school planning and placement team;
2. Recommendation of administrative review;
3. Certification by physician pertaining to the well being of the child;
4. Completion of school year when family has moved out of school district after the January of the school term.

Transportation beyond that normally provided for students living in the district shall not be provided for students attending on an intradistrict attendance agreement at the parent's request.

The Board of Education reserves the right to revoke any intradistrict attendance agreement at any time.

Legal Reference: Connecticut General Statutes

 10-55 Students to attend regional school.

 10-226a Students of racial minorities.

 10-226b Existence of racial imbalance.

 10-226c Plan to correct imbalance.

 10-226d Approval of plan by state Board.

Policy revised:
/2002

Students

School Attendance Areas

Intra-District Choice/Open Enrollment

The Board of Education endorses the neighborhood school concept and makes many decisions based on student population within the attendance areas of residence. The Board recognizes, however, that students may wish to attend a school or participate in a program located in an area other than that of their assigned school. Therefore, students shall be allowed to attend any school or participate in any program of their choice on a space available, first-come, first-served basis.

In implementing the open enrollment program, the district is not required to:

1. Make alterations in the structure of a requested school or make alterations to the arrangement or function of rooms within a requested school.
2. Establish and offer any particular program in a school if such program is not offered currently in such school.
3. Alter or waive any established eligibility criteria for participation in a particular program including age requirements, course prerequisites and required levels of performance.

Notwithstanding the provisions of this policy, a student may be assigned outside his attendance area by mutual agreement of the Principals in the special interest of the student and/or school.

Open Enrollment and Transfers

Students and their parents/guardian shall be notified on an annual basis of the options available through open enrollment in sufficient time to apply.

Students within a designated attendance area shall have priority in registering in that school. Students may apply for open enrollment in a school outside their attendance area and such applications shall be approved if there is space available in the requested school and the application has been submitted on or before (date) in accordance with the regulations accompanying this policy.

Parents and/or students who desire a change of school after (date) must submit a letter together with the required form requesting a transfer. The request shall be reviewed and acted upon in accordance with the regulations accompanying this policy.

Students granted permission to attend a school other than the school in their assigned attendance area shall have the same curricular and extracurricular status as all other students attending the school.

Transfer students attending a school outside their attendance area shall be granted admission on a year-to-year basis. In the event the population of the attendance area increases to fill the building with attendance area residents, transfer students may be asked to enroll in another school.

Students

School Attendance Areas (continued)

Transportation

Transportation for students granted permission to attend school outside their attendance area must be furnished by their parents.

Nondiscrimination

The Board, the Superintendent, other administrators and teachers shall not make any distinction on account of race, color, ethnic group or religion of any student who may be in attendance or who seeks admission to any school maintained by the district in the determination or recommendation of action under this policy.

However, the Board reserves the right to restrict open enrollment and transfer requests if such requests begin to significantly affect the ethnic balance of a school.

Special Education Students

Requests from the parents (or guardian) of a special education student for open enrollment or transfer to another school or program shall be considered in accordance with applicable state and federal laws.

(cf. 5117 - School Attendance Areas)

Legal Reference:	Connecticut General Statutes
	10-55 Pupils to attend regional school
	10-226a Pupils of racial minorities
	10-226b Existence of racial imbalance
	10-226c Plan to correct imbalance
	10-226d Approval of plan by State Board
	PA 96-213 An Act Concerning School Readiness and Intradistrict Choice

New Policy adopted:
/2002;Revised: April 2005

Students

Controlled Transfer

It is the policy of the Orange Board of Education that students shall attend schools based upon geographic district lines. Exceptions to this policy are granted under the Controlled Transfer Policy that permits transfers to other schools.

- A. The procedure for applying for a Controlled Transfer:
 1. Parent/guardian will submit a detailed letter requesting a transfer to the office of the Superintendent of Schools, 637 Orange Center Road.
 2. The Superintendent will review the letter and make a recommendation to the Board of Education for approval or denial.
 3. The Superintendent will inform the parents in writing of the Board's decision.
 4. A copy of the letter and the approval or denial letter will be on file in the board of education office.
- B. A Controlled Transfer may be granted under the following conditions:
 1. To accommodate medical disabilities/needs as specifically documented by a doctor
 2. To provide placement in special area program(s)
 3. To allow a student in a terminal grade to complete the school year at that school
 4. Upon the approval of the Superintendent and the Board of Education
 5. Controlled Transfers will not be granted between the first day of the school year and October 1.
 6. Controlled Transfers will not be granted into any class which has reached contracted capacity.
 7. A Controlled Transfer may not be granted for more than one academic year at a time. A new application must be submitted for each academic year.
 8. The parent of the student receiving the Controlled Transfer will be responsible for providing transportation to and from the new school.
- C. Procedure for revoking a Controlled Transfer:
 1. Applicants will be informed, in writing, that the Controlled Transfer will be revoked at any time for the following reasons:
 - a. lack of space at the Controlled Transfer assigned school
 - b. poor discipline
 - c. poor attendance
 - d. excessive tardiness
 - e. administrative actions
 2. If a student does not meet the terms of the Controlled Transfer, the principal will contact the parent/guardian, in writing, to warn that the student could have his/her Controlled Transfer revoked.

Students

Controlled Transfer (continued)

3. if a student continues not to meet the terms of the Controlled Transfer, the principal will recommend, in writing to the Superintendent, that the transfer be revoked.
4. The Superintendent of Schools will notify the parent and building principals, in writing, that the Controlled Transfer will be revoked on a date specified by the Superintendent of Schools.

D. Appeal Process in the event of a Denial:

1. The applicant who is dissatisfied with the decision of the Superintendent and/or the Board of Education must appeal in writing within ten working days.
2. The applicant who is making the appeal may request a hearing at the next meeting of the Board of Education. A final decision on the appeal will be rendered by the Board of Education, and the applicant will be notified in writing.

Students

School Attendance Areas

Inter-District Choice

The Board of Education recognizes that Orange students may benefit from having a choice of schools to attend within the public school system that is not limited by school and/or district boundaries. Public school choice will (1) provide parents and students with greater opportunities to choose the school and/or program that best meets the academic needs of the student; (2) positively influence the level of parent involvement and student motivation; (3) improve academic achievement; (4) reduce racial, ethnic and economic balance; and (5) provide a choice of educational programs for students.

The District will cooperate with the appropriate regional educational service center in the planning and implementation of the state-wide inter-district public school attendance program in accordance with the timelines and provisions contained within C.G.S. 10-4a as amended by PA 97-290, "An Act Enhancing Educational Choices and Opportunities," and C.G.S. 10-266aa as amended by P.A. 99-289, "An Act Concerning School Choice and Interdistrict Programs."

Nonresident students from other school districts within the state may enroll in Orange schools through "Project Choice" on a space available basis, without payment of tuition except that the District shall receive an amount, within available appropriations, from the Department of Education, for each out-of-district student attending a school within the District. It is recognized that the Regional Service Centers shall determine which school districts in its area are located close enough to a priority school district to make transportation feasible.

In providing for admission of nonresident students, the school District shall consider:

1. Issues pertaining to the availability of space within a requested school to accommodate the enrollment request. The District will notify its RESC by March 31 of each year of the space it will have available for students from the surrounding area for the new school year.
2. Eligibility criteria for participating in a particular program, including age requirements, course prerequisites and required levels of performance.
3. Dates of enrollment of nonresident students in a school or program.
4. The requirement that participants attending school in the District shall do so until they complete the highest grade in the district.

Students

School Attendance Areas

Inter-District Choice (continued)

It is the policy of the Orange Board of Education to receive nonresident students as part of the state-wide interdistrict public school attendance program in accordance with plan developed with the Regional Educational Service Center. Such planning, the Board believes, should consider, but not be limited to, the issues of definition and determination of space availability, choice of students, transportation to and from school and for after-school activities. Further, planning should consider issues related to special education, prior disciplinary behavior, and acceptance of prior academic work. Records of students involved in the interdistrict program will be promptly forwarded to the receiving district.

The Board directs the Superintendent and staff not to make any distinction on account of race, sex, ethnic group, religion or disability of any student who is in attendance or who seeks admission to any school within this District in the determination or recommendation of action under this policy.

(cf. 5145.4 - Nondiscrimination)

(cf. 5117 - School Attendance Areas)

(cf. 5117.1 - Intra-District Choice/Open Enrollment)

(cf. 5118 - Nonresident Attendance)

Legal Reference: Connecticut General Statutes

10-4a Education interests of state defined, as amended by PA
97-290 -An Act Enhancing Education Choices and Opportunities

10-226a Students or racial minorities

10-226b Existence or racial intolerance

10-226c Plan to correct imbalance

10-226d Approval of Plan by State Board

10-266aa Statewide interdistrict public school attendance
program, as amended by P.A. 99-289, An Act Concerning School Choice and
Interdistrict Programs.

New Policy adopted:
/2002

Students

RESIDENT AND NON-RESIDENT STUDENTS

I. Resident Students

- A. Children of school age who are bona fide residents of Orange are entitled to school accommodations provided by the Orange Board of Education without payment of tuition.
- B. A bona fide resident for purpose of this policy is defined as:
 - 1. Any child who is residing with his or her parents or parent who is a bona fide resident of Orange, or
 - 2. Any child who is residing with a legally appointed guardian who is a bona fide resident of Orange.
- C. Beginning January 1, 2001, a student who resides in a dwelling located in more than one town shall be considered for purposes of school attendance a resident of either town and may attend school in any of one of such towns.
- D. Children of parents or guardians who have contracted for the occupancy of a home in Orange in which these children will be domiciled will be admitted to the schools when residency has been proven.

II. Non-Resident Students

- A. Children of school age who are not residents of Orange but who are residing with adult relatives or legal guardians who are bonafide residents of Orange may be entitled to school accommodations provided by the Orange Board of Education without payment of tuition, provided that the child's residence is in Orange: (1) is to be permanent; (2) is provided by the Orange relative or non-relative without payment or compensation by the child's parent or legal guardian and; (3) not for the sole purpose of attending Orange public schools.

The Superintendent shall require that affidavits shall be executed by both the child's parent or legal guardian and the Orange relative or non-relative attesting to the child's residence in Orange. The Superintendent may also require any other supporting documentation as she/he deems necessary. For the purposes of this policy, the term "permanent" shall be defined as the intent by the non-resident student, the Orange relative or non-relative, and the student's parent or guardian that said student intends to reside in Orange indefinitely.

- B. The board of education does not, as a rule, accept tuition students into the schools; therefore, the board reserves to itself any decision on the admission, on a tuition basis, of children who are nonresident students.

Students

RESIDENT AND NON-RESIDENT STUDENTS con't.

- C. Children who are citizens of a foreign country may be permitted to attend the Orange Public schools without payment of tuition if they are participants in a foreign student exchange program, reside in Orange and are approved by the Superintendent.
- D. The Superintendent shall require that parents or guardians of a child provide appropriate proof of residency in Orange prior to enrollment of their child in the Orange public schools. The Superintendent shall also require that parents or guardians of a child already enrolled in the Orange public schools provide appropriate proof of residency in Orange prior to January 1st of the year in which their child is enrolled in Grade 3.
- E. In the event, it is determined by the Superintendent of Schools that a child is not a legal resident of Orange and is not entitled to be provided free school accommodations by the Orange Board of Education, the parent or guardian of the child has a right to request a hearing before the Orange Board of Education regarding this issue. (General Statute Section S10-186)
- F. In the event it is determined that a child is not legally entitled to be provided school accommodations by the Orange Board of Education without the payment of tuition, the Orange Board of Education shall, pursuant to Connecticut General Statute S10-186, assess the child's parent or guardian for tuition for that period of time that the child was not legally entitled to attend Orange public school and may seek civil remedies to collect any unpaid assessments of tuition.

III. Former Residents

Regularly enrolled children of families who have moved out of the school district after December 31st of the instant school year may complete that school year. Parents are to provide transportation.

No former resident will be required to pay tuition during the remainder of the school year during which the parent pays local property taxes on his/her former residence.

IV. Special Education

The planning and placement team may accept into the special education program a nonresident student sponsored by a public school system subject to space availability and subject also to the sponsoring town assuming the pro-rata expenses for transportation and education of such a student, including some minor provision for administrative expense.

This policy shall be reviewed annually.

Students

RESIDENT AND NON-RESIDENT STUDENTS con't.

Legal Reference: Connecticut General Statutes 10-186
10-253 Children placed out by commissioner of social service or other
agency. Provision of school accommodations for nonresidents,
requirements.
PA 95-130

Policy Revised:
7/18/01

I, (We) _____, being duly sworn, hereby declare that I am (we are) the custodial parent (parents), or legal guardian of _____ and that we reside at _____, Orange. I am not receiving compensation or other financial reimbursement for the sole purpose of attending Orange public schools.

I (We) hereby certify that all of the statements contained in this statement are true and correct to the best of my knowledge and belief. Should it be determined residency does not exist your student will be withdrawn from the Orange School District.

I (We) hereby agree, that pursuant to Connecticut General Statute S10-186, if it is determined that my child is not entitled to be provided school accommodations in Orange without payment, I agree to pay to the Orange Board of Education, tuition for the period that my child was attending Orange public schools and was not entitled to school accommodations in Orange.

Signature of Parent or Guardian

) SS

, 20____

COUNTY OF

Personally appeared _____ and made oath to the truth of the foregoing statement.

Subscribed and sworn to before me this _____ day of _____, 20__.

Notary Public

My commission expires _____

Policy 5118 Sec. IB2 and Sec. IIA
NONRESIDENT STUDENT LIVING
WITH LEGAL GUARDIAN/RESIDENTS OF ORANGE.
Nonresident parent must sign.
9/01

AFFIDAVIT OF RESIDENCY FOR ENROLLMENT
IN ORANGE PUBLIC SCHOOLS
To be Completed by Relative or Non-Relative

I, (We) _____ being duly sworn, hereby declare that my, (our) home resides in two towns and therefore I am (we are) bona fide legal resident(s) of the Town of Orange, and _____. According to Connecticut General Statute S10-186 I elect to have my child (children) attend the Orange School District

I (We) hereby certify that all of the statements contained in this application are true and correct to the best of my (our) knowledge and belief. Should it be determined residency does not exist your student will be withdrawn from the Orange School District.

Date

Signature

Signature

STATE OF CONNECTICUT)

) SS

, 20__

COUNTY OF)

Personally appeared _____ and made oath to the truth of the foregoing statement.

Subscribed and sworn to before me this _____ day of _____, 20__.

Notary Public

My commission expires _____

Policy 5118, Sec. IC
STUDENT LIVING
IN HOME ~~REDISING~~ IN TWO TOWNS
Bona Fide legal resident must sign.
08/01

To be Completed by Relative or Non-Relative

I (We) hereby certify that all of the statements contained in this application are true and correct to the best of my (our) knowledge and belief.

Signature

Signature

) SS

, 20 ____

)

Subscribed and sworn to before me this _____ day of _____, 20__.

Notary Public

My commission expires _____

Bona Fide legal resident must sign.

12/04

ORANGE BOARD OF EDUCATION
Orange, Connecticut 06477-2432

CERTIFIED MAIL
RETURN RECEIPT
RESTRICTED DELIVERY

LETTER 1

Date:

Dear

This letter is to advise you that after investigation, I have determined that your child(ren) _____ is (are) not a legal resident of the Town of Orange and is (are) not entitled to be provided with free school accommodations by the Orange Board of Education. Further, since you are a legal resident of _____, your child should be attending school in _____.

Please be advised that pursuant to Section 10-186 of the Connecticut General Statutes, you are entitled to request in writing a hearing before the Orange Board of Education with respect to this issue. The Board will hold the hearing within ten days after receipt of your written request.

If a written request for a hearing within ten days from the above date is not received, a hearing will not be scheduled. You should make arrangements promptly for the transfer of your child from the Orange Public Schools. In addition, tuition will be charged at the current per pupil rate on a per diem basis.

If you have any questions regarding this matter, do not hesitate to contact me.

Sincerely,

Superintendent of Schools

cc: Superintendent of Schools
(School system child should be attending)

09/01

ORANGE BOARD OF EDUCATION
Orange, Connecticut 06477-2432

POSSIBLE ILLEGAL RESIDENT

To: Superintendent of Schools

From: Principal

Date:

Name of Student: _____

Parent/Guardian: _____

Stated Address: _____

Telephone: _____

PLEASE CHECK WHERE APPROPRIATE AND IMMEDIATELY FORWARD TO
CENTRAL OFFICE

_____ Parent/Guardian has failed to comply with the request for residency verification
information.

_____ I have concluded that the above named student may be a non-resident student. Attached
is all of the information and/or evidence that supports my position.

ORANGE BOARD OF EDUCATION
Orange, Connecticut 06477-2432

REPORT OF NON-RESIDENT STUDENT

To: Principal

From: Superintendent of Schools

Date:

On _____, _____ it was reported to me that
_____ of _____ may be a non-
resident student attending the Orange Public Schools

The information acquired is as follows:

Please investigate immediately and report your findings back to me by _____

ORANGE BOARD OF EDUCATION
Orange, Connecticut 06477-2432

Date: _____

Dear Parents/Guardians:

The Orange Board of Education has a Proof of Residency Policy. The purpose of this policy is to ensure that the educational programs offered by the Board reach those students who are legitimately entitled to receive them.

It is not our intent to deprive any student of his/her educational rights, but it is our responsibility to make sure that the educational programs paid for by the tax dollars of Orange are offered *only* to legal residents of Orange.

We respectfully request your assistance to carry out this mandate. Attached you will find several items as follows:

- a. a page description of the policy (this is for your records)
- b. A proof of Residency Form, which lists several items that can be submitted as proof of our residency (you only have to submit copies of two items). If you wish, you can black out any information on the utility bill, rent receipt, mortgage receipt, etc. that you do not wish us to know about. Please sign this form.
- c. Only one form per family is necessary, but all children attending Orange Elementary School should be listed.

This letter and attached information is being mailed to your home address to make sure that you receive it promptly. If you have any questions about the information requested, please do not hesitate to call your school principal.

I want to thank you very much for your cooperation and understanding of this procedure.

Sincerely yours,

Superintendent of Schools

ORANGE BOARD OF EDUCATION
Orange, Connecticut 06477-2432

Date: _____

Dear Parents/Guardians:

The Orange Board of Education has a Proof of Residency Policy. The purpose of this policy is to ensure that the educational programs offered by the Board reach those students who are full time residents of the Town of Orange. (Full time means a child is domiciled in the Town of Orange day and night). Legal exceptions will be considered on a case by case basis.

It is not our intent to deprive any student of his/her educational rights, but it is our responsibility to make sure that the educational programs paid for by the tax dollars of Orange are offered only to legal residents of Orange. The Superintendent shall require that parents or guardians of a child provide appropriate proof of residency in Orange prior to enrollment of their child in the Orange public schools. The Superintendent shall also require that parents or guardians of a child already enrolled in the Orange public schools provide appropriate proof of residency in Orange prior to January 1st of the year in which their child is enrolled in Grade 3.

We respectfully request your assistance to carry out this mandate.

I want to thank you very much for your cooperation and understanding of this procedure.

Sincerely yours,

Superintendent of Schools

lw

ORANGE BOARD OF EDUCATION
Orange, Connecticut 06477-2432

**PROOF OF RESIDENCY
FOR PURPOSE OF SCHOOL ATTENDANCE**

As evidence of residency and/or contracted for occupancy, a registrant shall provide the school official with two or more of the following documents.

1. Court document/proof of sale _____
2. Mortgage receipt/Escrow documents _____
3. Rent receipt (or pertinent provisions of lease), Real Estate Tax Bill _____
4. Utility bill (s), phone bill, etc. _____
5. Legal documents demonstrating custody and/or guardianship. _____

ATTACH ABOVE DOCUMENTS TO THIS FORM AND RETURN DIRECTLY TO THE SCHOOL PRINCIPAL. ALL DOCUMENTATION PROVIDED WILL BE HELD CONFIDENTIAL.

Date

Signature of Parent/Guardian

CHILDREN ATTENDING ORANGE SCHOOLS: (Name, Age, School)

To the School Principal:

Please verify all attached documents, sign this form, and place into student's permanent record files.

Date

Verified by _____
School Principal

Students

Homeless Students

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

Further, it is the policy of the Board of Education that no child or youth shall be discriminated against or stigmatized in this school district because of homelessness. Homeless students, as defined by federal and state statutes, residing within the district or residing in temporary shelters in the district are entitled to free school privileges.

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

1. continued in the school ("school of origin") that the student attended when permanently housed or the school of last enrollment; or
2. provided in the school that is attended by other students living in the same attendance area where the homeless child lives.

To the extent feasible, a homeless child will be kept in the school of origin, unless it is against the wishes of the parent/guardian.

Homeless children shall be provided educational services that are comparable to those provided to other students enrolled in the district, including but not limited to, Title I, transportation services, compensatory educational programs, gifted and talented, special education, ESL, health services and food and nutrition programs.

The Superintendent of Schools or his designee shall refer identified homeless children under the age of eighteen who may reside within the school district, unless such children are emancipated minors, to the Connecticut Department of Children and Families.

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

1. The selected school for the homeless child shall enroll the child, even in the absence of records normally required for enrollment. The last school enrolled shall be contacted to obtain records.
2. Other enrollment requirements that may constitute a barrier to the education of the homeless child or

Students

Homeless Students (continued)

youth may be waived at the discretion of the Superintendent. If the district is unable to determine the student's grade level due to missing or incomplete records, the district shall administer tests or utilize other reasonable means to determine the appropriate grade level for the child.

3. Fees and charges, which may present a barrier to the enrollment or transfer of a homeless child or youth, may be waived at the discretion of the Superintendent.
4. Transportation services must be comparable to those provided other students in the selected school. Transportation shall be provided to the student's school of origin in compliance with federal and state regulations.
5. Official school records policies and regulations shall be waived at the discretion of the Superintendent, in compliance with federal statutes.
6. The district shall make a reasonable effort to locate immunization records from information available. The District's liaison shall assist the parent/guardian in obtaining the necessary immunizations and records. The District shall arrange for students to receive immunizations through health agencies and at District expense if no other recourse is available. Immunizations may, however, be waived for homeless youth only in accordance with provisions of Board of Education policy on immunizations.
7. Other barriers to school attendance by homeless children or youth may be waived at the discretion of the Superintendent of Schools.

The District's educational liaison for homeless children is the Superintendent and/or designee.

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

1. continue to provide educational services, including transportation between the temporary shelter and the school in the home district; or
2. pay tuition to the district in which the temporary shelter is located.

Students

Homeless Students

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

(cf. 5143 Student Health Assessments and Immunizations)

(cf. 5146 Child Abuse and Neglect)

Legal Reference: Connecticut General Statutes

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

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

17a-102 Report of danger of abuse.

17a-103 Reports by others.

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

46b-120 Definitions.

McKinney-Vento Homeless Assistance Act, (PL 107-110-Sec 1032)

New Policy adopted:
/2002

Students

Homeless Students

In order to appropriately implement the policy pertaining to homeless children, youth and students placed in shelters, in compliance with all applicable federal and state statutes, the following regulations are established.

Definitions:

Homeless students are federally defined as “individuals who lack a fixed, regular, and adequate nighttime residence.” This definition includes the following types of students who are:

- a. sharing the housing of other persons due to loss of housing, economic hardship, or similar reason;
- b. living in motels, hotels, trailer parks or camping grounds due to lack of alternative adequate accommodations;
- c. living in emergency or transitional shelters;
- d. abandoned in hospitals;
- e. awaiting foster care placement;
- f. have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
- g. living in cars, parks, public spaces, abandoned buildings, bus or train stations, or similar settings;
- h. migratory children living in the above described circumstances.

Connecticut’s residency definitions contained in C.G.S. 10-235(d) defines non-residency as children residing with relatives or non-relatives, when it is the intention of such relatives or non-relatives and of the children or their parents or guardians that such residence is to be (1) permanent, (2) provided without pay and (3) not for the sole purpose of obtaining school accommodations. In addition, C.G.S. 10-253(e) indicates that children in temporary shelters are entitled to free school privileges from either the school district in which the shelter is located or from the school district in which the child would otherwise reside, if not for the need for temporary shelter. The district has an obligation to identify homeless and migratory children.

District Obligations Regarding Placement of Homeless Students:

- i. The District must continue the student’s education in the “school of origin” which is the school the child attended when permanently housed or the school of last enrollment. **OR**

Students

Homeless Students

District Obligations Regarding Placement of Homeless Students (continued):

- j. The District must enroll the homeless student in any public school that non-homeless students who live in the area where the child is actually living are eligible to attend.
- k. The District is required, "to the extent feasible" to keep the homeless child in the school of origin unless it is against the wishes of the parent/guardian.
- l. The homeless child's right to attend the school of origin extends for the duration of homelessness.
- m. If a child becomes permanently housed during the academic year, he/she is entitled to stay in the school of origin until the end of the school year.
- n. A child who becomes homeless in between academic years is entitled to attend his/her school of origin for the following academic year.
- o. The District must provide written explanation, including the right to appeal, whenever the school District sends the homeless child to a school other than the school of origin or a school requested by the parent/guardian.
- p. With an "unaccompanied youth," the District's homeless liaison must assist in the placement/enrollment decisions, considering the youth's wishes, and provide notice of appeal under the Act's enrollment disputes provision.

Appeal Procedures:

- a. C.G.S. 10-186 currently defines the process for resolving issues involving homeless students. The state is required to establish an appeal process.
- b. Federal law requires school districts to allow homeless students to "stay put." "The child shall be immediately admitted to the school in which enrollment is sought, pending resolution of the dispute."
- c. The District's homeless liaison shall carry out the dispute resolution process expeditiously and, in the case of an unaccompanied youth, ensure that the youth is immediately enrolled in school pending the resolution of the dispute.

Educational Services to be Provided to Homeless Students:

- 1. Educational services are to be comparable to those received by other students in the school.
- 2. Such students may be entitled to such services as Title I, state/local remedial programs, special education, limited English proficiency, vocational education, gifted/talented and school nutrition programs.

Students

Homeless Students

3. Homelessness alone is not to be considered a sufficient reason to separate students from the mainstream school environment.
4. Homeless students may be segregated for short periods of time only for health and safety emergencies or to provide temporary, special or supplemental services.

Transportation Obligations of the School District for Homeless Students:

1. Services must be comparable to those provided other students in the selected school.
2. Homeless students must be provided transportation to the school of origin, if requested by the parent/guardian, if the school is within the school district.
3. If the school of origin is in a different school district from where the child is currently living, both school districts are to agree on a method for sharing the responsibility and costs, or share the costs equally.

Enrollment Requests from Homeless Parents:

1. The selected school is required to immediately enroll the child, even in the absence of records normally required for enrollment. Parents/guardians may be required to submit contact information.
2. The last school attended must be contacted to obtain records.
3. If the child lacks immunizations or immunization/medical records, the enrolling school MUST refer the parent/guardian to the liaison in order to get help obtaining immunizations and records.

District Liaison for Homeless Students:

The District's liaison for homeless students is the Superintendent and/or designee.

The duties of the local liaison are:

- a. Ensure homeless children and youth are identified by school personnel and through coordination with other agencies and entities.

Students

Homeless Students

District Liaison for Homeless Students (continued):

- b. Ensure homeless children enroll in and have a full and equal opportunity to succeed in the school district's schools.
- c. Ensure that homeless families and children receive educational services for which they are eligible, including Head Start, Even Start, preschool programs, and referrals to health care services, dental services, mental health services, and other appropriate services.
- d. Parents/guardians are informed of educational and related opportunities available to their children, and are provided with meaningful opportunities to participate in the education of their children.
- e. Ensure that public notice of the educational rights of homeless children are disseminated where such children receive services. (For example, family shelters, soup kitchens, and schools)
- f. Ensure that enrollment disputes are mediated.
- g. Parent/guardian is fully informed of all transportation services, including to the school of origin, and is assisted in accessing those services.
- h. Must assist unaccompanied youth in placement/enrollment decisions, including considering the youth's wishes in those decisions, and providing notice to the youth of the right to appeal such decisions.
- i. Must assist children who do not have immunizations, or immunization or medical records, to obtain necessary immunizations, or immunization or medical records.
- j. Must collaborate and coordinate with state coordinators and community and school personnel responsible for the provision of education and related services to homeless children.

New Regulation approved:
/2002

Students

Examination/Grading/Rating

Through instructional performance objectives and specific curriculum guides, the district shall establish what students should know and be able to do when expecting to exit each grade level. These expectations shall be used to promote educational achievement and excellence.

Issuance of regular student progress reports promotes continuous student evaluation and informs students, parents, and school psychologists of student progress and encourages improvement in student performance, if improvement is needed.

Students in grades 4 and 5 shall take Connecticut Statewide Mastery Tests provided by and administered under the supervision of the State Board of Education. Students in grades 3, 4, 5, and 6 shall participate in all recommended district level assessments. Satisfactory achievement on the mastery and district assessments shall be only one criterion for promotion.

(cf. 6141 Curriculum Design/Development)
(cf. 6154 Graduation Requirements)
(cf. 6156 Statewide Proficiency/Mastery Examinations)
(cf. 6180 Evaluation of the Instructional Program)

Legal Reference: Connecticut General Statutes

10-14m Development and submission of educational evaluation and remedial assistance plans. Contents of plan.

10-14n Statewide mastery examination.

10-14o Compensatory education grant. Financial statement of expenditures.

10-14p Reports by local and regional boards re instructional improvement and student progress.

10-14q Exceptions. (Students to whom provisions do not apply)

10-221a High school graduation requirements.

New Policy adopted:
/2002

Students

Assigning Students to a Teacher and Classes in Grades K-6

Each Building Principal will have the responsibility and the authority for assignment of each student to his or her class and, therefore, his or her teacher with the best interests of the child in mind. The placement procedure should incorporate a team effort, bringing to bear the expertise and knowledge of all professional staff who have contributed to the student's growth throughout the current school year. That team may consist of grade level staff, the principal, special services and related services staff and other specials if the student has unique talent/needs in those areas that would impact or influence special consideration for classroom placement.

Parents are encouraged to consult with the Principal at some time during the period April 1 through May 15 to offer observations about the child's learning style, specialties and difficulties, and particular needs, personal and educational.

Students transferring from a school accredited by a State Department of Education will enroll at the grade level indicated by the records of the previous school. Students transferring from a school that is non-accredited will be accepted for enrollment at the level school records indicate, but the level of mastery and the quality of their previous class work must be validated against the District's performance standards and benchmarks.

Grades K-6

Previous work will be validated for K-6 students by successfully completing the grade in which they enroll. If upon enrollment, it appears that the student is not able to handle the assigned level after 20 school days, the school psychologist or other qualified person will evaluate the student by a written and/or oral examination. The psychologist, building principal, teachers, and parents involved will meet to determine the appropriateness of the placement of the student.

(cf. 5122.3 – Assignment of Former Home-Schooled Students to Classes)

(cf. 5123 – Promotion/Retention)

(cf. 6146 – Graduation Requirements)

Legal Reference: Connecticut General Statutes

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

Policy adopted:
4/10/07

Orange Board of Education
Orange, CT

ADMINISTRATIVE GUIDELINES REGARDING THE CLASSROOM ASSIGNMENT OF STUDENTS

Within the promotion process, the establishment of the following year's class make-up is critical for the continuity of each child's educational experience.

With that in mind, the placement procedures used should incorporate a team effort, bringing to bear the expertise and knowledge of all professional staff who have contributed to the students' growth throughout the current school year. In most typical cases that team should consist of the grade level staff, the principal, the reading teacher, the resource room teacher, the school psychologist and other specialists, i.e., Speech & Language, Art, Music, Physical Education, Foreign Language, LEAP, if students have unique talents/needs within those areas that would require special consideration for classroom placement. In the promotion of students of the Mary L. Tracy School, a situation unique in that students are moving from one building into another, the receiving principal for those students should also be in attendance. Additionally, receiving classroom teachers shall be in attendance.

During the placement process, team members should be keenly aware of all factors which may have a negative impact on the smooth operation of any classroom. Among those factors are known social dynamics which are problematic, the number of students with unique or special academic needs, the number of students requiring behavioral modifications, and/or historical family issues which may preclude a student's placement with a particular teacher. Additionally, particular attention should be placed upon the academic balance of each receiving classroom make-up of students so that, as much as possible, each classroom within a grade level is balanced.

With regard to the placement of children in regular education classes, discretion shall be used regarding the special needs of children, the developing personalities of children, levels of maturity, and the existing number of students. Cognizance of the dynamics of the classroom population shall be maintained in the judgment utilized to maintain a balance beneficial to all students and staff. This consideration shall also be maintained in the event of any incoming students who are new to the school system, either at the beginning of a school year or during the course of the existing school year. Communication and collaboration shall be on-going, providing opportunities to consult and refine skills of all staff members to maximize successful programming for all students.

The team should also take into consideration the fact that all staff members are trained professionals. While personalities may differ and offer placement options, all teachers are certified and qualified to deal with the variety of issues we face annually. Professionals should also be cognizant of the fact that population numbers within classrooms on a grade level may differ according to the above guidelines. With this philosophy in mind, careful regard should be given so that distribution of students is fair and equitable. The placement of students into regular education classes shall not be such that the same certified and trained professional at any given grade level be considered the "receiving teacher" on a yearly basis. It is understood however, that teachers requesting to establish a collaborative, team teaching process with the resource room staff will not be denied that opportunity.

5122.3P

Students

Assignment of Former Home-Schooled Students to Classes

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

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

(cf. 5111 – Admission)

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

(cf. 5123 – Promotion/Retention)

(cf. 6146 – Graduation Requirements)

Legal Reference: Connecticut General Statutes

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

Policy adopted:
3/12/07

Orange Board of Education
Orange, CT

5122.3R

Students

Assignment of Former Home-Schooled Students to Classes

When a student enters the District from home-schooled instruction, the District is required to determine the appropriate grade level placement for the student. In order to make such determination, when a student seeks entry, the following procedures/guidelines listed below shall be followed.

The District retains the absolute right for assignment of all students. The parent/guardian, teacher, student (when appropriate), and the Building Principal, shall meet to consider appropriate placement at grade level.

Elementary (K-6) Students

At the elementary level, the grade placement shall depend upon the age of the student, physical maturity, social adjustment, performance in relation to student learning objectives for grade level, and a review of the course work completed during home instruction, as submitted by the parent/guardian as proof of achievement. This may include a portfolio of completed assignments, essays, tests, reports, or other materials. The use of placement tests, achievement tests, or other assessments as deemed necessary for evaluation, administered by school staff, shall also be appropriate in determining grade placement.

(cf. 5111 – Admission)

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

(cf. 5123 – Promotion/Retention)

(cf. 6146 – Graduation Requirements)

Legal Reference: Connecticut General Statutes

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

Regulation adopted:
3/12/07

Orange Board of Education
Orange, CT

Students

Promotion/ Retention

The administration and professional staff shall establish a system of grading and reporting academic achievement to students and their parents and guardians. The system shall also determine when promotion requirements are met. The decision to promote a student to the next grade level shall be based on successful completion of the curriculum, attendance, performance on the statewide grade 4 and 6 testing program and on other standardized tests, meeting the statewide reading standards in the primary grades, maturity, academic potential and student aptitude. A student shall not be promoted based upon age or any other social reason not related to academic performance. The district shall provide alternatives to promotion such as, but not limited to transitional programs; and it may require students whose academic performance jeopardizes their promotion to attend after-school, summer school or other programs the district offers that are designed to help them. The administration shall determine remedial assistance for a student who is not promoted.

(cf. 5124 – Reporting to Parents)

(cf. 6146.1 – Grading System)

Legal Reference: Connecticut General Statutes

P.A. 99-288 An Act Concerning Education Accountability

10-221 (B) Boards of education to prescribe rules.

10-265g Summer reading programs required for priority school districts.
Evaluation of student reading level. Personal reading plans.

Policy adopted:
May 9, 2000

Students

Promotion/Retention

Grades K-6

In general, children shall be placed at the grade level to which they are best adjusted academically, socially and emotionally. The education program shall provide for the continuous progress of children from grade to grade, with children spending one year in each grade. Acceleration may be considered for the exceptional child who is academically, socially, and emotionally capable of being advanced. Some children, however, may benefit from remaining another year in the same grade. Retention may be considered within the following guidelines:

- a. Retention has a reasonable chance of benefiting the child.
- b. No student will be retained more than once in a given grade.

Whenever such retention is being considered, but no later than February 15th, the teacher shall confer with the principal, parent and child study team to discuss specific areas of concern. The parents shall then be invited to a meeting with the teacher, and/or principal, and other staff members no later than April 15 for an updated discussion of the matter. This discussion shall consist of an explanation to the parent of their child's current academic standing in relationship to program objectives and individual ability. No later than June 1st, a subsequent meeting will be held to review the student's progress. The final decision shall be made by school authorities (principal, classroom teacher and child study team) with parental consultation.

Guidelines for K-6 Promotion/Retention

These guidelines have been prepared to provide an overall direction to staff in the Orange schools regarding the efficacy of student retention. There is no definitive formula designed to make these decisions easier and less cumbersome. However, there are criteria listed, which should be seriously considered in making retention decisions. This checklist is for school authority's reference only.

Check whether criteria is a factor for retention or for promotion. The purpose of these guidelines is not to come up with a total number of checks, but rather to help organize items for discussion at the parent conference.

5123R

Students**Promotion/Retention (continued)**

CRITERIA	Factor for Promotion	Factor for Retention	Not a Significant Factor
<p>1. Estimated Developmental Age The developmental age of a child is the age of which a child is behaving as a total person (physically, socially, emotionally and intellectually)- functioning age. Consideration of the developmental age is probably most applicable to the first four years of formal school attendance, or for chronological ages of 4 through 6.</p> <p>2. Academic Achievement Consideration is given to how the pupil is achieving in basic skill areas, particularly reading and mathematics, based on daily classroom work, information on the report card, and standardized testing results.</p> <p>3. Apparent Learning Potential As evidenced by group and/or individual test results, what is the apparent ability level of the student? Research suggests that the student who is within the average, slightly above or below ability range is usually one who can most benefit from retention.</p> <p>4. Present Grade Placement According to research, when retention has been found to be beneficial, it is almost always in the primary grades.</p> <p>5. Previous Retentions Consideration should be given to whether the child has been retained previously and/or has been held out of kindergarten for a year.</p> <p>6. Motivation/Work Habits Consideration should be given to whether the student shows some interest in and makes an effort to complete his/her schoolwork independently.</p> <p>7. Learning Styles Accommodations should be made to address the child's individual learning style: visual auditory, kinesthetic. Have modifications in presentation been effective?</p> <p>8. Social Behavior Factors such as the following should be considered: how well the child relates with peers; association with younger children; ability to follow school rules, significant anti-social behavior, if any.</p>			

Students**Promotion/Retention (continued)**

CRITERIA	Factor for Promotion	Factor for Retention	Not a Significant Factor
<p>9. School Attendance A poor attendance record may result in significant gaps in the child's basic skills.</p> <p>10. Transiency Consideration should be given to whether the highly transient child will benefit from retention, primarily because this pattern may be likely to continue.</p> <p>11. Emotional Behavior Emotional characteristics of the child should be considered: are there consistent signs of distractibility, depression, over-activity, withdrawal, nervousness, etc., or is the child generally free from signs of skewed emotional development.</p> <p>12. Attitudes of Parent/Child The projected or stated attitude of parent/child toward retention should be considered.</p> <p>13. Family Life Atmosphere Has there been a recent divorce, significant death or other traumatic occurrences, which may be influencing the student?</p> <p>14. Sibling/Placement in Family Consideration should be given to whether the child, if retained, would be placed in the same grade as a younger sibling.</p> <p>15. Physical Development/Health History Factors such as the following should be considered: gross and fine motor skills, physical size, history of illness, hospitalizations, hearing or vision problems, etc.</p>			

Students

Promotion/Retention (continued)

CRITERIA	Factor for Promotion	Factor for Retention	Not a Significant Factor
<p>16. Special Services Has the child study team been convened? What special services have been provided to the child; what has been the result and what is expected in the future? List services:</p>			
<p>17. Other Factors (list)</p>			

5123R

Students

Promotion/Retention (continued)

Grades K-6

Regulation approved:
May 9, 2000

Students

Reporting to Parents

The Board of Education encourages regular and effective two-way communication between parent and teacher through frequent and varied reporting methods. Parent-teacher conferences, letters and informal notes, telephone calls to parents, and school visitation should be used regularly, among other means, to inform parents of student successes and student needs and to inform teachers of parent concerns about, suggestions for, and perceptions of their children which may help the teacher in his or her work with particular children.

1. **Report Card.** Written reports on student progress will be issued in accordance with a schedule approved by the superintendent of schools after consultation with Principals and faculties. Reporting dates shall be determined annually and placed on the school calendar. Parents will be advised no later than the next to last reporting period of a student's potential failure and the possibility of the student repeating the grade.

Report cards should reflect the educational growth of the student in relationship to each student's ability, attitudes, interests, conduct or citizenship, and achievement and in relationship to standards for his/her age and grade.

Teachers also will report on student progress at regularly scheduled parent conferences.

If parents are separated or divorced, both have equal rights to be informed of their child's school progress unless there is an order from the court to the contrary. Noncustodial parents shall receive written reports and conference notifications upon a request to the school principal.

Legal Reference: Connecticut General Statutes

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

46b-56 Access to records of minor children by noncustodial parent.

New Policy:
/2002

Students

Reporting to Parents

Report Cards and Conferences

Report cards are to be issued three times a year for Grades 1-6.

Parent-teacher conference appointments are to be arranged in November/December for parents of children in grades K-6. In addition, conferences will also be scheduled during January/February for grade one, April and May for grades 1 and 2.

Kindergarten reporting is to be accomplished through conferences which are arranged in November, December, January/February and April/May. Written reports are issued during January/February and April/May conferences.

A conference with a teacher or principal may be requested, and is encouraged, at any other time, as needed.

Resolving Parental Concerns

If problems arise during the school year, it is recommended that parents communicate directly with the responsible teacher. If the parents feel that their concerns have not been resolved after discussions with the teacher, they should review the matter with the principal. The teachers and administrators are the qualified professionals who are continually striving to ensure that each student receives the maximum benefits from his/her school experience. This goal can best be achieved by a strong cooperative effort between the professional staff and parents.

Students

Student Records; Confidentiality

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

The Board of Education recognizes the need to comply with the legal state and federal requirements regarding the confidentiality, access to and amendment of student records. The procedures for the confidentiality of student records shall be consistent with federal statutes, including the Family Educational Rights and Privacy Act of 1974 (FERPA), as amended, and its implementing and revised regulations, The No Child Left Behind Act of 2001, and the Connecticut General Statutes.

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

For the purposes of this policy:

"Parent" means a natural parent, an adopted, or a legal guardian or an individual acting as a parent in the absence of a parent or guardian. If parents are divorced or legally separated the parent granted custody and the parent not granted custody of a minor child both have the right of access to the academic, medical, hospital, or other health records of the child, unless a court order prohibits access. Whenever a student has attained the age of 18 years or is attending an institution of post-secondary education, the permission or consent required of, and the rights accorded to, the parents or guardians of the student shall thereafter only be required of, and accorded to, the student.

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

"Student record" means any item of information directly related to an identifiable student, other than directory information, which is maintained by a school district or required to be maintained by an employee in the performance of his/her duties whether recorded in handwriting, print, computer media, video or audio tape, film, microfilm and microfiche. Student records include information relative to an individual student gathered within or without the school system and maintained within the school system, regardless of the physical form in which it is maintained. Any information maintained for the purpose of review by a second party is considered a student record. Records that pertain to an individual's previous attendance as a student are "education records" under FERPA regardless of when they were created or received within the school system.

Students

Student Records; Confidentiality (continued)

“Student record” shall not include informal notes related to a student compiled by a school officer or employee which remain in the sole possession of the maker and are not accessible or revealed to any other person except a substitute. Records of the law enforcement unit of the District or school are not considered student records.

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

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

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

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

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

Students

Student Records; Confidentiality (continued)

4. Maintaining the record of disclosures of personally identifiable information from a student's education records and permitting a parent to inspect that record.
5. Providing a parent with an opportunity to seek the correction of the student's education records through a request to amend the records or a hearing, and permitting the parent or an eligible student to place a statement in the education records of the student.
6. Guaranteeing access to student records to authorized persons within five days following the date of request.
7. Assuring security of student records.
8. Enumerating and describing the student records maintained by the school system.
9. Annually informing parents under what conditions that their prior consent is not required to disclose information.
10. Ensuring the orderly retention and disposition, per applicable state statutes, of the districts student records.
11. Notifying parents annually of the District's policy on the collection or use of personal information collected from students for the purpose of marketing or selling that information or otherwise providing that information to others for that purpose, including arrangements to protect student privacy that are provided by the agency in the event of such collection, disclosure or use.

Legal Reference: Connecticut General Statutes

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

7-109 Destruction of documents.

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

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

Students

Student Records; Confidentiality (continued)

Legal Reference: Connecticut General Statutes (continued)

10-209 Records not to be public.

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

11-8a Retention, destruction and transfer of documents

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

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

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

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

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

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

PL 107-110 "No Child Left Behind Act of 2001" Sections 5208 and 9528

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

ORANGE PUBLIC SCHOOLS
Orange, Connecticut

Model Notification of Rights Under FERPA for Elementary and Secondary Institutions

The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. §1232g, et. seq., affords parents and eligible students (i.e., students over 18, emancipated minors, and those attending post-secondary educational institutions) certain rights with respect to the student's education records. They are:

1. The right to inspect and review the student's education records within forty-five (45) calendar days of the day the District receives a request for access.

Parents or eligible students should submit to the school principal [or appropriate school official] a written request that identifies the record(s) they wish to inspect. The principal [or appropriate school official] will make arrangements for access and notify the parents or eligible student of the time and place where the records may be inspected.

2. The right to request the amendment of the student's education records that the parents or eligible student believe are inaccurate or misleading, or otherwise violates the student's privacy rights.

Parents or eligible students may ask the District to amend a record that they believe is inaccurate, misleading, or otherwise violates the student's privacy rights. Parents or an eligible student should write the school principal [or appropriate school official], clearly identifying the part of the record the parents or eligible student want changed, and specify why it is inaccurate or misleading, or otherwise violates the student's privacy rights.

If the District decides not to amend the record as requested by the parents or eligible student, the District will notify the parents or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parents or eligible student when notified of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the student's educational records, except to the extent that FERPA authorizes disclosure without consent.

Model Notification of Rights Under FERPA for Elementary and Secondary Institutions
(continued)

One exception that permits disclosure without consent is disclosure to a school official with legitimate interests. A school official is a person employed by the District as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Board of Education; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Contractors, consultants, volunteers, and other parties to whom a school has outsourced services or functions are considered "school officials" who may have access to student records, without consent, subject to following conditions:

- The party is under the direct control of the school.
- The party is subject to the same conditions governing the use and redisclosure of education records applicable to other school officials.
- The contractor must ensure that only individuals with legitimate educational interests, as determined by the district or school, obtain access to the education records. The contractor may not redisclose personally identifiable information without consent unless the District or school has authorized the redisclosure under a FERPA exception and the district or school records the subsequent disclosure.

Upon request, the District will disclose a student's education record without consent to officials of another public school, including a public charter school, in which the student seeks or intends to enroll. *(Note: FERPA requires a school district to make a reasonable attempt to notify the student of the records request unless it states in its annual notification that it intends to forward records on request.)*

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, DC 20202-4605

Model Notification of Rights Under FERPA for Elementary and Secondary Institutions
(continued)

5. Unless notified in writing by a parent or eligible student to the contrary within two weeks of the date of this notice, the school district will be permitted to disclose "Directory Information" concerning a student. Directory Information means information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. It includes, but is not limited to, the parent's name and/or e-mail address, the student's name, address, telephone number, e-mail address, photographic and video images, date and place of birth, major field(s) or study, grade level participation in school-sponsored activities or athletics, weight and height (if the student is a member of an athletic team), dates of attendance, degrees and awards received, and the most recent previous educational agency or institution attended.

The written objection to the disclosure of directory information shall be good for only one year. School districts are legally obligated to provide military recruiters and institutions of higher learning, upon request, with the names, addresses and telephone numbers of secondary school students, unless a parent or eligible student objects to such disclosure in writing. Such objection shall be in writing and shall be effective for one year. In all other circumstances, information designated as directory information will not be released when requested by a third party unless the release of such information is determined by the administration to be in the educational interest of the school district and is consistent with the District's obligations under both state and federal law.

6. Pursuant to a court issued "ex parte" order, personally identifiable information in the student's records may be released to the Attorney General of the United States or his/her designee in response to an "ex parte" order issued in connection with the investigation or persecution of an act of domestic or international terrorism crimes.
7. Schools may release information received under a community notification program concerning a student who is required to register as a sex offender in the State, with consent.

ORANGE PUBLIC SCHOOLS
Orange, Connecticut

RELEASE OF CONFIDENTIAL HIV-RELATED INFORMATION

I hereby authorize _____ to release confidential
[name of individual who holds the information]
HIV-related information, as defined in Connecticut General Statute §19a-581, concerning
_____ to the following personnel:
[name of protected individual]

1. School Nurse
2. School Administrator(s)
 - a. _____
 - b. _____
3. Student's Teacher(s)
 - a. _____
 - b. _____
4. Paraprofessional(s)
5. Director of Pupil Personnel Services
6. Other(s)
 - a. _____
 - b. _____

This authorization shall be valid for:

1. ☐ The student's stay at _____ School
2. ☐ The current school year
3. ☐ Other _____ (specify period)

I provide this information based on my responsibility to consent for the health care of
_____. I understand that such information shall be
held confidential by the persons authorized here to receive such information, except as otherwise
provided by law.

Name – Please Sign and Print Name

Relationship to Student

Date

Students

Student Records; Confidentiality

Definitions

As used in this regulation:

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

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

"Substitute" means a person who performs the duties of the individual who made the notes on a temporary basis, and does not refer to a person who permanently succeeds the maker of notes in his or her position. Medical records are not open to public inspection.

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

Students

Student Records; Confidentiality

Definitions (continued)

3. **“Directory Information”** means one or more of the following items: parent’s name and/or e-mail address, student’s name, address, telephone number, date and place of birth, participation in officially recognized activities, photographic, computer and/or video images, grade levels, electronic mail address, dates of attendance, awards received, and the most recent previous public or private school attended by the student.

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

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

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

5. **“School Official”** means a person employed by the district as an administrator, supervisor, instructor or support staff member, including health or medical staff and law enforcement unit personnel, a person serving on the Board of Education, a person or company with whom the district has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist), or a parent or student serving on an official committee such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks.
6. **“Disclosure”** means to permit access to or the release, transfer, or other communication of personally identifiable information contained in education records, to any party, by any means including oral, written, or electronic means. It is also permitted to return an educational record to the provider or creator of the record, including the return of a questionable document to the purported sender for verification of information in the document.

Students

Student Records; Confidentiality

Definitions (continued)

7. **"Personally Identifiable Information"** includes but is not limited to the student's name, the name of the student's parent or other family member, the address of the student or student's family, a personal identifier such as the student's Social Security Number or student number, or "biometric records" (a record of one or more measurable biological or behavioral characteristics that can be used for automated recognition of an individual, including fingerprints, retina and iris patterns, voice prints, DNA sequence, facial characteristics and handwriting), a list of personal characteristics or indirect identifiers, such as the name of the student's parent or other family members and the date and place of birth and mother's maiden name, or other information that would allow a reasonable person in the school or community who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.
8. **"Record"** means any information recorded in any way, including, but not limited to, handwriting, print, computer media, video or audio tape, film, microfilm and microfiche.
9. **"Access"** means a personal inspection and review of a record or an accurate copy of a record, an oral description or communication of a record or an accurate copy of a record and a request to release a copy of any record.
10. **"Student"** means a person who is or was enrolled in a school.
11. **"Adult student"** means a person who is or was enrolled in school and who is at least eighteen (18) years of age.
12. **"Eligible Student"** means a student or former student who has reached eighteen years (18) of age or who is attending an institution of post-secondary education or is an emancipated minor.
13. **"Law Enforcement Unit"** means an individual office, department, division, or other component of an education agency or institution that is officially authorized or designated by that agency or institution to (1) enforce laws or refer matters of law enforcement to appropriate authorities, or (2) maintain the physical security and safety of the agency or institution.
14. **"Legitimate Education Interest"** means the need for a school official to review an educational record in order to fulfill his/her professional responsibilities.
15. **"Signed and Dated Waiver Consent"** means signed and dated written consent to disclose personally identifiable student information from a student's records must specify the records to be disclosed, the purpose of disclosure and the party to whom such records should be provided. Consent may include a record and signature in electronic form provided that the consent identifies and authenticates a particular person as the source of consent.

Students

Student Records; Confidentiality

Types of Records

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

1. **“Mandatory Permanent Student Records”** are those records which are maintained in perpetuity (at least 50 years) and which schools have been directed to compile by statute, regulation, or authorized administrative directive. Such records shall include the following:
 - A. Legal name of student, address, gender of student
 - B. Date of birth, place of birth
 - C. Method of verification of birth date
 - D. Name and address of parent of minor student
 - (1) Address of minor student if different than the above
 - (2) An annual verification of the name and address of the parent and the residence of the student
 - E. Entering and leaving date of each school year and for any summer session or other extra session
 - F. Subjects taken during each year, half-year, summer session, or quarter
 - G. Academic achievement (grades, transcripts)
 - H. Level of academic achievement (class standing/academic level)
 - I. If marks or credit are given, the mark or number of credits toward graduation allowed for work taken
 - J. Verification or exemption from required immunizations
 - K. Date of high school graduation or equivalent
 - L. Student activities and significant awards

Students

Student Records; Confidentiality

Types of Records (continued)

2. **“Mandatory Interim Student Records”** are those records which the schools are directed to compile and maintain for stipulated periods of time and are then destroyed as per statute, regulations (6 years following the student’s graduation, or the graduation of the class to which he/she belonged, after appropriate notification to parents and/or eligible students via media and an opportunity provided to copy said records), or authorized administrative directive. Such records include the following:
 - A. A log or record shall be maintained for each student's record which lists all persons, agencies or organizations requesting or receiving information from the record, and the legitimate interests therefore.
 - B. Health information, including Child Health Developmental Disabilities Prevention Program verification or waiver. (Comprehensive Health Record)
 - C. Participation in special education programs including required tests, case studies, authorizations, and actions necessary to establish eligibility for admission or discharge.
 - D. Language training records.
 - E. Progress slips and/or notices.
 - F. Parental restrictions regarding access to directory information or related stipulations.
 - G. Parent or adult student rejoinders to challenged records and to disciplinary action.
 - H. Parental authorizations or prohibitions of student participation in specific programs.
 - I. Results of standardized tests administered within the preceding three years.

Students

Student Records; Confidentiality

Types of Records (continued)

3. **“Permitted Records”** are those records having clear importance only to the current educational process of the student. Such records may be destroyed after 6 years following the student’s graduation, or the graduation of the class to which he/she belonged, after appropriate notification to parents and/or eligible students via media and an opportunity provided to copy said records. Such records may include the following:
 - A. Objective counselor and/or teacher ratings
 - B. Standardized test results older than three years
 - C. Routine discipline data
 - D. Verified reports of relevant behavioral patterns
 - E. All disciplinary notices

Maintenance and Security of Student Records

1. Custodian of Records

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

Students

Student Records; Confidentiality

Maintenance and Security of Student Records (continued)

2. Files

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

3. Information

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

Access to Student Records

1. School Officials

- A. School officials, as defined, have access to students' educational records without consent, if the official has been determined to have a legitimate educational interest in the records.
- B. Contractors, consultants, volunteers, and other parties to whom a school has outsourced services or functions are considered "school officials" who may have access to student records, without parental consent, if the following conditions are met:
 - The party is under the direct control of the school.
 - The party is subject to the same conditions governing the use and redisclosure of education records applicable to other school officials.
 - The contractor must ensure that only individuals with legitimate educational interests, as determined by the district or school, obtain access to the education records. The contractor may not redisclose personally identifiable information without consent unless the district or school has authorized the redisclosure under a FERPA exception and the district or school records the subsequent disclosure.

Students

Student Records; Confidentiality

Access to Student Records

1. School Officials (continued)

- C. The district or school may not disclose education records to an outside service provider unless it has specified in its annual FERPA notification to parents/students that it uses contractors, consultants, volunteers, as “school officials” to provide certain institutional services and functions.
- D. In controlling access to education records by school officials and outside service providers, schools must:
 - (1) Use “reasonable methods” to ensure an official is given access to only those education records, paper or electronic, in which the official has a legitimate educational interest.
 - (2) Schools may use such methods as:
 - Physical controls such as locked filing cabinets;
 - Technological controls such as role-based access controls for electronic records;
 - Administrative policies, in lieu of physical or technological controls. Such policies must be effective in controlling access.

2. Parents

- A. Parents of currently enrolled or former students shall have an absolute right during regular business hours to access to any and all student records related to their children which are maintained by the district. Neither the student record, nor any part thereof, shall be withheld or edited. If the student records contain information on more than one student, the parent may inspect and review or be informed of only the specific information which pertains to that student.
- B. A parent or guardian’s request for access to student records shall be made in writing to the custodian of student records. Access shall be granted no later than forty-five (45) days following the date of the request.
- C. A requesting parent shall be notified of the location of all student records, if not centrally located.

Students

Student Records; Confidentiality

Access to Student Records

2. Parents (continued)

- D. When a parent's dominant language is not English, the district shall make an effort to
 - (1) provide interpretation of the student record in the dominant language of the parent, or
 - (2) assist the parent in securing an interpreter.

3. Parental Consent

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

4. Without Parental Consent

- A. No person or agent shall be permitted access to student records without written parental consent or under judicial order, except that access to those particular records relevant to the legitimate educational interests of the requester shall be permitted to the following:
 - (1) Officials and employees of other public schools or school districts, including local, county, or state correctional facilities where educational programs leading to high school graduation are provided, where the student intends to or is directed to enroll. The authority of the district or school to transfer education records to a student's new school continues after actual enrollment so long as the disclosure is in connection with the student's enrollment. This ensures that a school may supplement, update, or correct records sent during the student's application or transfer period. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Students

Student Records; Confidentiality

Access to Student Records

4. Without Parental Consent (continued)

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

Students

Student Records; Confidentiality

Access to Student Records (continued)

4. Without Parental Consent (continued)

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

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

Such disclosure is subject to the following FERPA requirements:

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

Students

Student Records; Confidentiality

Access to Student Records (continued)

4. Without Parental Consent (continued)

- The school must have a written agreement with the receiving organization that:
 - Specifies the purpose, scope, and duration of the study or studies and the information to be disclosed.
 - Requires the organization to use the information from education records only to meet the purpose or purposes of the study stated in the agreement.
 - Requires the organization to conduct the study in a manner that does not permit personal identification of parents and students by anyone other than representatives of the organization with legitimate interests.
 - Requires the organization to destroy or return all personally identifiable information when no longer needed for purposes of the study.
 - Specifies the time period in which the information must be returned or destroyed.

(5) Officials and employees of private schools or school districts where the student is enrolled or intends to enroll subject to the rights of parents by law.

- C. No person, persons, agency, or organization permitted access to student records pursuant to this regulation shall permit access to any information obtained from such records by any other person, persons, agency or organization without the written consent of the student's parent; provided, however, that this paragraph shall not be construed to require prior parental consent when information obtained pursuant to this regulation is shared with other persons within the district so long as such persons have an equal legitimate interest in the information.

Students

Student Records; Confidentiality

Access to Student Records (continued)

4. Without Parental Consent (continued)

- D. Education records may be released without consent if all personally identifiable information has been removed. The district must reach a "reasonable determination" that a student's identity is not personally identifiable because of unique patterns of information about that student, whether through single or multiple releases, taking into account other reasonably available information. Also, de-identified student level data may be released for the purpose of educational research by attaching a code to each record. It may be necessary to look to local news, events, and media coverage in the "school community" in determining, in a highly publicized incident, whether other information would make a particular record personally identifiable even if all direct identifiers have been removed.

5. Court Order

- A. Information concerning a student shall be furnished in compliance with a court order.
 - (1) Unless otherwise judicially instructed, the custodian shall, prior to the disclosure of any student's records pursuant to a court order, give the parent and the student three days notice, if lawfully possible, within the requirements of the judicial order, of the name of the requesting agency and the specific records requested. Such notice shall be in writing if possible.
 - (2) Only those records related to the specific purpose of the court order shall be disclosed.
- B. The service of a subpoena upon a district employee or official solely for the purpose of causing the employee to produce a school record pertaining to any student may be complied with by such employee, in lieu of personal appearance as witness in the proceeding, by submitting to the court, or other agency issuing the subpoena, at the time and place required by the subpoena, a copy of such record, accompanied by an affidavit certifying that such copy is a true copy of the original record on file in the school or school office. The copy of the record shall be in the form of a photograph, microfilm, micro card, or miniature photograph or other photographic copy or reproduction or an enlargement thereof.

Students

Student Records; Confidentiality

Access to Student Records (continued)

5. Court Order (continued)

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

If it is determined, per the federal regulations, that a third party improperly redisclosed personally identifiable information from education records in violation of 599.33(a), the district may not allow that third party access to personally identifiable information from education records for at least five years.

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

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

7. Disclosure of Information in Health and Safety Emergencies

- A. The district may include in the education records of a student appropriate information concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well being of that student, other students, or other members of the school community.
- B. Such appropriate information concerning disciplinary action may be disclosed to teachers and school officials in the district who have been determined to have legitimate educational interests in the behavior of the student. This must be strictly construed.

Students

Student Records; Confidentiality

Access to Student Records (continued)

7. Disclosure of Information in Health and Safety Emergencies (continued)

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

8. Redisclosure of Educational Records

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

Students

Student Records; Confidentiality

Access to Student Records (continued)

9. Criteria

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

Challenging Contents of Records

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

Students

Student Records; Confidentiality

Challenging Contents of Records (continued)

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

Students

Student Records; Confidentiality

Challenging Contents of Records (continued)

2. Hearing Panel
 - A. Either the Superintendent of Schools or the Board of Education may convene a hearing panel composed of the following persons, provided the parent has given written consent to release information from the relevant student's records to the members of the panel so convened, to assist in making determinations;
 - (1) The principal of a public school other than the one at which the record is on file.
 - (2) A certified employee appointed by the parent or guardian.
 - (3) A parent appointed by the Superintendent or by the Board of Education, depending upon who convenes the panel.
 - B. The persons appointed pursuant to the above paragraph, if possible, shall not be acquainted with the student, his/her parent or guardian, or the certified employee who recorded the information, except when the parent or guardian appoints the person pursuant to paragraph a (2) above.
 - C. The Principal appointed to the hearing panel shall serve as Chairperson.
 - D. The hearing panel shall, in closed session, hear the objections to the information of the parent and the testimony of the certified employee who recorded the information in question, if any, and if such employee is currently employed by the school system.
 - (1) The hearing panel shall be provided with verbatim copies of the information which is the subject of the controversy.
 - (2) Written findings shall be made setting forth the facts and decisions of the panel, and such findings shall be forwarded to the Superintendent or the Board of Education, depending upon who convened the panel.
 - E. The proceedings of the hearing shall not be disclosed or discussed by panel members except in their official capacities.
3. Whenever there is included in any student record information concerning any disciplinary action taken by school system personnel in connection with the student, the student's parent or guardian may include in such student's record a written statement or response concerning the disciplinary action.

Students

Student Records; Confidentiality

Challenging Contents of Records (continued)

Directory Information

1. The following student information is declared to be directory information:
 - A. Name
 - B. Address
 - C. Telephone number
 - D. Date and place of birth
 - E. Participation in officially recognized activities
 - F. Weight and height of members of athletic teams
 - G. Dates of attendance
 - H. E-mail address
 - I. Parent's name/e-mail address
 - J. Degrees and awards received
 - K. Most recent previous public or private school attended by the student
2. Directory information may be released to the following:
 - A. Federal, state and local governmental agencies
 - B. Representatives of the news media, including but not limited to newspapers, magazines and radio and television stations

Students**Student Records; Confidentiality****Challenging Contents of Records (continued)****Directory Information (continued)**

C. Nonprofit youth organizations

3. No information may be released to a private profit-making entity and representatives of the news media.
4. The names and addresses of students enrolled in grade 12 or who have terminated enrollment prior to graduation may be provided, in accordance with the terms of the law, to a private school or college cooperating under state law.
5. Notice shall be given annually of the categories of information which the school district plans to release and of the recipients.
 - A. The school shall allow a reasonable period of time after such notice has been given for a parent or guardian to inform the custodian of student records that any or all of the information designated should not be released without the parent's or guardian's prior consent.
 - B. No directory information shall be released regarding any student when a parent or guardian has notified the school that such information shall not be released.
6. Disclosure of directory information on former students is permitted without providing notice or additional opt-out opportunities. A former student's opt-out provided while he/she was a student in the district must continue to be honored unless specifically rescinded by the former student.

Students

Student Records; Confidentiality

Challenging Contents of Records (continued)

Directory Information (continued)

9. Opt-out from directory information does not prevent a school from identifying a student by name or from disclosing an electronic identifier or instructional e-mail address in the classroom. A student does not have the right to remain anonymous in class and an opt-out may not be used to impede routine classroom communications and interactions, whether the class is held in a specified physical location or online through electronic communications.

Access Log

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

Fee for Reproducing Records

1. A fee based upon the actual cost of reproduction, handling and postage (if any) shall be charged for furnishing copies of any student record.
2. The custodian of student records annually shall recommend a fee schedule for approval by the Board of Education.

Students

Student Records; Confidentiality

Challenging Contents of Records (continued)

Fee for Reproducing Records (continued)

3. No fee shall
 - A. effectively prevent the parents or guardians from exercising their right to inspect and review student records.
 - B. be charged for searching or retrieving a student's record.
 - C. be made for furnishing
 - (1) up to two transcripts of former student's records.
 - (2) up to two verifications of various records of former students.

Transfer of Student Records

1. Whenever a student transfers to another Connecticut public school district or to a charter school, the following student records shall be forwarded upon written notification of the student's enrollment from the other district:
 - A. The student's Mandatory Permanent Student Record or a copy thereof. The original or a copy shall be retained by this district.
 - B. The student's entire Mandatory Interim Student Record.
2. The student's records shall be transferred to the new school district or charter school no later than 10 days after receipt of such notification.
3. Whenever a student transfers to a school district in another state or to a private school, the district shall transfer the student's Mandatory Permanent Student Record upon receipt of a written request.
4. Permitted student records may be forwarded.
5. Student records shall not be withheld from the requesting district because of any charges or fees owed by the student or the student's parents or guardian.
6. All student records shall be updated prior to transfer.

Students

Student Records; Confidentiality

Transfer of Student Records (continued)

7. Parent Notification
 - A. If a student's parent or guardian did not give authorization for the transfer of such records, the district shall send notification of the transfer to the parent/guardian at the same time it transfers the records.
 - B. If the transfer is a within-state transfer, the receiving school shall notify the parents of the record transfer.
 - C. If the student transfers out of state, the custodian of student records shall notify the parents or guardian at their last known address of the rights accorded them. (34 C.F.R. 99.34 disclosure to other agencies or institutions)
 - D. The notification shall include a statement of the parent's or guardian's right to review, challenge, and receive a copy of the student record, if desired.

Retention and Destruction of Student Records

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

Students

Student Records; Confidentiality

Subpoenaed Records

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

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

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

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

Notification of Parents

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

Students

Student Records; Confidentiality

Notification of Parents (continued)

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

Students

Student Records; Confidentiality

Issue/Practice of Peer Grading

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

Legal Reference: Connecticut General Statutes

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

7-109 Destruction of documents.

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

10-94i Rights and liabilities of surrogate parents.

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

10-209 Records not to be public.

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

11-8a Retention, destruction and transfer of documents

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

46b-56(e) Access to records of minors.

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

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

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

PL 107-110 “No Child Left Behind Act of 2001,” Sections 4155, 5208, and 9528

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

Orange Public Schools
Orange, Connecticut

Dear Parent or Student:

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. They are:

1. The right to inspect and review the student's education records within 45 days of the day the District receives a request for access.

Parents or eligible students should submit to the school principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The principal/school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate.

Parents or eligible students may ask the District to amend a record that they believe is inaccurate. They should write the school principal or appropriate school official, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

If the District decides not to amend the record as requested by the parent or eligible student, the District will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant or therapist); a parent of student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his/her professional responsibility.

SAMPLE NOTIFICATION OF RIGHTS UNDER FERPA
ORANGE PUBLIC SCHOOLS
Orange, Connecticut

Contractors, consultants, volunteers, and other parties to whom a school has out sourced services or functions are considered "school officials" who may have access to student records, without consent, subject to following conditions:

- The party is under the direct control of the school.
- The party is subject to the same conditions governing the use and redisclosure of education records applicable to other school officials.
- The contractor must ensure that only individuals with legitimate educational interests, as determined by the district or school, obtain access to the education records. The contractor may not redisclosure personally identifiable information without consent unless the District or school has authorized the redisclosure under a FERPA exception and the district or school records the subsequent disclosure.

Upon request, the District will disclose a student's education record without consent to officials of another school district or charter school in which the student seeks or intends to enroll. (Note: FERPA requires a school district to make a reasonable attempt to notify the student of the records request unless it states in its annual notification that it intends to forward records on request.)

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue
SW Washington DC 20202-4605

5. The District has determined that the following information regarding the District's students is not harmful or an invasion of privacy, and therefore will release this information without first obtaining parental consent. If a parent, guardian, person acting as a student's parent in the absence of a parent or guardian, or the student (if 18 or older), does not want the District to release the information listed below, they must notify the District in writing within two weeks of receiving this notice of the information they do not want released.

SAMPLE NOTIFICATION OF RIGHTS UNDER FERPA

ORANGE PUBLIC SCHOOLS
Orange, Connecticut

The following information may be released without obtaining parental consent:

Student's name, parent's name, address, telephone number, electronic mail address, date and place of birth, grade level, major field of study, enrollment status (full-time or part-time), participation in officially recognized activities and sports including audiovisual or photographic records of the openly visible, activities thereof (e.g. artistic performances sporting contests, assemblies, service projects, awards ceremonies, etc.), weight and height of members of athletic teams, dates of attendance, degrees, honors and awards received, most recent previous school attended and photographs of regular school activities that do not disclose specific academic information about the child and/or would not be considered harmful or an invasion of privacy.

6. Pursuant to federal law, military recruiters and institutions of higher learning may request and receive the names, addresses and telephone numbers of all high school students, unless their parents or guardians notify the school not to release this information. Please notify the District in writing if you do not want this information released.
7. Pursuant to a court issued "ex parte" order, personally identifiable information in the student's records may be released to the Attorney General of the United States or his/her designee in response an "ex parte" order issued in connection with the investigation or persecution of terrorism crimes.
8. Schools may release information received under a community notification program concerning a student who is required to register as a sex offender in the State, with consent.

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

Orange Public Schools
Orange, Connecticut

TO: _____
Parent - Student

Address

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

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

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

DATED: _____

**APPLICATION TO REVIEW STUDENT'S RECORDS
AND CONSENT THERETO BY PARENT OR STUDENT**

Orange Public Schools
Orange, Connecticut

I, _____

have hereby requested access to _____

records for the following reasons:

Said records will not be made available to any other person or persons without the specific
written consent of (Parent-Student) _____

DATED: _____

CONSENT

I hereby consent that _____
have access to my child's (to my) records with the understanding that such records will not be
released by him/her to other persons without my further consent.

DATED: _____

**APPLICATION TO REVIEW STUDENT'S RECORDS
BY PARTIES ENTITLED THERETO
WITHOUT CONSENT BY PARENT OR STUDENT**

Orange Public Schools
Orange, Connecticut

I, _____

have hereby requested access to _____

records for the following reasons:

Said records will not be made available to any other person or persons without the specific written

consent of (Parent-Student) _____

DATED: _____

5125.2P

Students

Photographing of Students

Class Pictures

Group and individual pictures of students will be allowed. The P.T.A. of each school may sponsor such a project under the direction of the school administration. The P.T.A. will carry the major responsibility for planning and implementing the process.

The use of classroom time to be devoted to the project shall be kept to a minimum. No pressure will be exerted on students to purchase either the group pictures or individual prints.

Policy adopted:
9/9/85

Students

Promotion Procedures and Ceremonies

In keeping with good taste and using appropriate discretion the sixth grade class may plan, with the assistance of their teachers and parents, a celebration in recognition of their passage into junior high school.

Plans must be approved by the principal and may be a separate intraschool or interschool activity, as each particular class desires. Certificates of recognition will be awarded such as: Presidential Academic Award, Presidential Physical Fitness Award, Art, Music, Foreign Language, School Services (Flag Bearer, Bus Monitor, Safety Patrol, Library Helpers, Technology Helpers, Tutors) Awards, Certificate of Promotion, Contest Winners- Spelling, Math, and Geography.

The ceremony will be held on the last day of school and will be held during the school day.

Policy Revised:
/2002

Students

Conduct at School and Activities

Areas of Responsibility for Student Conduct and School Discipline

Although the ultimate goal of all student discipline is cultivation, or development of appropriate self discipline in each student, direct staff responsibilities in pursuit of that goal include:

1. **Certified staff.** Teachers, administrators, and other certified staff are responsible for the proper conduct and control of students while they are under the supervision and jurisdiction of the particular school and the school district.
2. **Principal.** Principals may implement necessary procedures and school rules and regulations on student behavior consistent with Board of Education policies. Principals may involve representatives from school personnel, students, parents, and citizens of the community in developing standards, specific rules and regulations, and procedures for student conduct at school and in out of school activities.
3. **Teachers.** Teachers are responsible for proper and adequate control of students and for student instruction on rules and regulations of proper conduct. Teacher responsibility and authority extends to all students of the school district under the assigned supervision of the teacher and to other students with whom the teacher comes into contact throughout his or her work day.
4. **Support Staff.** Instructional and other aides, custodians, secretaries and clerks, cafeteria employees, bus drivers, and other non-certified staff are responsible for appropriate reporting of inappropriate student behavior and actions to teachers and administrators and for intervention and necessary action in the absence of certified staff to preserve personal safety of other students, staff, and to safeguard school district property.
5. **Parents.** Parents are expected to cooperate with and to support school authorities on the behavior and discipline of their children. Parents shall be held responsible for willful misbehavior of their children and for any destructive acts on school property.

Student Behavior

Students shall be properly instructed in rules and regulations of acceptable conduct and are responsible for understanding and complying with school and school district standards of behavior. Any student who fails to comply with these rules and regulations concerning student behavior is liable to suspension, exclusion, or expulsion.

Suspension of IDEA Students

Notwithstanding the foregoing, if the administration suspends a student identified as eligible for services under the IDEA, as reauthorized in 2004, an IDEA student who has engaged in conduct that violated any school rule or code of conduct of the school district that applies to all students, the following procedures shall apply:

1. The administration shall, not later than the date on which the decision to take disciplinary action is made, notify the parents of the student of the decision to suspend, 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.

Students

Conduct at School and Activities (continued)

Publication to Parents/Guardians of Behavior Code

The Superintendent of Schools shall, at the beginning of each school year, notify parents/guardians of district policies, and regulations on student discipline and shall insure that Principals in each school communicate these policies and regulations to students at the beginning of each school year — and to transfer students at the time of their enrollment in the school.

(cf. 5114 Suspension/Expulsion/Exclusion/Removal)

(cf. 5131.5 Vandalism)

Legal Reference: Connecticut General Statutes

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

Policy revised:
/2002, 1/26/06

Orange Public Schools
Orange, Connecticut

Students

Bus Conduct

The following list of rules are to be observed by all students riding school buses and are to be strictly enforced by all bus drivers:

1. The driver is in complete charge of the bus and the children being transported. The driver may make changes in seating, arrange for discipline as it is required, and may take all reasonable steps to ensure the safety of his/her bus and its passengers.
2. Students must remain seated at all times while the bus is in motion. Students may leave their seats only when the bus is stopped and directed by the driver or stopped at their destination.
3. No student shall leave the bus without permission from the driver or school authorities except at the student's regular bus stop or at the school.
4. Conduct on the buses will be like classroom conduct except that reasonable conversation is permissible. Inappropriate behavior of any form or manner is not permissible.
5. Drivers will report any misconduct on their bus and any disciplinary action they may take to the Principal of the school.
6. Students who refuse to comply with regulations will be advised that they may be suspended from transportation services under the conditions set forth in the Suspension/Expulsion policy and regulation at 5114/5114.1 of this manual.
7. Students who damage or deface bus or equipment on the bus will be held liable for such damage.
8. Conversation with the driver while the bus is in motion is not permitted except to call the driver's attention to any inappropriate behavior or conduct that might jeopardize the safety of one of its riders.
9. Students must not, at any time, extend their arms or heads out of a bus window.
10. The use of tobacco, drugs or any controlled substance in any form on a school bus is prohibited by state law.
11. No indecent or profane language will be permitted, and there will be no loud or disturbing talking.
12. Bus windows shall not be opened without the driver's permission.

Students

Bus Conduct (continued)

13. Upon entering or leaving a school bus, students will avoid crowding or disturbing others. Students boarding a bus at a point where others debark from it will always stand back away from the door and let those who are getting off out before they attempt to Board the bus.
14. Students must not throw any articles away in or about the bus.
15. The bus must be kept clean, and students must cooperate in this by not leaving waste paper or trash of any kind that will clutter up the bus.

Legal Reference: Connecticut General Statutes
10-220 Duties of Boards of Education
10-221 Boards of education to prescribe rules
10-233c Suspension of students

New Regulation approved:
/2002

Students

Bus Conduct

School transportation is a student privilege conditional upon satisfactory behavior on buses and at bus stops.

Students will be advised that, while awaiting or receiving transportation to and from school, they may be suspended from transportation services for unsatisfactory conduct, which endangers persons or property or violates a Board policy or administrative regulation. Principals shall follow procedures in Policy 5114 Suspension/Expulsion/Exclusion/Removal when suspending student bus privileges.

(cf. 5114 Suspension/Expulsion/Exclusion/Removal)
(cf. 5131.5 Vandalism)

Legal Reference: Connecticut General Statutes

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

10-220 Duties of boards of education.

10-221 boards of education to prescribe rules.

10-233c Suspension of students.

New Policy Adopted
/2002

Students

Vandalism

The parent or guardian of any minor/unemancipated child who willfully cuts, defaces, or otherwise damages, in any way, any property, real or personal, belonging to the school district shall be held monetarily liable for such damages up to the maximum amount allowed under state law. Injury shall include intentional unauthorized modifications made to computer hardware and/or software.

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

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

(cf. - 6161.2 Guidelines for Care of Instructional Materials)

Legal Reference: Connecticut General Statutes

10-221 Boards of Education to prescribe rules. (re sanctions that may be imposed by a Board against students who damage or fail to return textbooks, library materials, or other educational materials)

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

Policy revised:
/2002

5131.6P

Students

Drugs and Alcohol/Tobacco

Drug and Alcohol Free Schools

Pursuant to the goal of the Board of Education to maintain a drug and alcohol free school district, schools shall take positive action through education, counseling, parental involvement, and medical and police referral in handling incidents in the schools involving possession, sale, and/or use of behavior affecting substances. These substances shall include but not be limited to alcohol and controlled substances as defined in the Penal Code of the State of Connecticut. (cf. 6164.11 Drugs/Alcohol and Tobacco)

Personal privacy rights of students shall be protected as provided by law. School properties may be inspected by school authorities to maintain health and safety. Searches to locate drugs, narcotics, liquor, weapons, poisons, and missing properties are matters relating to health and safety and may be regarded as reasonable grounds for searches by school personnel. (cf. 5145.12 Search and Seizure)

Use, possession, sale or distribution of drugs, drug paraphernalia and/or alcoholic beverages is prohibited at any time on school premises or at any school-sponsored activity. If a student is under the influence of a drug or alcohol, or engaged in the illegal activity of possessing or selling drugs and/or alcohol, his/her parent(s) will be contacted, he/she will be suspended from school (in accordance with policy 5114), referred to the appropriate treatment agency, and possibly considered for expulsion. In cases of the illegal activity of possessing or selling drugs or alcohol, students will be referred to the appropriate law enforcement authorities.

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

1. Principals will include statements, appropriate to student maturity, in school handbooks to the effect that:
 - a. the unlawful manufacture, distribution, dispensing, possession or use of controlled substances, other illegal drugs or alcohol is prohibited in the workplace and at school sponsored activities;
 - b. that compliance with the standards of conduct stated in the handbook is mandatory;
 - c. that a violation of its provisions will subject students to disciplinary action up to and including expulsion and referral for prosecution.
2. Students who violate this policy will be subject to disciplinary action which may include, but is not limited to, suspension or expulsion, and/or enrollment in and successful completion of an appropriate substance abuse rehabilitation program. Members of the administrative staff shall report any suspected violation of the standards of conduct directly to the Principal or designee who will immediately investigate the allegation and meet with the alleged violator. Any disciplinary actions imposed will insure that similar violations will be treated consistently.

Students

Drugs and Alcohol/Tobacco (continued)

Drug and Alcohol Free Schools (continued)

- a. Privileged communication between a professional employee and a student concerning drug abuse shall remain confidential between student and professional.
 - b. If a professional employee suspects student drug abuse, the employee shall refer the matter to the administration for evaluation. If there is evidence the student needs treatment, a program suited to the individual's needs will be recommended.
 - c. If a professional employee obtains suspected physical evidence of drugs from a student in or on school property or at a school-sponsored event, the employee shall submit such evidence to the school Principal or designee. If the drug is suspected of being illicit, the Principal will turn the substance over to law enforcement personnel. Student and employee confidentiality shall be maintained at this point in the process.
 - d. Following arrest and while awaiting trial for possession of, or possession of with intent to sell drugs in or on school property or at a school-sponsored event, the student may be allowed to attend school in the discretion of the Superintendent of Schools.
3. The Superintendent of Schools shall direct a drug free awareness program for students on:
- a. dangers of drug abuse;
 - b. Board of Education's policy of maintaining drug free schools;
 - c. availability of drug counseling and rehabilitation programs;
 - d. penalties for drug abuse violations in schools.

Smoke-Free Environment

Students

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

Students

Drugs, Tobacco, Alcohol

DEFINITIONS

1. Controlled Drugs: Controlled drugs as defined in Section 21a-240 of the Connecticut General Statutes are generally those which contain any quantity of a substance which has been designated as subject to federal narcotics laws, or which has been designated as a depressant or stimulant drug pursuant to federal drug laws, or which has been designated by the public health council and commissioner of consumer protection pursuant to section 21a-243 of the Connecticut General Statutes as having a stimulant, depressant or hallucinogenic effect upon higher function of the central nervous system and as having a tendency to promote abuse and/or psychological dependence. (Hereinafter commonly referred to as "drugs".)
2. Controlled Substances are defined in Section 21a-240 of the Connecticut General Statutes. (Hereinafter commonly referred to as "drugs".)
3. Drug Paraphernalia: Any object or device used, intended for use, or designed for use in ingesting, inhaling, injecting, or otherwise introducing controlled or restricted substances into the human body (i.e. bongs, pipes, roach clips, miniature cocaine spoons, crack vials, tobacco rolling papers) or any object or container used, intended for use, or designated for use in storing, concealing, or distributing controlled substances.
4. Drug Abuse: May consist of any of the following:
 - 1) Illicit Experimentation-illegal trial use of drugs.
 - 2) Misuse- improper use of medication or use in excess of recommended dosage.
 - 3) Abuse- repeated excessive, illegal, nonprescription use of drugs, short of dependence.
 - 4) Dependence-a state of physical or psychic dependence, or both, upon a drug following administration of that drug on a repeated periodic or continuous basis.

For the purposes of this policy, drug abuse is the illegal possession, sale, or use of drugs on school property or at a school sponsored activity by students or others. Drug abuse as defined above will be reason for disciplinary sanctions designed to stop or interrupt the continuance of abuse, to help the offender, and to protect others in the school community.

5. Alcohol Abuse for the purposes of this policy shall mean being under the influence or the possession, sale, or use of alcohol by students on school property or at a school sponsored activity.
6. Professional Communication: "Any communication made privately and in confidence by a student to a professional employee of such student's school in the course of the latter's employment. " (C.G.S. Sec. 10-154a (a) (4)).
7. Professional Employee: A person employed by a school who:
 - A. holds a certificate from the state board of education,
 - B. is a member of the faculty where certification is not required,
 - C. is an administration officer of the school, or
 - D. is a registered nurse employed by or assigned to a school (C.G.S. Sec. 10-154a(a)(2)).

Drugs, Tobacco, Alcohol (continued)

Alcohol and Drug Abuse Regulations and Procedures

A student who on school grounds, during a school session, or anywhere at a school sponsored activity is under the influence of or possesses, uses, dispenses, sells or aids in the procurement of drugs or controlled substances or alcohol shall be subject to discipline pursuant to procedures outlined below.

I. Emergencies- Alcohol and Drug Abuse by students, when known, should be brought to the attention of the school

administrators.

A. Some incidents should involve immediate notification of school health officials by the administration.

In the absence of the family physician, the school physician should assume the responsibility. If the latter is not immediately available, the nurse should summon an ambulance and remove the student to the hospital listed on the student's emergency form.

B. The Parents (or guardians) must be notified by the administration if it seems to be in the best interests of the student and the student body to do so.

II. Prescribed Medications:

The parents or guardians of any student who is required to take prescribed medication during the school day shall so inform the school nurse or the person designated to act in the absence of the nurse. Such prescribed medication will then be administered to the student under the supervision of the school nurse or, in his/her absence, the principal or the designee. (See policy # 5121.21.)

Students taking improper amounts of prescribed medication or possessing or taking the prescribed medication without proper notification and supervision of the school nurse or designee may be subject to the procedures for drug use outlined in (IV) below.

III. Disclosure of Drug, Alcohol or Substance Abuse

A. Voluntary Disclosure (Self Referral)

These procedures will be followed when a student privately and in confidence discloses to a professional employee his/her use, possession, or sale of a drug, controlled substance or alcohol, of which the professional employee had not otherwise become aware.

1. A staff member who is informed of a drug, alcohol, or substance abuse problem may, at the insistence of the student, maintain the confidence within the limits of his/her professional code of ethics and in consistency with the laws of confidentiality. The staff member must, however, make every effort to guide the student to the kind of help he/she needs.
2. A professional employee who obtains physical evidence in the form of alcohol, drugs, or illegal substances voluntarily surrendered by a student must turn the evidence over to the school principal

Drugs, Tobacco, Alcohol(continued)

immediately. The professional employee is not required to disclose the name of the student from whom the evidence was obtained. The principal will, within three days of receipt, surrender these items to the appropriate authorities.

3. A staff member may, without disclosing the name of the student, obtain advice and information on the resources available to the student and refer the student to appropriate local resources.
- 4) If the student will allow disclosure of the drug, alcohol, or substance problem, the staff member will report to the building principal, student study team, or other designee.

B. Involuntary Disclosure of Drug/Alcohol Problems

When information relative to drug, alcohol, or substance abuse is brought to the attention of the school staff member or obtained through routine school activity, such information is considered as obtained through involuntary disclosure and matters of confidentiality do not apply.

If a staff member has knowledge of an alcohol, drug, or substance abuse problem:

1. The staff member will report the information immediately to the building principal or his/her designee.
2. Staff members who obtain physical evidence in the form of alcohol or drugs from a student are required to turn the evidence over to the school principal immediately. The professional employee must disclose the name of the student from whom the evidence was obtained.

Search of students' lockers, desks, or other depositories is covered by Board of Education policy. Under the rules of the Board of Education, as authorized by Section 10-221 of the General Statutes for the maintenance of discipline in the school, an authorized school administrator may search a student's locker or desk under three conditions:

- a. the probable presence of contraband materials poses a serious threat to the maintenance of discipline and order in the school; and
- b. there is reason to believe that one or more student's have contraband materials in desks or lockers; and
- c. the students have been informed in advance that, under school board regulations, desks and lockers may be inspected if the administration has reason to suspect that materials injurious to the best interests of the school and its students are kept on school property.

Any drugs or alcoholic beverages surrendered by a student or obtained through a search of lockers or desks are to be turned over to the principal. The principal will, within three days of its receipt, surrender the drugs or alcohol to appropriate law enforcement officials.

Students found in possession and/ or use of drugs or alcoholic beverages in school or on school property or at a school sponsored activity shall be subject to arrest. The building principal or designee will attempt to

Drug, Alcohol, and Tobacco (continued)

contact the parent or guardian and inform them of the situation. In the event of questioning by the police, the student's right to remain silent or to speak through an attorney will not be abridged.

The principal or designee shall make every effort to remain with the student in the presence of the law enforcement official.

IV. Consequences or Sanctions re Use, Sale, or Possession of Drugs or Alcohol:

Any student in the Orange School System using, possessing, distributing or selling drugs, alcohol or drug paraphernalia on school property, during a school day, or at a school-sponsored activity shall automatically be subject to the following actions:

A. First Violation

Any student found to be in violation of this policy for the first time during his/her enrollment in the Orange schools will be referred by the building administrator to an appropriate agency licensed to assess and treat drug/alcohol involved individuals. In cases of possession, law enforcement officials will be notified. The violator will also be subject to the following procedures:

1. If a student voluntarily agrees to be assessed by a licensed drug/alcohol agency in coordination with the school's child study team, a structured five day in school suspension may be waived. Completion of a prescribed program involves:
 - a. written verification of program completion signed by the treatment agency; and
 - b. the scheduling of a meeting with the school's child study team, the school administrator, student and parents or guardians to discuss the school's drug and alcohol policy and aftercare programs.
2. If the student does not agree to be assessed and participate in an agency program or agrees and then fails to complete the program prescribed by the agency in coordination with the school's child study team, he/she will receive a structured five day in school suspension. During the five day suspension, the student will be required to complete his/her daily class work in addition to attending a daily session of one or more of the following alternatives for assistance:
 - a. In-school counseling;
 - b. An alcohol and other drug abuse group being held on school property; or
 - c. A combination of the above.

IF A STUDENT SELLS OR DISTRIBUTES DRUGS OR CONTROLLED SUBSTANCES POLICY # 5114 WILL PREVAIL.

Drugs, Alcohol, and Tobacco (continued)

B. Second Violation

The law enforcement agency will be notified of all second violations involving possession of drugs or alcohol. Any student found in violation of this policy for the second time during his/her enrollment in the Orange schools will be subject to the following procedures:

1. If the student voluntarily agrees to be assessed by a licensed drug/alcohol agency and completes the program prescribed by the agency in coordination with the school's child study team, a 10 day structured in school suspension may be waived. Completion of the prescribed program involves the following:
 - a. Written verification of program completion signed by the treatment agency;
 - b. The scheduling of a meeting with the school's child study team, school administrator, student and parent/ guardian to discuss the school's drug and alcohol policy and after care programs; and
 - c. The student and parents/guardians will be notified in writing that future violations of the school's drug and alcohol policy will subject the student to expulsion.
2. If the student does not agree to be assessed and participate in an agency program or agrees and then fails to complete the program prescribed by the agency in coordination with the school's child study team, s/he will receive a structured 10 day in-school suspension. During the 10 day suspension, the student will be required to complete his/her daily classwork in addition to attending a daily session of one or more of the following alternatives for assistance:
 - a. In-school counseling;
 - b. An alcohol and other drug abuse group being held on the school property; or
 - c. A combination of the above.

In addition, a meeting with the school's child study team, a school administrator, student and parents/guardians will be scheduled to discuss the school's drug and alcohol policy. Written notification will be sent to the student and parents or guardians that future violation of the school's drug and alcohol policy will subject the student to expulsion.

IF A STUDENT SELLS OR DISTRIBUTES DRUGS OR CONTROLLED SUBSTANCES POLICY # 5114 WILL PREVAIL

C. Third Violation

The police will be notified immediately and it will be recommended by the superintendent to the Board of Education that the student be expelled from the Orange Schools pursuant to Section 10-233d(a)-(e) of the Connecticut General Statutes.

School personnel are forbidden to act in a law enforcement capacity. All individuals suspected of drug or alcohol distribution on school property or at a school sponsored activity must be reported to the school principal who, after determining that distribution has occurred, will call law enforcement officials.

No statement of any type should be released by any member of the staff to the news media. Such releases are an administrative function.

V. Consequences or Sanctions re: use of Tobacco

Drugs, Alcohol, and Tobacco (continued)

Smoking is prohibited by law by students under the age of 16. Smoking by students is prohibited in the school building or on school grounds during school hours or during school sponsored activities. If students are found smoking in the school building or on the school grounds disciplinary actions will be as follows:

1. Parents will be notified;
2. Consequences will be applied in accordance with rules developed by the principal and the staff. These may include in-school or out of school suspensions when deemed appropriate.

Drugs, Alcohol, and Tobacco (continued)
5131.6(d)

VI. Instruction

The professional staff shall become more aware of drug, alcohol, tobacco and other substance abuse problems and become more expert in recognition of the symptoms of such use. Annually, teachers in each grade shall emphasize the effect of alcohol, nicotine, tobacco, and drugs on health, character, and personality development wherever appropriate in the health education program and such other contexts which touch the subject.

It is desired that the administration make use of in-service training sessions for all staff in order to achieve the goals of this policy and regulations, and that full cooperation with community agencies be given wherever such cooperation can work to the advantage of the student.

Legal Reference:

Connecticut General Statutes

10-16b	Prescribed courses of study
10-19	Effect of alcohol, nicotine or tobacco and drugs to be taught. Training of personnel. Study of prevention program. Report of findings and recommendations.
10-154a	Professional communications between teacher or nurse and student. Surrender of physical evidence obtained from students.
10-221	Boards of Education to prescribe rules
10-223d	Expulsion of students. Hearing format age limitation for the provision of an alternative educational opportunity; exceptions.
21a-240 (8)	Definition of a "Controlled Drug".
21a-240(9)	Definition of "Controlled Substance"
21-242a	Schedules of controlled substances
10-221d	Board of Education to prescribe rules.

Regulation approved: September 10, 1990

Students

Weapons and Dangerous Instruments

Students shall not possess firearms, facsimiles of firearms, weapons, or dangerous instruments of any kind on school grounds or buildings, not on school buses, nor on any school-related or school-sponsored activity away from school facilities. Firearms, weapons, and dangerous instruments shall include those defined by law. (18 U.S.C. 921, C.G.S 53a-3, and 53-202 to 53-206, and 29-35).

Possession of or bringing such weapons or devices on school grounds or other areas under the control of the Board of Education may also be a violation of criminal law, and therefore any violation of this policy shall be reported immediately to the local law enforcement agency, the Board of Education, and, if possible, the parent or guardian. Students who violate this policy shall be subject to appropriate disciplinary action as well as possible court action. A student's conduct off school grounds that is seriously disruptive of the educational process or violative of the Board's publicized policies may also be grounds for expulsion. A student found to be in possession of a firearm or dangerous weapon, as defined by law, shall be subject to an expulsion of one calendar year. The expulsion period may be modified on a case by case basis.

Any dangerous device or weapon may be seized by an employee of the school system under the power granted to the Board of Education to maintain order and discipline in the schools, and to protect the safety of students, staff and the public.

Every employee seizing any weapon or dangerous instrument under the provisions of this policy shall report the incident to the building principal immediately, and deliver the seized device to the principal, together with the names of persons involved, witnesses, location and circumstances of the seizure.

If an employee knows or has reason to suspect that a student has possession of such a device but the device has not been seized, the employee shall report the matter to the principal immediately, and the principal shall take such action as is appropriate. The principal shall report all violations of this policy to the Superintendent or designee, and to the local law enforcement agency on approval of the Superintendent or designee.

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

- 1. Possession of a firearm, dangerous instrument, or dangerous weapon as defined by law:**
 - A. Referral to law enforcement agency
 - B. Recommendation to be expelled for one year
- 2. Possession of a facsimile of a firearm:**
 - A. 10-day suspension
 - B. Referral to law enforcement agency
 - C. Recommendation for expulsion hearing

Students

Weapons and Dangerous Instruments (continued)

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

3. **Possession and use of any instrument in a manner to inflict bodily harm or to intimidate or threaten:**
 - A. 10-day suspension
 - B. Referral to law enforcement agency
 - C. Recommendation for expulsion hearing
4. **Possession of any dangerous instrument will result in a suspension up to five days.**

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

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

(cf. 5145.12 - Search and Seizure)

Legal Reference: Connecticut General Statutes

10-221 Boards of education to prescribe rules.

10-233a through 10-233f - Expulsion as amended by PA 95-304

53a-3 Definitions.

53a-217b - Possession of firearms and deadly weapons on school grounds

53-206 Carrying and sale of dangerous weapons.

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

GOALS 2000: Educate America Act

18 U.S.C. 921 Definitions.

New Policy adopted:
/2002

Students

Out of School Misconduct

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

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

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

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

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

1. Use, possession, sale, or distribution of dangerous weapons; (as defined C.G.S. 53a-3, 53-206, and 29-35)
2. Use, possession, sale, or distribution of illegal drugs; or
3. Violent conduct,

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

Students

Out of School Misconduct (continued)

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

A student found to be in possession of a firearm or deadly weapon shall be expelled for one calendar year unless said expulsion is modified on an individual case basis.

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

Policy adopted:
8/10/98

5131.81(a)P

Students

Electronic Devices

Use of Beepers - Paging Devices/Cellular Telephones

Students shall not possess or use a laser pointer and attachments, unless under teacher supervision for instructional purposes, a remotely activated paging device or cellular mobile telephone while on school property, on school transportation or while attending a school sponsored activity on or off school property.

Disciplinary action may be taken against any student for using a cellular telephone, or other electronic device that is otherwise not banned by this policy, in any manner that disrupts the educational environment, including using the device to cheat, signal others, or otherwise violate student conduct rules. Unless otherwise banned under this policy, all electronic devices must be kept off and out of sight during the regular school day unless: (a) the supervising teacher grants permission, (b) use of the device is provided in a student's IEP, or (c) it is needed in an emergency that threatens the safety of students, staff or other individuals.

A "paging device" is defined as a telecommunications device that emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor. A "portable telephone" is defined as a cellular phone or comparable communication device that is not connected to a standard telephone outlet or permanent connector.

This section (pertaining to paging devices) does not apply in the following cases, provided that the Building Principal approves in advance of the presence of a telephone pager: a disabled student using portable pagers for medical reasons, visitors on school property for an authorized program, meeting or function, or a student who has the need due to the medical condition of an immediate family member.

5131.81(b)

Students

Electronic Devices

Use of Beepers - Paging Devices/Cellular Telephones (continued)

A person who discovers a student in possession of a laser pointer or a paging device, without the written permission of the Principal, or using a cellular mobile telephone during the regular school day, without the approval of the Principal shall report the violation to a school administrator who shall confiscate the device and contact the parent/guardian.

Legal Reference: Connecticut General Statutes

10-233j Student possession and use of telecommunications devices

PA 95-304 An Act Concerning School Safety

PA 96-108 An Act Concerning Student Use of Telecommunication Devices
and the Establishment of Graduation Dates

PA 99-256 An Act Concerning AAC Laser Pointers

(CF4118.12 – Use of Beeper – Paging Devices (Cellular Telephone)

Policy adopted: 3/05

Students

Hazing

Bullying

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

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

Definitions

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

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

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

Students

Hazing

Bullying

Definitions (continued)

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

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

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

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

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

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

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

Students

Hazing

Bullying (continued)

Examples of bullying include, but are not limited to:

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

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

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

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

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

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

Students

Hazing

Bullying (continued)

The District's program: *(Also outlined in the section pertaining to the "Safe School Climate Plan.")*

1. Requires the development and implementation of a safe school climate plan by the Board of Education to address the existence of bullying in its schools;
2. Permits anonymous reports of bullying by students to school employees and written reports of suspected bullying by parents or guardians;
3. Requires school employees who witness acts of bullying or receive reports of bullying to orally notify the safe school climate specialist or another school administrator if the safe school climate specialist is unavailable, not later than one school day after such school employee witnesses or receives a report of bullying, and to file a written report not later than two school days after making such an oral report;
4. Requires the safe school climate specialist to investigate or supervise the investigation of all reports of bullying and ensure that such investigation is completed promptly after receipt of any written report;
5. Requires the safe school climate specialist to review any anonymous reports, except that no disciplinary action shall be taken solely on the basis of an anonymous report;
6. Requires each school to have a prevention and intervention strategy, as defined by statute, as amended, for school employees to deal with bullying, including language about bullying in student codes of conduct and in all student handbooks;
7. Provides for the inclusion of language in student codes of conduct concerning bullying;
8. Requires each school to notify parents or guardians of all students involved in a verified act of bullying not later than forty-eight hours after the completion of the investigation. The notice shall be simultaneously mailed to the parent/guardian with whom the student primarily resides and to the other parent/guardian if requested. The notice must describe the school's response and any consequences that may result from further acts of bullying;

Students

Hazing

Bullying (continued)

9. Requires each school to invite the parents or guardians of a student who commits any verified act of bullying and the parents or guardians of the student against whom such act was directed, to a meeting to communicate to such parents or guardians the measures being taken by the school to ensure the safety of the student against whom such act was directed and to prevent further acts of bullying;
10. Establishes a procedure for each school to document and maintain records relating to reports and investigations of bullying in such school and make such list publicly available, and report such number to the Department of Education and in such manner as prescribed by the Commissioner of Education;
11. Requires the development of case-by-case interventions for addressing reported incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual that may include both counseling and discipline;
12. Prohibits discrimination and retaliation against an individual who reports or assists in the investigation of an act of bullying;
13. Requires the development of student safety support plans for students against whom an act of bullying was directed that addresses safety measures the school will take to protect such students against further acts of bullying;
14. Requires the principal of a school or the principal's designee, to notify the appropriate local law enforcement agency when such principal or the principal's designee believes that any acts of bullying constitute criminal conduct;
15. Prohibits bullying (A) on school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by a local or regional board of education, or through the use of an electronic device or an electronic mobile device owned, leased or used by the local or regional board of education, and (B) outside of the school setting if such bullying (i) creates a hostile environment at school for the student against whom such bullying was directed, (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school;

Students

Hazing

Bullying (continued)

16. Requires, at the beginning of each school year, for each school to provide all school employees with a written or electronic copy of the school district's safe school climate plan, and
17. Requires all school employees to annually complete the training required by C.G.S. 10-220a, as amended. Such training shall include identifying and responding to bullying and preventing and responding to youth suicide;

***Note:** Certified employees are required to complete annual training on the prevention and identification of bullying and response to bullying and the prevention and response to youth suicide.*

The State Department of Education, within available appropriations, is required to provide annual training to non-certified school employees.

18. Requires students and the parents/guardians of students to be notified annually of the process by which they may make reports of bullying;
19. As required, but not later than January 1, 2012, the Board of Education shall approve the safe school climate plan developed pursuant to statute and submit such plan to the Department of Education for its review, analysis, and cooperative assistance; and
20. Requires that not later than thirty calendar days after approval by the Board, the safe school climate plan shall be made available on the Board's and each individual school in the District's Internet website and such plan is to be included in the District's publication of the rules, procedures and standards of conduct for schools and in all student handbooks.

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

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

Students

Hazing

Bullying (continued)

Prevention and Intervention Strategy

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

1. Implementation of a positive behavioral interventions and supports process or another evidence-based model approach for safe school climate or for the prevention of bullying identified by the Department of Education.
2. School rules prohibiting bullying, harassment, and intimidation and establishing appropriate consequences for those who engage in such acts.
3. Adequate adult supervision of outdoor areas, hallways, the lunchroom, and other specific areas where bullying is likely to occur.
2. Inclusion of grade-appropriate bullying education and prevention curricula in kindergarten through high school.
3. Individual interventions with the bully, parents and school employees and interventions with the bullied child, parents, and school employees.
4. School wide training related to safe school climate.
5. Student peer training, education and support.
6. Promotion of parent involvement in bullying prevention through individual or team participation in meetings, trainings, and individual interventions.

District Safe School Climate Coordinator

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

The Coordinator shall:

1. Implement the District's safe school climate plan;
2. Collaborate with safe school climate specialists, the Board, and the Superintendent to prevent, identify, and respond to bullying in District schools;
3. Provide data and information derived from the safe school climate assessments, in collaboration with the Superintendent, to the Department of Education; and
4. Meet with the safe school climate specialists at least twice during the school year to discuss bullying issues in the District and make recommended changes to the District's safe school climate plan.

Students

Hazing

Bullying (continued)

Safe School Climate Specialist

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

The Specialist in each school shall:

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

Safe School Climate Committee

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

The Safe School Climate Committee shall:

1. Receive copies of completed reports following investigations of bullying;
2. Identify and address patterns of bullying among students in the school;
3. Review and amend school policies relating to bullying;
4. Review and make recommendation to the District Safe School Climate Coordinator regarding the District's Safe Climate Plan based on issues and experiences specific to the school;
5. Educate students, school employees and parents and guardians of students on issues relating to bullying;
6. Collaborate with the District Safe School Climate Coordinator in the collection of data regarding bullying; and
7. Perform any other duties as determined by the School Principal that are related to the prevention, identification and response to school bullying for the school.

Parent members of the Safe School Climate Committee are excluded from activities #1 and #2 above and from any other committee activities that may compromise student confidentiality.

Students

Hazing

Bullying (continued)

Safe School Climate Plan

The Board of Education shall develop and implement a Safe School Climate Plan to address the existence of bullying in its schools. Such plan shall:

1. Enable students to anonymously report acts of bullying to school employees and require students and the parents or guardians of students to be notified annually of the process by which they may make such reports;
2. Enable the parents or guardians of students to file written reports of suspected bullying;
3. Require school employees who witness acts of bullying or receive reports of bullying to orally notify the Safe School Climate Specialist, or another school administrator if the Safe School Climate Specialist is unavailable, not later than one school day after such school employee witnesses or receives a report of bullying, and to file a written report not later than two school days after making such oral report;
4. Require the Safe School Climate Specialist to investigate or supervise the investigation of all reports of bullying and ensure that such investigation is completed promptly after receipt of any written reports made under this section;
5. Require the Safe School Climate specialist to review any anonymous reports, except that no disciplinary action shall be taken solely on the basis of an anonymous report;
6. Include a prevention and intervention strategy for school employees to deal with bullying;
7. Provide for the inclusion of language in student codes of conduct concerning bullying;
8. Require each school to notify the parents or guardians of students who commit any verified acts of bullying and the parents or guardians of students against whom such acts were directed not later than forty-eight hours after the completion of the investigation. The required notification and invitation shall include a description of the response of school employees to such acts and any consequences that may result from the commission of further acts of bullying;
9. Require each school to invite the parents or guardians of a student who commits any verified act of bullying and the parents or guardians of the student against whom such act was directed, to a meeting to communicate to such parents or guardians the measures being taken by the school to ensure the student's safety and to prevent further acts of bullying;
10. Establish a procedure for each school to document and maintain records relating to reports and investigations of bullying in such school and to maintain a list of the number of verified acts of bullying in such school and make such list available for public inspection, and annually report such number to the Department of Education, and in such manner as prescribed by the Commissioner of Education;

Students

Hazing

Bullying (continued)

Safe School Climate Plan (continued)

11. Direct the development of case-by-case interventions for addressing repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual that may include both counseling and discipline;
12. Prohibit discrimination and retaliation against an individual who reports or assists in the investigation of an act of bullying;
13. Direct the development of student safety support plans for students against whom an act of bullying was directed that addresses safety measures the school will take to protect such student against further acts of bullying;
14. Require the Principal of a school, or the Principal's designee, to notify the appropriate local law enforcement agency when such Principal, or the Principal's designee, believes that any acts of bullying constitute criminal conduct;
15. Prohibit bullying (A) on school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by the Board or through the use of an electronic device or an electronic mobile device owned, leased or used by the Board and (B) outside of the school setting if such bullying (i) creates a hostile environment at school for the student against whom such bullying was directed, (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school;
16. Require, at the beginning of each school year, each school to provide all school employees with a written or electronic copy of the school district's Safe School Climate Plan; and
17. Require that all school employees annually complete the training described in C.G.S. 10-220a, as amended.

Safe School Climate Assessment

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

Students

Hazing

Bullying (continued)

Note: *The Department of Education, within available appropriations, is required by the amended C.G.S. 10-222h, to approve in collaboration with the Connecticut Association of Schools (CAS), and disseminate to all public schools grade-level appropriate school climate assessment instruments, including surveys, to be used by Boards of Education for the purpose of collecting information pertaining to a district's "prevention and intervention strategy" in order to enable the Department to monitor bullying efforts over time and to compare each district's progress to state trends.*

A safe school climate resource network is to be established by the Department of Education, in consultation with the State Education Resource Center, the Governor's Prevention Partnership and the Commission on Children, within available appropriations, for the identification, prevention, and education of school bullying in the state. This network will make available to all schools information, training opportunities and resource materials to improve school climate to diminish bullying.

A bullying prevention program shall be implemented which strives to develop a school and home environment:

- * characterized by warmth, positive interest and involvement by adults;
- * firm limits to unacceptable behavior;
- * where non-hostile, non-physical negative consequences are consistently applied in cases of violations of rules and other unacceptable behaviors;
- * where adults act as authorities and positive role models; and
- * where students are included in efforts to improve school climate.

The Superintendent shall develop rules and procedures, which carry out the provisions of this policy. In addition, the Superintendent shall provide that students and parents of students are notified of this prohibition against bullying and the penalties for violating the prohibition by ensuring the posting of such information at each school and by ensuring inclusion of such information in student and parent handbooks.

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

Students

Hazing

Bullying (continued)

(cf. 0521 – Nondiscrimination)
(cf. 4131 – Staff Development)
(cf. 5114 – Suspension and Expulsion/Due Process)
(cf. 5131 – Conduct)
(cf. 5131.21 – Violent and Aggressive Behavior)
(cf. 5131.8 – Out-of-School Misconduct)
(cf. 5131.912 – Aggressive Behavior)
(cf. 5131.913 – Cyberbullying)
(cf. 5131.91 – Hazing)
(cf. 5144 – Discipline/Punishment)
(cf. 5145.4 – Nondiscrimination)
(cf. 5145.5 – Sexual Harassment)
(cf. 5145.51 – Peer Sexual Harassment)
(cf. 6121 – Nondiscrimination)
(cf. 6121.1 – Equal Educational Opportunity)

Legal Reference: Connecticut General Statutes
 10-15b Access of parent or guardian to student's records. Inspection and subpoena of school or student records.
 10-222d Policy on bullying behavior as amended by PA 08-160 and PA 11-232.
 PA 06-115 An Act Concerning Bullying Policies in Schools and Notices Sent to Parents or Legal Guardians.
 PA 11-232 An Act Concerning the Strengthening of School Bullying Laws.

Policy adopted: 12-12-2011

Students

Bullying

Model Safe School Climate Plan

Purpose/Priority Statement

The Orange Public Schools will not tolerate any unlawful or disruptive behavior, including any form of bullying, cyberbullying, or retaliation, in our schools or in school related activities. In addition, the District will promptly investigate all reports and complaints of bullying, cyberbullying, and retaliation, and take appropriate, effective action to end that behavior. Most important, the District will support this commitment in all aspects of its activities, including in its curricula, instructional programs, staff development, extracurricular activities, and parent/guardian involvement. The Board of Education (Board) fully understands that it is only through a comprehensive approach with a focus on the development of a positive school climate and the support of students, staff, families, law enforcement agencies and the community that issues of violence will be prevented and a safe school climate achieved. Lastly, in consultation with these constituencies, the Board has established this District Safe School Climate Plan for preventing, intervening, and responding to incidents of bullying, cyber-bullying, and retaliation.

The Board of Education promotes a safe and secure school climate, conducive to teaching and learning that is free from threat, harassment and any type of bullying behavior. It is the policy of the Board that bullying of a student by another student is prohibited.

I. Prohibition Against Bullying

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

II. Definitions

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

- A. causes physical or emotional harm to such student or damage to such student’s property,

II. Definitions (continued)

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

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

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

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

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

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

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

Bullying

II. Definitions (continued)

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

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

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

A. Publication of the Prohibition against Bullying and Related Procedures

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

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

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

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

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

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

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

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

B. Appropriate School Personnel

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

Students**Bullying****B. Appropriate School Personnel (continued)****District Safe School Climate Coordinator**

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

The Coordinator shall:

1. Implement the District's safe school climate plan;
2. Collaborate with safe school climate specialists, the Board, and the Superintendent to prevent, identify, and respond to bullying in District schools;
3. Provide data and information derived from the safe school climate assessments, in collaboration with the Superintendent, to the Department of Education; and
4. Meet with the safe school climate specialists at least twice during the school year to discuss bullying issues in the district and make recommended changes to the District's safe school climate plan.

Safe School Climate Specialist

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

The Specialist in each school shall:

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

Students

Bullying (continued)

C. Annual Notification of the Complaint Process

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

D. Formal Written Complaints

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

E. Informal/Verbal Complaints by Students

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

Students**Bullying (continued)****F. Anonymous Complaints**

Students who make informal complaints as set forth above may request that their name be maintained in confidence by the school employee who receives the complaint. Should anonymity be requested, the Safe School Climate Specialist, if not the Principal or his/her designee, shall meet with the student to review the request for anonymity and the impact that maintaining anonymity of the complaint may have on the investigation of the complaint and/or possible remedial action. At such meeting, the student shall be given the choice as to whether to maintain the anonymity of the complaint. Anonymous complaints shall be reviewed and reasonable action will be taken to address the situation, to the extent such action may be taken that (1) does not disclose the source of the complaint, and (2) is consistent with the due process rights of the student(s) alleged to have committed acts of bullying. No disciplinary action shall be taken solely on the basis of an anonymous report.

IV. Staff Responsibilities and Intervention Strategies**A. Teachers and Other School Staff**

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

School employees who receive student or parent reports of suspected bullying shall promptly notify the Safe School Climate Specialist of such report(s). If the report is a formal, written complaint, such complaint shall be forwarded promptly (no later than the next school day) to the Safe School Climate Specialist or another school administrator if the Safe School Climate Specialist is unavailable. If the report is an informal complaint by a student that is received by a school employee, he or she shall prepare a succinct written report of the informal complaint, which shall be forwarded promptly (no later than the next school day) to the Safe School Climate Specialist or another school administrator if the Safe School Climate Specialist is unavailable. If the report is an informal complaint by a student that is received by a school employee, this employee shall verbally report the matter to the Safe School Climate Specialist not later than the next school day.

Students**Bullying****IV. Staff Responsibilities and Intervention Strategies (continued)****A. Teachers and Other School Staff (continued)**

In addition to addressing both informal and formal complaints, school employees and other are encouraged to address the issue of bullying in other interactions with students. Teachers and other professionals may find opportunities to educate students about bullying and help eliminate bullying behavior through class discussions, counseling, and reinforcement of socially-appropriate behavior. All school employees including teachers and other professional employees should intervene promptly whenever they observe student conduct that has the purpose or effect of ridiculing, humiliating or intimidating another student, even if such conduct does not meet the formal definition of "bullying."

B. Responsibilities of the Safe School Climate Specialist**1. Investigation**

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

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

Students**Bullying****IV. Staff Responsibilities and Intervention Strategies (continued)****B. Responsibilities of the Safe School Climate Specialist (continued)****1. Investigation**

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

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

2. Remedial Actions

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

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

Students**Bullying****IV. Staff Responsibilities and Intervention Strategies (continued)****B. Responsibilities of the Safe School Climate Specialist (continued)****2. Remedial Actions**

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

a. Non-disciplinary Interventions

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

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

In any instance in which bullying is verified, the building Principal (or other responsible program administrator) shall invite the parents or guardians of the student against whom such act was directed, and the parents or guardians of a student who commits any verified act of bullying, to a meeting to communicate to such parents or guardians the measures being taken by the school to ensure the student's safety and to prevent further acts of bullying. In the discretion of the building Principal or other responsible program administrator, the meeting(s) described in this section may be held jointly or separately. (The SDE recommends such meetings to be separate)

Students

Bullying

IV. Staff Responsibilities and Intervention Strategies (continued)

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

2. Remedial Actions

b. Disciplinary Interventions

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

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

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

c. Interventions for Bullied Students

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

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

Students

Bullying

IV. Staff Responsibilities and Intervention Strategies (continued)

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

3. General Prevention and Intervention Strategies

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

While no specific action is required and school needs for such interventions may vary from time to time, the following list of potential intervention strategies shall serve as a resource for administrators, teachers and other professional staff members in each school:

- a. Implementation of a positive behavioral interventions and supports process or another evidence-based model approach for safe school climate or for the prevention of bullying, including any such program identified by the Department of Education;
- b. A safe school climate assessment on or after July 1, 2012 and biennially thereafter to determine the prevalence of bullying. Such assessments may include, in addition to those approved and disseminated by the State Department of Education, in collaboration with CAS, the National School climate Standards Self-Assessment Tool' and the Connecticut State Department of Education's "Improving School climate Team Rubric;"
- c. Establishment by the school Principal of a Safe School Climate Committee in each District school or the designation of an existing committee that is responsible for fostering a safe school climate and addressing issues related to bullying in the school.

The Safe School Climate Committee shall:

1. Receive copies of completed reports following investigations of bullying;
2. Identify and address patterns of bullying among students in the school;
3. Review and amend school policies relating to bullying;

Students

Bullying

IV. Staff Responsibilities and Intervention Strategies (continued)

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

3. General Prevention and Intervention Strategies (continued)

4. Review and make recommendation to the District Safe School Climate Coordinator regarding the District's Safe Climate Plan based on issues and experiences specific to the school;
5. Educate students, school employees and parents and guardians of students on issues relating to bullying;
6. Collaborate with the District Safe School Climate Coordinator in the collection of data regarding bullying; and
7. Perform any other duties as determined by the School Principal that are related to the prevention, identification and response to school bullying for the school.

Parent members of the Safe School Climate Committee are excluded from activities #1 and #2 above and from any other committee activities that may compromise student confidentiality.

- d. Adequate adult supervision of outdoor areas, hallways, the lunchroom and other specific areas where bullying is likely to occur;
- e. Inclusion of grade-appropriate bullying education and prevention curricula in kindergarten through high school;
- f. Individual interventions with the perpetrator, parents and school employees, and interventions with the bullied student, parents and school employees;
- g. School-wide training related to safe school climate;
- h. Promotion of parent involvement in bullying prevention through individual or team participation in meetings, trainings and individual interventions;
- i. Respectful responses to bullying concerns raised by students, parents or staff;
- j. Planned professional development programs addressing bully/victim problems;
- k. Student peer training, education and support. Use of peers to help ameliorate the plight of victims and include them in group activities;

Students

Bullying

IV. Staff Responsibilities and Intervention Strategies (continued)

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

3. General Prevention and Intervention Strategies (continued)

- l. Avoidance of sex-role stereotyping (e.g., males need to be strong and tough);
- m. Continuing awareness and involvement on the part of staff and parents with regards to prevention and intervention strategies;
- n. Modeling by all school employees of positive, respectful, and supportive behavior toward students;
- o. Creating a school atmosphere of team spirit and collaboration that promotes appropriate social behavior by students in support of others;
- p. Employing classroom strategies that instruct students how to work together in a collaborative and supportive atmosphere.

V. Reporting Obligations

A. Report to the Parent or Guardian of the Perpetrator

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

Students

Bullying

V. Reporting Obligations (continued)

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

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

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

C. List of Verified Acts of Bullying

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

Students

Bullying (continued)

VI. Prohibition against Discrimination and Retaliation

A. Safety

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

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

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

Before formally investigating the allegations of bullying, discrimination or retaliation, the Principal/Safe School Climate Specialist or designee will take steps to assess the need to restore a sense of safety to the alleged student against whom such bullying was directed (target) and/or to protect the alleged target from possible further incidents. Responses to promote safety may include, but are not limited to, creating a personal safety plan; pre-determining seating arrangements for the alleged victim (target) and/or the alleged perpetrator in the classroom, at lunch, or on the bus; identifying a staff member who will act as a "safe person" for the alleged student against whom such bullying was directed (target); and altering the alleged perpetrator's schedule and access to the alleged target. The Principal/Safe School Climate Specialist will take additional steps to promote safety during the course of and after the investigation, as necessary.

Students

Bullying

VI. Prohibition against Discrimination and Retaliation (continued)

A. Safety (continued)

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

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

B. Law Enforcement Notification

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

VII. Training Requirements for School Staff

- A. Certified staff of the District shall be provided in-service training on the prevention, identification and response to school bullying and the prevention of and response to youth suicide. *(The Board, subject to the approval of the State Department of Education, is not required to offer an in-service program regarding bullying or youth suicide prevention and intervention if it instead implements an evidence-based model approach to this issue.)*
- B. Beginning teachers shall satisfactorily complete instructional modules as required by C.G.S. 10-145a which shall include a module in classroom management and climate, which shall include training regarding the prevention, identification, and response to school bullying and the prevention of and response to youth suicide.

Students**Bullying****VII. Training Requirements for School Staff (continued)**

- C. Non-certified staff of the District will participate in annual training to be provided, within available appropriations, by the Connecticut State Department of Education. The training may be presented in person by mentors, offered in state-wide workshops, or through on-line courses. Such training may include, but is not limited to:
 - 1. Developmentally appropriate strategies to prevent bullying among students in school and outside the school setting,
 - 2. Developmentally appropriate strategies for immediate and effective interventions to stop bullying,
 - 3. Information regarding the interaction and relationship between students committing acts of bullying, students against whom such acts of bullying are directed and witnesses of such acts of bullying,
 - 4. Research findings on bullying, such as information about the types of students who have been shown to be at-risk for bullying in the school setting,
 - 5. Information about the incidence and nature of cyberbullying as defined in C.G.S. 10-222d, or
 - 6. Internet safety issues as they relate to cyberbullying.

VIII. Notification Requirements

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

Students

Bullying (continued)

IX. School Climate Assessments

- A. On or after July 1, 2012, and biennially thereafter, the Board requires each school within the District to complete an assessment using the school climate assessment instruments, including surveys, approved and disseminated by the State Department of Education.
- B. Completed assessments shall be shared with the Board and then submitted by the Board to the State Department of Education.

X. Bullying Through the Use of Technology (Cyberbullying)

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

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

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

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

Students

Bullying (continued)

XI. Relationship to Other Laws

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

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

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

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

MODEL ANNUAL BULLYING NOTICE

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

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

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

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

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

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

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

Students

5131.913(a)P

Bullying

Cyberbullying

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

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

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

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

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

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

All reports of cyberbullying will be investigated promptly in compliance with the Districts "Safe School Plan."

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

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

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

- (cf. 0521 – Nondiscrimination)
- (cf. 5114 – Suspension and Expulsion/Due Process)
- (cf. 5131 – Conduct)
- (cf. 5131.21 – Threats or Acts of Violence)
- (cf. 5131.8 – Off School Grounds Misconduct)
- (cf. 5131.912 – Aggressive Behavior)
- (cf. 5131.911 – Bullying)
- (cf. 5144 – Discipline/Punishment)
- (cf. 5145.4 – Nondiscrimination)
- (cf. 5145.5 – Sexual Harassment)
- (cf. 5145.51 – Peer Sexual Harassment)

Legal Reference: Connecticut General Statutes

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

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

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

Wisniewski v. Bd. Of Educ., 494 F.3d 34 (2nd Cir. 2007)

Doninger v. Niehoff, 257 F 3d 41 (2nd Cir. 2008)

P.A. 11-232 AAC The Strengthening of School Bullying Laws

Revised 12/12/2011, 9/2011
New Policy adopted: 3-12-07

Orange Board of Education
Orange, CT

Students

Dress and Grooming

The community and general public often judge the quality of education by the behavior, appearance, and activities of its student body. The attire and grooming of individual students in the school system are the responsibility of the students and their parents or guardians. There are, however, general principles of good taste and modesty which must and shall be observed.

Students' overall appearance should fall within generally accepted definitions of neatness and cleanliness. Students are expected to dress themselves for the business of school so as to neither distract other students or teachers, disrupt the educational process, or pose a health and/or safety threat to themselves or others.

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

No restrictions on dress and adornment will be imposed which: 1) reflect discrimination as to civil rights; 2) interfere with any free speech/first amendment rights that the student may have; 3) enforce particular codes of morality or religious tenets; 4) attempt to dictate or adjudicate style or taste, or 5) do not fall within the direct or implied powers of the Board of Education. Clothing should be clean and untorn.

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

The following clothing styles are considered inappropriate and are specifically prohibited:

1. footwear which marks/damages floors or is a safety hazard, i.e. flip flops
2. clothing that promotes or refers to drugs, alcohol, or tobacco, and/or contains offensive signs, symbols or words
3. clothing that displays slogans, names, titles or which are defamatory toward person, group, the school or other organizations which are likely to incite or inflame.
4. "see-through"-style blouses/shirts and/or mesh-style shirts
5. tops which expose the midriff or expose undergarments
6. low-cut tops, halter or tube tops
7. hats or caps, except those worn pursuant to established religious customs
8. short-shorts or cut-offs
9. coats normally worn as outdoor wear, e.g. ski jackets, parkas, raincoats
10. sunglasses (indoor)

Shorts should be mid-thigh length and of appropriate fit.

Appeal Process

Students or parents may appeal faculty or administrative decisions which are applied to them or to their child by first discussing it with the person(s) who made the decision. Any further appeal must be made in writing to the Principal and the appeal must demonstrate: 1) a policy or rule being unfairly applied, or 2) a violation or misinterpretation of a policy or rule. The Principal will hear the appeal informally and in a timely manner which he/she deems appropriate to the situation. The Principal's decision will be final unless the decision is appealed. Any appeal beyond the Principal will be conducted by the Superintendent. The Superintendent's decision will be final.

Approved: 2/05

Student Health Services

School District Medical Advisor

The Board of Education shall receive its health services from the Orange Health Department and are assigned to the Orange Board of Education by the Orange Visiting Nurse Association. The funding for these services are included in that of the Board of Selectman.

School health services shall be directed toward detection and prevention of health problems and to emergency treatment, including the following student health services:

1. Appraising the health status of student and school personnel;
2. Counseling students, parents, and others concerning the findings of health examination;
3. Encouraging correction of defects;
4. Helping prevent and control disease;
5. Providing emergency care for student injury and sudden illness;
6. Maintaining school health records.

Health Records

There shall be a health record for each student enrolled in the school district, which will be maintained in the school nurse's room. For the purposes of confidentiality, records will be treated in the same manner as the student's cumulative academic record.

Regular Health Assessments

Prior to enrollment in kindergarten, each child shall have a health assessment by one of the following medical personnel of the parents or guardians choosing to ascertain whether the student has any physical disability or other health problem tending to prevent him or her from receiving the full benefit of school work and to ascertain whether such school work should be modified in order to prevent injury to the student or to secure for the student a suitable program of education:

1. a legally qualified physician;
2. an advanced practice registered nurse;
3. a registered nurse;
4. a physician's assistant.

Student Health Services (continued)

Such health assessment shall include:

1. Physical examination, which shall include hematocrit or hemoglobin tests, height, weight, and blood pressure;
2. Updating of immunizations required under 10-204 and 10-204a;
3. Vision, hearing, postural, and gross dental screenings;
4. If required by the school district medical advisor, testing for tuberculosis and sickle cell anemia or Cooley's Anemia;
5. Any other information including a health history as the physician believes to be necessary and appropriate.

A child will not be allowed to begin school unless health assessments are performed as required. Students transferring into the district must provide evidence of required Connecticut vaccinations, immunizations, and health assessments at enrollment and prior to school attendance.

Health assessment results and recommendations signed by the examining physician or authorized medical personnel shall be recorded on forms provided by the Connecticut State Board of Education and kept on file in the school the student attends. Upon written authorization from the student's parent or guardian, original cumulative health record shall be sent to the chief administrative officer of the school district to which such student moves and a true copy of the student's cumulative health records maintained with the student's academic records. The Superintendent of Schools, or designee, shall notify parents of any health-related problems detected in health assessments and shall make reasonable efforts to assure that further testing and treatment is provided, including advice on obtaining such required testing or treatment.

Vision Screening

All students in grades K—6 will be screened by the school nurse or school health aide. Additional vision screenings will also be conducted in response to appropriate requests from parents/guardians or professionals working with the student in question. Results will be recorded in the student's health record on forms supplied by the Connecticut State Board of Education, and the Superintendent shall cause a written notice to be given to the parent or guardian of each student found to have any defect of vision or disease of the eyes, with a brief statement describing such defect or disease.

As necessary, special educational provisions shall be made for students with disabilities.

Hearing Screening

All students will be screened for possible hearing impairments in grades K-3 and 5 . Additional audiometric screenings will be conducted in response to appropriate requests from parents/guardians or professionals working with the student. Results will be recorded in the student's health record on forms supplied by the Connecticut State Board of Education, and the Superintendent shall cause a written notice to be given to the parent or guardian of each student found to have any defect of vision or disease of the eyes, with a brief statement describing such defect or disease.

As necessary, special educational provisions shall be made for students with disabilities.

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Student Health Services (continued)

Postural Screening

School nurses will screen all students in grades 5 and 6 for scoliosis or other postural problems. Additional postural screenings will also be conducted in response to appropriate requests from parents/guardians or professionals working with the student. Results will be recorded in the student's health record on forms supplied by the Connecticut State Board of Education, and the Superintendent shall cause a written notice to be given to the parent or guardian of each student found to have any postural defect of problem, with a brief statement describing such defect or disease.

As necessary, special educational provisions shall be made for students with disabilities.

Tuberculin Testing

In addition to tuberculin testing required by the school district medical advisor as part of regular student health assessments, all new students, including preschool students, will be required to have at least one test for tuberculosis prior to entry in district schools.

A test for tuberculosis should be performed if any of the following risk factors prevail:

1. birth in a high risk country of the world (to include all countries in Africa, Asia, the former Soviet Union, Eastern Europe, Central South America, Dominican Republic, and Haiti);
2. travel to a high risk country staying at least a week with substantial contact with the indigenous population since the previously required examination;
3. extensive contact with persons who have recently come to the United States since the previously required examination;
4. contact with persons suspected to have tuberculosis, or
5. had contact with anyone who was in a homeless shelter, jail or prison, uses illegal drugs or has an HIV infection.

Immunizations/Vaccinations.

No student will be allowed to enroll in district schools without vaccination against the following diseases:

1. Measles
2. Rubella
3. Poliomyelitis
4. Diphtheria
5. Tetanus
6. Pertussis
7. Mumps
8. Hepatitis B
9. Varicella (chickenpox)
10. Hemophilus influenza type B
11. Any other vaccine required by section 19a-7f of Connecticut General Statutes.

Students

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Student Health Services (continued)

Students shall be exempt from the appropriate provisions of this policy when:

1. they present a certificate from a physician or local health agency stating that initial immunizations have been given and additional immunizations are in process under guidelines and schedules specified by the Commissioner of Health Services; or
2. they present a certificate from a physician stating that in the opinion of such physician, immunization is medically contraindicated because of the physical condition of such child; or
3. they present a statement from their parents or guardians that such immunization would be contrary to the religious beliefs of such child; or
4. in the case of measles, mumps or rubella, present a certificate from a physician or from the Director of Health in such child's present or previous town of residence, stating that the child has had a confirmed case of such disease; or
5. in the case of hemophilus influenza type B has passed his or her fifth birthday; or
6. in the case of pertussis, has passed his or her sixth birthday.

The school nurse will report to the local director of health any occurrence of State of Connecticut defined reportable communicable diseases.

Student Medical Care at School

School personnel are responsible for the immediate care necessary for a student whose sickness or injury occurs on the school premises during school hours or in school-sponsored and supervised activities. Depending upon specific circumstances, Category V issues may also be considered emergencies by attending school personnel.

Schools shall maintain files of Emergency Information cards for each student. If a child's injury requires immediate care, the parent or guardian will be called by telephone by the nurse, the building Principal, or other personnel designated by the Principal, and advised of the student's condition. When immediate medical or dental attention is indicated, and when parents or guardians cannot be reached, the student will be transported to the nearest hospital unless otherwise indicated on the student's Emergency Information card. In this event, the family physician/dentist and school district medical advisor will be notified of school district actions.

- (cf. 5142 Student Safety)
- (cf. 5141.4 Child Abuse and Neglect)
- (cf. 5141.5 Suicide Prevention)
- (cf. 6142.1 Family Life and Sex Education)
- (cf. 6142.5 Interscholastic/Intramural Athletics)
- (cf. 6159 Special Education)

Student Health Services (continued)

Legal Reference: Connecticut General Statutes

10-203 Sanitation.

10-204 Vaccination.

10-204a Required immunizations.

10-204c Immunity from liability

10-205 Appointment of school medical advisors.

10-206 Health assessments.

10-206a Free health assessments.

10-207 Duties of medical advisers.

10-209 Records not to be public.

10-208 Exemption from examination or treatment.

10-208a Physical activity of student restricted; Boards to honor notice.

10-210 Notice of disease to be given parent or guardian.

10-212 School nurses and nurse practitioners.

10-212a Administration of medicines by school personnel.

10-213 Dental hygienists.

10-214 Vision, audiometric & postural screenings: When required; notification of parents re defects; record of results. As amended by PA 96-229, An Act Concerning Scoliosis Screening)

10-214a Eye protective devices.

10-214b Compliance report by local or regional Board of Education.

10-217a Health services for children in private nonprofit schools. Payments from the state, towns in which children reside and private nonprofit schools.

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

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

42 U.S.C. 1320d-1320d-8, P.L. 104-91, Health Insurance Portability and Accountability Act of 1996 (HIPPA)

Policy Revised: 02/11/2008

StudentsIllness

Children who are ill should not be sent to school. There is no provision in school to care for recuperating youngsters. For their own health and the health of others, they should remain at home until they are able to participate in the entire program. Requests for their remaining indoors at recess cannot be honored. The teachers are doing supervisory work in the play field at this time.

COMMUNICABLE DISEASES GUIDE

<u>Disease</u>	<u>Exclusion from School</u>	<u>Exclusion of Contacts</u>
AIDS	None	None
Chickenpox	After all lesions have crusted typically 5-7 days after appearance of rash	None
Conjunctivitis, purulent	Until treatment initiated and discharge resolved	
Hepatitis A	7 days after onset of illness	"School room expo- sure does not pose an appreciable risk of*
Hepatitis B or C	None	None
German Measles (Rubella)	7 days after onset of rash	None; immunization status should be reviewed.
Infectious Mononucleosis	No set time -May return to sports and gym only with permission of physician.	None
Erythema Infectiosum (Fifth Disease)	No longer contagious by the time the rash appears	None
Meningitis	No set time- only while illness lasts and has permission from physician to return to school	None. (In some types of meningitis, house- hold/daycare contacts require prophylactic treatment.
Pertussis (whooping cough)	3 weeks after onset of cough or 5 days after starting macrolide antibiotic	None but should be monitored closely for respiratory symptoms. If symptoms develop, contact family physi- cian (to arrange cul- ture and appropriate treatment).

*infection, and IG administration is not indicated when a single case occurs. However, IG could be used if transmission within the school setting is documented. Hepatitis A vaccine can be given in addition to IG if routine immunization of children in the community is recommended." 1.

COMMUNICABLE DISEASES GUIDE (CONTD).

<u>Disease</u>	<u>Exclusion from School</u>	<u>Exclusion of Contacts</u>
Strep Throat (including Scarlet Fever)	At least 24 hrs. after beginning appropriate anti-microbial therapy	None. Contacts with pharyngitis should see their family physician
Tuberculosis		
Positive TB skin test with negative CXR	None. Should receive treatment from family physician.	None
Positive CXR or other evidence of active disease	"None, if they are receiving therapy, adherence to therapy has been documented, and clinical symptoms have disappeared" ²	Contacts should be tested for exposure to TB
Rashes in general	Until permission from physician to return to school	None
Impetigo	Until 24 hrs. after treatment	None
Pediculosis	Until treatment begins	None
Ringworm	None. Should see family physician for proper treatment	None. Consider screening classmates
Scabies	Until treatment begins	None
Temperature (100 or over)	24 hours after the child is afebrile (99 or lower)	None

Footnotes: All from Red Book 2000. Report of the Committee on Infectious Diseases. 25th edition. American Academy of Pediatrics.

1. previous page
2. this page

Children excluded from school with any of the above health problems must be evaluated by the school nurse before returning to the classroom.

Approved by: Marie Robert, M.D., School Health Physician
Date: December 1989

Legal References: Connecticut General Statutes
10-207 Duties of medical advisers
10-210 Notice of disease to be given parent or guardian

Regulation revised & approved 7/1/97, 2/1/02

Policy revised:
/2002

Administering Medications

Medicinal preparations shall be administered in the schools only when it is not possible to achieve the desired effects by home administration during other than school hours and only upon written authorization of the attending physician, dentist, advanced practice registered nurse or nurse anesthetists, or licensed physician assistant and written authorization of the parent or guardian. There are two (2) exceptions. A child diagnosed with asthma or an allergic condition may carry an inhaler or an epipen or similar device in the school at all times if he/she is under the care of a physician, physician assistant, or advanced practical registered nurse (APRN) and such practitioner certifies in writing to the Board of Education that the child needs to keep an asthmatic inhaler or epipen at all times to ensure prompt treatment of the child's asthma or allergic condition and protect the child against serious harm or death. A written authorization of the parent/guardian is also required.

Personnel authorized to administer medicinal preparations shall be limited to the school district medical advisor (M.D.) or a school nurse (RN), any other licensed pursuant to the provisions of chapter 378, the principal, or a licensed practical nurse (L.P.N.) if approved to do so by the school district medical advisor or school nurse. In the absence of these medical personnel, the principal, a teacher designated in writing by the principal, or a licensed physical or occupational therapist employed by the District shall be permitted to administer authorized medicinal preparations upon completion of training in the safe administration of medicinal preparations and be familiar with policy and regulations relating thereto and satisfactory completion of the required criminal history check. School health aides are not allowed to administer medicinal preparations. In an emergency, if the student's physician or the school district medical advisor is not immediately available, any physician (M.D.) may be called to take appropriate emergency measures.

A child with diabetes may test his/her own blood glucose level per the written order of a physician or advanced practice nurse stating the need and the capacity of such child to conduct self-testing. Such self-testing shall be pursuant to guidelines promulgated by the Commissioner of Education.

The Board of Education with the advice and assistance of the school district medical advisor and the school nurse supervisor, shall review and revise this policy, and its attendant regulation, as necessary. **The District's School Medical Advisor (or other qualified physician) shall approve this policy, its regulations and any changes.**

Each school wherein any controlled drug is administered under the provisions of this policy shall maintain such records as are required of hospitals under the provisions of subsections (f) and (h) of section 21a-254 and shall store such drug in such a manner as the Commissioner of Health Services shall, by regulation, require.

Legal Reference:

Connecticut General Statutes

10-212a Administration of medicines by school personnel. (as amended by PA 99-2, PA 03-211, PA 04-181, PA 07-241 and PA 09-155)

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

Connecticut Regulations of State Agencies 10-212a-1 through 10-212a-7
PA 07-241 An Act Concerning Minor Changes to the Education Statutes

PA 09-155 An Act Concerning the Use of Asthmatic Inhalers and Epinephrine Auto Injectors While at School

29-17a Criminal history checks. Procedures. Fees.

Administering Medications to Students

The Board of Education does not allow its elementary students to self-administer medication. Only school personnel will administer medication to students in accordance with district policy. There are two (2) exceptions. A child diagnosed with asthma or an allergic condition may carry an inhaler or an epipen or similar device in the school at all times if he/she is under the care of a physician, physician assistant, or advanced practice registered nurse (APRN) and such practitioner certifies in writing to the Board of Education that the child needs to keep an asthmatic inhaler or epipen at all times to ensure prompt treatment of the child's asthma or allergic condition and protect the child against serious harm or death. A written authorization of the parent/guardian is also required. When the child self-administers either the asthmatic inhaler or epipen, he/she shall notify either the teacher or school nurse so an accurate record may be kept of the date, time and location it was self-administered.

Medication may be administered by the school district medical advisor (M.D.), a school nurse, or in absence of such personnel, Principals, teachers designated in writing by the Principal, or a licensed physical or occupational therapist employed by the District. They shall not be held liable for any personal injuries, which may result from acts or omissions constituting ordinary negligence.

Medication will be administered according to the following procedures:

1. The school nurse will develop a medication administration plan for each student before medication may be administered by any staff member. The school nurse will also review monthly all documentation pertaining to the administration of medication for students.
2. The Principals and teachers approved by the school medical advisor and school nurse will be formally trained by the school nurse prior to administering medication. The school nurse, acting as designee and under the direction of the chief medical officer, will annually instruct such staff members in the administration of medication. Training will include:
 - A. Review of State statute and school regulations regarding administration of medication by school personnel.
 - B. Procedure for administering the medication, safe handling and storage of medication, and recording.
 - C. Medication needs of specific students, medication idiosyncrasies, desired effects, potential side effects, untoward reactions and other observations.
3. A list of Principals and teachers successfully trained and approved to administer medication along with documentation of the annual update of trainees shall be submitted to the Superintendent by the nursing supervisor by October 31st of each year. All such individuals, including school nurses and nurse practitioners, must have also satisfactorily passed the criminal background check.
4. A current list of those authorized to give medication shall be maintained in the school.

All medications, must be delivered by the parent or other responsible adult and shall be received by the nurse assigned to the school.

Administering Medications to Students(continued)**Handling and Storage of Medications**

The school nurse must:

- A. Examine any new medication to insure that it shall be properly labeled with dates, name of student, medication name, dosage and physician's name, and that the medication order and permission form are complete and appropriate.
- B. Develop a medication administration plan for the student before any medication is given by school personnel.
- C. Record on the Student's Individual Medication Record the date the medication is delivered and the amount of medication received.
- D. Store medication requiring refrigeration at 36° F - 46° F.
- E. Store prescribed medicinal preparations in securely locked storage compartment. Controlled substances shall be contained in separate compartments, secured and locked at all times.

All medication shall be kept in a designated locked container, cabinet or closet used exclusively for the storage of medication. In the case of controlled substances, they shall be stored separately from other drugs and substances in a separate, secure, substantially constructed, locked metal or wood cabinet.

The school Principal or designee (who has been trained to administer medication) shall be responsible for the key/s to the locked cabinet/s.

No more than a ninety (90) school day supply of a medication for a student shall be stored at the school. All medications, prescriptions and nonprescription, shall be stored in their original containers and in such a manner as to render them safe and effective.

Access to all stored medications shall be limited to persons authorized to administer medications. Each school shall maintain a current list of those persons authorized to administer medications.

At the end of the school year or whenever a student's medication is discontinued by the prescribing physician, the parent or guardian is to be contacted and requested to repossess the unused medication within a seven (7) school day period. If the parent does not comply with this request, all medication is to be destroyed by the school nurse in the presence of a witness according to the following procedures:

- 1. Medication will be destroyed in a non-recoverable fashion pursuant to Section 21a-262-3 of the Regulations of the Connecticut State Agencies.
- 2. The following information is to be charted on the student's health folder and signed by the school nurse and witness:

Administering Medications to Students (continued)

Destruction/Disposal of Medication

- A. Date of destruction.
- B. Time of destruction.
- C. Name, strength, form and quantity of medication destroyed.
- D. Manner of destruction of medication.

Documentation and Record Keeping

- 3. Controlled substances shall not be destroyed by the school nurse. In the event that any controlled substance remains unclaimed, the supervisor of nursing shall contact the Connecticut Commissioner of Consumer Protection to arrange for proper disposition.

Record keeping of medication administration shall be in ink on the individual student's medication record form which, along with the parental authorization form and the physician's order, becomes part of the student's permanent record. Records shall be made available to the Connecticut Department of Health Services upon request.

A medication administration record shall include the:

- A. Name of the student;
- B. Name of medication;
- C. Dosage of medication;
- D. Route of administration;
- E. Frequency of administration;
- F. Name of prescribing physician;
- G. Date medication was ordered;
- H. Quantity received;
- I. Date medication is to be reordered;
- J. Student allergies to food and/or medicine;

Students**Administering Medications to Students** (continued)

- K. Date and time of administration or omission including reason for omission;
- L. Dose of amount of administered;
- M. Full legal signature of the nurse (RN), Principal, or teacher administering the medication.

Record of the medication administered shall be entered in ink on an individual student medication record form and filed in the student's cumulative health folder. If the student is absent, it shall be so recorded. If an error is made in recording, a single line shall be run through the error and initialed.

A physician's verbal order, including a telephone order, for a change in any medication may be received only by a school nurse. Such verbal order must be followed by a written order within three (3) school days.

1. An error in the administration of medication shall be reported to the school nurse who will initiate appropriate action and documentation in a student incident report and on his/her cumulative record.
2. Untoward reactions to medication shall be reported to the school nurse, the parent, and the student's physician
3. Records of controlled substances shall be entered in the same manner as other medications with the following additions:
 - A. The amount of the controlled drug shall be counted and recorded on the individual student medication record form after each dose given.
 - B. A true copy (carbon or NCR) of the forms shall be retained by the school for 3 years and the original filed in the student's permanent health record.
 - C. Loss, theft or destruction of controlled substances shall be immediately, upon discovery, reported to the supervisor of nursing services who will contact the Connecticut Commissioner of Consumer Protection.

In the absence of a licensed nurse, only Principals and teachers who have been properly trained may administer medication to student. Principals and teachers may administer oral, topical, or inhalant medications. Injectable medications may be administered by a Principal or teacher only to a student with a medically diagnosed allergic condition which may require prompt treatment to protect the student against serious harm or death.

Investigational drugs may not be administered by Principals or teachers.

Medication Errors

An error in the administration of medication shall be reported immediately to the school nurse, the parent and the prescribing physician.

Administering Medications to Students (continued)**Administration of Emergency Medication under CGS 10-221a (continued)**

In case of an anaphylactic reaction or the risk of such reaction, a school nurse or any other person trained in CPR and First Aid, may administer emergency oral and/or injectable medication to any student in need thereof on the school grounds, in the school building, or at a school function according to the standing order of the chief medical advisor or the student's private physician.

Administration of Emergency Medication under CGS 10-221a

In the absence of a school nurse, the principal or teacher may give emergency medication orally or by injection to students with a medically diagnosed allergic condition, which would require such prompt treatment to protect the child from serious harm or death so long as the principal or teacher has completed training in administration of such medication.

In the event of a medication emergency, the following will be readily available:

- A. The phone number of the local poison information center;
- B. The physician, clinic or emergency room to be contacted in such an emergency;
- C. The name of the person responsible for decision making in the absence of the school nurse.

ADMINISTRATION OF MEDICATION BY SCHOOL PERSONNEL

Procedure for Management of Medication Error
In Absence of School Nurse

Definition

Non-Emergency Medication Occurrence- When an error in the administration of a medication results in absence of any signs and symptoms which would indicate a change in status of student, assessed over the period of time recommended by the physician, dentist, advanced practice registered nurse, nurse anesthetists or physicians assistant.

Emergency Medication Occurrence- When administration of any medication is accompanied by marked visible signs of acute distress, i.e., signs and symptoms of anaphylaxis, seizure activity, vomiting, loss of consciousness, etc.

Medication Error

1. Administration of a medication contrary to a physician's written order, e.g., wrong medication, dosage, route or time frame.
2. Administration of medication to the wrong child.

Administering Medications to Students (continued)**Administration of Emergency Medication under CGS 10-221a (continued)**

3. Omission of medication without the express consent of the prescribing physician, dentist, advanced practice registered nurse, nurse anesthetists or physicians assistant.

Non-Emergency Management

1. All schools shall have emergency cards posted with SHN (School Health Nurse), school secretary, and principal. Emergency cards shall contain the name of designated personnel, the telephone numbers of the school health physician, and the area Poison Control Center.
2. Designated school personnel shall contact the nurse supervisor or, in the absence, the SHN alternate to assess the child's condition and provide primary care.
3. SHN, after assessment, will first contact the child's physician for conference and case management. The school health physician will be contacted when primary physician, dentist, advanced practice registered nurse, nurse anesthetists, or physicians assistant is unavailable. Child's parent/guardian will also be notified.
4. SHN, parent/guardian, physician, dentist or advanced practice registered nurse or physicians assistant will mutually decide whether child will return to class or be excluded for further management.
5. Children who are returned to class will be assessed periodically by the SHN for the remainder of the day at intervals recommended by the physician, dentist, advance practice registered nurse, nurse anesthetists or physicians assistant.
6. Classroom teacher will be advised of signs and symptoms of medical emergency and procedure to be followed.
7. Incident report will be filled out and signed by the person making the error. It will be filed in the cumulative health record (CHR).

Emergency Management

1. The secretary will assist by calling #911, nurse supervisor or nurse designate and child's parent.
2. Child's physician, dentist, or advanced practice registered nurse, nurse anesthetists, physicians assistant and school health physician will be notified by the school health nurse after initial assessment.
3. Trained designated personnel will administer primary care and provide Basic Life Support (BLS) if necessary until appropriate emergency personnel arrive.

Administering Medications to Students (continued)**Administration of Emergency Medication under CGS 10-221a (continued)**

4. Establish procedure for transportation of child to hospital will be followed when applicable.
5. Incident report will be filled out and signed by the person making the medication error and filed in the CHR.

Emergency Telephone Numbers:

Emergency telephone numbers are on the bulletin board in the school health office.

Ambulance/Police/Fire – 911

Poison Control (UConn Health Center) 1-800-222-1222

Yale Emergency Room – 688-2222

St. Raphael's Emergency Room – 789-3464

Dr. M. Robert (School Physician) – 795-4924

In the absence of the school nurse, the principal, or a designee will be responsible for decision making.

Policy:

Instruction, review and information update in the administration of medication for school personnel will be provided annually and on a need basis by OVNA school health personnel, for principals, designated teachers and specified teachers. Specified teachers will be those teachers administering medication on field trips. Board of Education shall maintain and annually update documentation that such training has been provided and successfully completed and a list of personnel so trained.

Instruction will include:

1. Familiarization with the students to be medicated i.e., names, classroom teachers and idiosyncrasies. Sec. 10-212a-3
2. Name of medication, route and time of administration. Sec. 10-212a-3
3. Pharmacological background including desired effects, adverse effects & contraindications.
Sec. 10-212a-3, Sec. 10-212a-6 (a)
4. Working knowledge of handling & storage of medications. Sec. 10-212-5, a-h
5. Orientation to documentation procedures for individual student medication records.
Sec. 10-212a-6-(a) (b)

Administering Medications to Students (continued)

Administration of Emergency Medication under CGS 10-221a (continued)

6. Procedure to be followed in the event of a medication error. Sec. 10-212a-6(d)
7. Awareness of medication resource information box & area of placement in specific school.

Legal Reference:

Connecticut General Statutes

10-212a Administration of medicines by school personnel. (as amended by PA 99-2, An Act Concerning Public Health Expenditures) and PA 04-181 and June Special Session PA 01-1, PA 03-211

52-557b Immunity from liability for emergency medical assistance first aid or medication by injection. School personnel not required to administer or render.

Connecticut Regulations of State Agencies

10-212a-1 - 10-212a-7 Administration of medicines by school personnel.

1307.21 Code of Federal Regulation

PA 04-181 An Act Concerning Administration of Medication in School, Concerning School Nurses, and Repealing an Obsolete Section of the Statutes

PA 09-155 An Act Concerning the Use of Asthmatic Inhalers and Epinephrine Auto Injectors While at School

Regulation revised: 05/09/2011
2005
2003

AUTHORIZATION FOR THE ADMINISTRATION OF MEDICINE BY SCHOOL PERSONNEL

Connecticut State Law & Regulations 10-212(a) require a written medication order of an authorized prescriber, (physician, dentist, optometrist, advanced practice registered nurse or physician's assistant and for interscholastic and intramural athletic events only, a podiatrist) and a parent/guardian's written authorization for the nurse, or in the absence of the nurse, qualified school personnel to administer medication. Medications must be in the original properly labeled container and dispensed by a physician/pharmacist.

Prescriber's Authorization

Name of Student: _____ Date of Birth: _____

Address: _____

Condition for which drug is to be administered: _____

Drug Name: _____ Dose: _____ Route: _____

Time of Administration: _____ If PRN, frequency: _____

Relevant side effects: ☐ Not expected ☐ Specify: _____

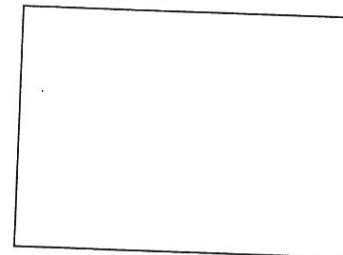
ALLERGIES: ☐ No ☐ Yes (Specify): _____

Medication shall be administered from: _____ to _____

Prescriber's Name/Title: _____
Month / Day / Year Type or Print

Telephone: _____ Fax: _____

Address: _____



Use for Prescriber's Stamp

Prescriber's Signature: _____ Date: _____

PARENT / GUARDIAN AUTHORIZATION TO ADMINISTER MEDICATION AND FOR THE EXCHANGE OF INFORMATION

Connecticut State Law & Regulations 10-212 a-2 require the written permission of the parent/guardian for the exchange of information between the prescriber and the school nurse. I hereby request that the above ordered medication be administered by the school nurse, or qualified school personnel. I understand that I must supply the school with no more than a 3 month supply of medication, and that this medication will be destroyed if not pick-up within one week following termination of the order or the last day of school, whichever comes first. I also give my consent for the exchange of information between my child's prescriber and the school nurse, if needed to ensure the safe administration of medication.

Parent / Guardian Signature: _____ Date: _____

Home Phone #: _____ Work #: _____ Cell #: _____

SELF ADMINSTRITIN OF MEDICATION AUTHORIZATION / APPROVAL

Self Administration may be approved by the prescriber, school nurse, and parent / guardian in accordance with Board policy.

Prescriber's Authorization of self administration: ☐ Yes ☐ No _____
Signature Date

Parent / Guardian authorization of self administration: ☐ Yes ☐ No _____
Signature Date

School nurse approval for self administration: ☐ Yes ☐ No _____
(not required for inhalers or cartridge injectors) Signature Date

Students

5141.22P

Communicable and Infectious Diseases

The Board of Education recognizes that all children have a constitutional right to a free, suitable program of educational experiences. The Board of Education has established reasonable health requirements as prerequisites to admission or attendance, including the requirement that students undergo physical examination prior to admission.

Where it can be medically established that a student suffers from a serious infectious disease and there is a significant risk of transmission of the disease to others because of the nature of the disease or the personal characteristics of the student carrier, it may be appropriate to exclude the student from the regular classroom. The determination of exclusion of any student will be made on a case by case basis with appropriate procedural due process safeguards. However, where the risk of transmission is relatively low or appropriate procedures can be adopted to reduce the risk of transmission, exclusion is not warranted.

A child with an infectious disease may be considered handicapped, if the condition presents such physical impairment that limits one or more major life activities. Therefore, Section 504 of the Rehabilitation Act, the "Education of all Handicapped Children Act" may apply. The parent, guardian or the school administration may make a referral for determination whether the student is handicapped and entitled to protection under Section 504. The Planning and Placement Team will determine whether the student is handicapped or is "otherwise qualified" within the meaning of Section 504. All students should be educated in the least restrictive environment.

(cf. 5111 Admission)

(cf. 5142 Student Safety)

(cf. 5141 Student Health Services)

(cf. 6162 Individualized Education Program/Special Education Program)

Legal Reference:

"Education for Children with Disabilities", 20 U.S.C. 1400, et seq.

Section 505 of the Rehabilitation Act of 1973, 29 U.S.C. 706(7)(b)

"Americans with Disabilities Act"

The Family Educational Rights and Privacy Act of 1974, (FERPA), 20 U.S.C. 1232g, 45 C.F.R. 99

Connecticut General Statutes

10-76(d)(15) Duties and powers of Boards of education to provide special education programs and services.

10-154a Professional communications between teacher or nurse and student

10-207 Duties of medical advisors

10-209 Records not to be public

10-210 Quarantine of certain persons

19a-581-585 AIDS testing and medical information

New Policy adopted:

/2002

Students

Communicable and Infectious Diseases/Bloodborne Pathogens

Exposure Control Plan

The OSHA Bloodborne Pathogens Standard (29CFR 1910.1030) covers all employees who could be "reasonably anticipated" to face contact with bloodborne pathogens and other potentially infectious materials as the result of performing their job duties. In accordance with this standard, the district has developed an Exposure Control Plan, which contains the following information:

1. General Program Management
2. Exposure Determination
3. Compliance Methods
4. Work Area Restrictions
5. Personal Protective Equipment
6. Hepatitis B. Vaccine Program
7. Post-Exposure Evaluation and Follow-up
8. Training

Availability of the Exposure Control Plan to Employees

A copy of the Exposure Control Plan is found in and available to all employees in each program site.

Review and Update of the Plan

It is important to keep this Exposure Control Plan up to date. To ensure this, the plan will be reviewed and updated under the following circumstances:

1. Annually
2. Whenever new or modified tasks and procedures are implemented which affect opportunities for occupational exposure.
3. Whenever employees' jobs or responsibilities are modified or altered so that a new potential of occupational exposure may exist.
4. Whenever new or revised positions are established that may involve occupational exposure.

Students

5141.22R pg2

Communicable and Infectious Diseases/Bloodborne Pathogens (continued)

Exposure Determination

CFR 1910.1030, paragraph (b) defines "occupational exposure" to mean "reasonably anticipated skin, eye, mucous membrane, or parenteral (i.e. intravenous subcutaneous) contact with blood or other potentially infectious materials that may result from the performance of an employee's duties. Other potentially infectious materials include the following: human body fluids (semen, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluid, pericardial fluid, peritoneal fluid, saliva in dental procedures, any body fluids visibly contaminated with blood, and all body fluids in situations where it is difficult or impossible to differentiate between body fluids).

OSHA requires employers to perform an exposure determination concerning which employees may incur occupational exposure to blood or other potentially infectious materials. The exposure determination is made without regard to the use of personal protective equipment (i.e. employees are considered to be exposed even if they wear personal protective equipment). This exposure determination is required to list all job classifications in which employees may be expected to incur such occupational exposure, regardless of frequency. The following job classifications are in this category:

1. School Nurses
2. First Responders - First Aid Certified
3. Pre School Staff
4. Any staff member determined by medical advisor to be at risk due to unique circumstances

In addition, OSHA requires a listing of job classifications in which some employees may be anticipated to have occupational exposure. Since not all the employees in these categories would be expected to incur exposure to blood or other potentially infectious materials, tasks or procedures that would cause these employees to have occupational exposure are also required to be listed in order to clearly understand which employees in these categories may be considered to have occupational exposure. The following job classifications are in this category:

1. Teachers and aides not specifically listed above
2. Principals
3. Tutors
4. Cafeteria workers
5. Custodians

Universal precautions will be observed at all district building sites in order to prevent contact with blood or other potentially infectious materials. All blood or other potentially infectious materials will be considered infectious regardless of the perceived status of the source individual.

Work practice controls will be utilized to eliminate or minimize exposure to employees. Where occupational exposure remains after institution of these controls, personal protective equipment shall also be utilized. At these sites, the following controls will be utilized:

1. Sharps container in school health offices
2. Bio hazard bags in school health offices
3. Gloves available
4. Double-bagging (custodians)
5. Eye protection, plastic apron as needed in Special Needs and Developmentally Delayed classrooms

Students

5141.22R pg3

Communicable and Infectious Diseases/Bloodborne Pathogens (continued)

Hand washing facilities are also available to the employees who incur exposure to blood or other potentially infectious materials. OSHA requires that these facilities be readily accessible after incurring exposure. Hand washing facilities are located in:

Classrooms	Health Office
All Bathrooms	Some Staff Lounges
Some Administrative Offices	

Personal Protective Equipment

All personal protective equipment used at the sites will be provided without cost to employees. Personal protective equipment will be chosen based on the anticipated exposure to blood or other potentially infectious materials. The protective equipment will be considered appropriate only if it does not permit blood or other potentially infectious materials to pass through or reach the employees' clothing, skin, eyes, mouth, or other mucous membranes under normal conditions of use and for the duration of time which the protective equipment will be used.

Gloves shall be worn where it is reasonably anticipated that employees will have hand contact with blood, other potentially infectious materials, non-intact skin, and mucous membranes. Gloves will be used when contact with blood or body secretion occurs or is suspected.

All contaminated sharps shall be discarded as soon as feasible in sharps containers which are located in each school health office.

Hepatitis B Vaccine Program

All employees who have been identified as having exposure to blood or other potentially infectious materials will be offered the Hepatitis B vaccine, at no cost to the employee. The vaccine will be offered within 10 working days of their initial assignment to work involving the potential for occupational exposure to blood or other potentially infectious materials unless the employee has previously had the vaccine or who wishes to submit to antibody testing which shows the employee to have sufficient immunity.

Employees who decline the Hepatitis B vaccine will sign a waiver. Employees who initially decline the vaccine but who later wish to have it may have the vaccine provided at no cost.

The school nurse will assist employees to get the vaccine. The school medical advisor will supervise the administration of the vaccine.

Post-Exposure Evaluation and Follow-up

Employees will immediately report a possible exposure incident to the school nurse where available or to their building Principal and will make out an incident report. The nurse or administrator will contact the school medical advisor or the Connecticut Department of Health Services to determine if an incident has occurred.

When an incident is confirmed, the school medical advisor will arrange for a confidential medical evaluation and follow-up including:

1. Documentation of the route of exposure and the circumstances related to the incident.

Students

Communicable and Infectious Diseases/Bloodborne Pathogens (continued)

Post-Exposure Evaluation and Follow-up (continued)

2. Identification and documentation of the source individual if feasible unless school medical advisor can establish that identification is infeasible or prohibited by state law.
 - a. Source individual's blood will be tested as soon as feasible after consent is obtained, for HIV/HBV infectivity, unless source is a known carrier. If consent is not obtained, school medical advisor shall establish that legally obtained consent cannot be obtained.
 - b. Results of the source individual's testing shall be made available to the exposed employee, and the employee shall be informed of applicable laws and regulations concerning disclosure of the identity and infectious state of the source individual.

Minor students/clients' parents/guardians must be contacted and advised of the incident and their options. They should be encouraged to contact their own primary health care provider prior to giving consent for testing or disclosure.

3. Blood Collection

- a. The exposed employee's blood shall be collected as soon as feasible by an accredited laboratory and tested after consent is obtained.
- b. If the employee consents to collection but does not give consent for HIV serological testing, the sample shall be preserved for at least 90 days by the laboratory. If within the 90 days, the employee elects to have the baseline sample tested, such testing will be done as soon as feasible.
- c. Post exposure prophylaxis, when medically indicated, as recommended by the U.S. Public Health Service.
- d. Appropriate counseling concerning precautions to take place during the period after the exposure incident.
- e. Information for the employee on what potential illnesses to be alert for and to report any related experiences to appropriate personnel.

Information for Health Care Professionals

District employees will insure that the health care professional evaluating an employee after an exposure incident is provided the following information:

- A copy of the regulations.
- A description of the exposed employee's duties as they relate to the exposure incident.
- Documentation of the route(s) of exposure and circumstances under which exposure occurred.
- Results of the source individual's blood testing, if available.
- All medical records relevant to the appropriate treatment of the employee including vaccination status which is the district's responsibility to maintain.

Students

Communicable and Infectious Diseases/Bloodborne Pathogens (continued)

Health Care Professional's Written Opinion

Employees will obtain a copy of the health care professional's written opinion when an employee goes for Hepatitis B vaccination or following an exposure incident. If the latter occurs, the district will provide the employee with a copy of the evaluating health care professional's written opinion within 15 days of the completion of the evaluation. Written opinion will be limited to:

- Is Hepatitis B vaccine indicated and has it been given to the employee?
- Has the employee been informed of the results of the evaluation?
- Has the employee been told about any medical condition resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment?

All other findings or diagnosis shall remain confidential between the health care professional and district employee and shall not be included in the written report.

Record Keeping

The Superintendent of Schools will establish and maintain an accurate separate record for each employee with occupational exposure in accordance with 29CFR1920.20. This record will include:

- The name and social security number of the employee.
- Hepatitis B Vaccine Declination.
- A copy of the employee's Hepatitis B vaccination status including the dates of all of the Hepatitis B vaccinations and any medical records relative to the employee's ability to receive vaccination.
- A copy of all results of examinations, medical testing and follow-up procedures required by these guidelines.
- The employer's copy of the health care professional's written opinion as required by these guidelines.
- A copy of the information provided to the health care professional as required in these guidelines.

Confidentiality

District administrators and health personnel will ensure that the above medical records are:

- Kept confidential.
- Not disclosed or reported without the employee's expressed written consent to any person within or outside the workplace except as required by this standard or as may be required by law.

Students

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Communicable and Infectious Diseases/Bloodborne Pathogens (continued)

Confidentiality (continued)

- Kept separate from the personnel record.
- Provided upon request for examination and copying to the subject employee, to anyone having written consent of the subject employee or to OSHA designees.
- Maintained for at least the duration of employment plus 30 years.

Training

District employees shall ensure that all employees with occupational exposure participate in a training program at the time of initial assignment to tasks where occupational exposure may take place; when changes such as modification of tasks or procedures are implemented or institution of new tasks or procedures affect the employee's occupational exposure, and updated annually thereafter. A record of each training session will be filed in the Personnel Department.

District employees occupationally at risk will receive a training program which will include:

The modes of transmission of AIDS and Hepatitis B viruses.

- Instructions on types of protective clothing and equipment generally appropriate for employees, as well as instructions on the basis for selecting the clothing and equipment.
- Instructions on the actions to take and persons to contact if exposure has occurred.
- Instructions on the requirements for work practices and protective equipment for each task they may perform.
- Instructions on where protective clothing and equipment is kept; how to use it; and how to remove, handle, decontaminate, and dispose of contaminated clothing or equipment.
- Instructions on the limitation of protective clothing and equipment.

Students

5141.22R pg7

Communicable and Infectious Diseases/Bloodborne Pathogens (continued)

Legal Reference: "Education for Children with Disabilities", 20 U.S.C. 1400, et seq.
Section 505 of the Rehabilitation Act of 1973, 29 U.S.C. 706(7)(b)
"Americans with Disabilities Act"
The Family Educational Rights and Privacy Act of 1974, (FERPA), 20 U.S.C.
1232g, 45 C.F.R. 99
Connecticut General Statutes
10-76(d)(15) Duties and powers of Boards of education to provide special
education programs and services.
10-154a Professional communications between teacher or nurse and student.
10-207 Duties of medical advisors.
10-209 Records not to be public.
10-210 Notice of disease to be given parent or guardian.
19a-221 Quarantine of certain persons.
19a-581-585 AIDS testing and medical information.

New Regulation adopted:
/2002

Students

Psychotropic Drug Use

The Orange Board of Education prohibits all school personnel from recommending the use of psychotropic drugs for any student enrolled within the school system. However, members of the school medical staff, including school nurses and the district's medical advisor, may recommend that a student be evaluated by an appropriate medical practitioner. Further, upon the consent of the student's parents or guardian, the medical practitioner may consult with school personnel regarding such use.

The Board recognizes that the refusal of a parent or other person having control of a child to administer or consent to the administration of any psychotropic drug to the child shall not, in and of itself, constitute grounds for the Department of Children and Families (DCF) to take such child into custody or for any court of competent jurisdiction to order that such child be taken into custody by the department, unless such refusal causes such child to be neglected or abused, as defined in C.G.S. 46b-120.

(cf. 5141.4 - Reporting of Child Abuse and Neglect)

Legal Reference: Connecticut General Statutes

P.A. 01-124: An Act Concerning Recommendations For and Refusals of the Use of Psychotropic Drugs by Children and Utilization Review Determinations related to Mental and Nervous Conditions.

46b-120. Definitions

Policy adopted:
9/10/2001

Students

Students with Special Health Care Needs

Accommodating Students with Special Dietary Needs

The Board of Education believes all students, through necessary accommodations where required, shall have the opportunity to participate fully in all school programs and activities.

In some cases, a student's disability may prevent him/her from eating meals prepared for the general school population.

Substitutions to the regular meal will be made for students who are unable to eat school meals because of their disabilities, when that need is certified in writing by a physician. Meal service shall be provided in the most integrated setting appropriate to the needs of the disabled student.

The nature of the student's disability, the reason the disability prevents the student from eating the regular school meals, including foods to be omitted from the student's diet, indication of the major life activity affected by the disability, the specific diet prescription along with the substitution(s) needed will be specifically described in a statement signed by a licensed physician. The district, in compliance with USDA Child Nutrition Division guidelines, will provide substitute meals to food-allergic students based upon the physician's signed statement.

The Board recognizes that students with documented life-threatening food allergies are considered disabled and are covered by The Disabilities Act and Public Law 93-112 and Section 504 of The Rehabilitation Act of 1973. A clearly-defined "504 Accommodation Plan" shall be developed and implemented for all such identified students in which necessary accommodations are made to ensure full participation of identified students in student activities. Such plan shall be signed by the appropriate staff, the parent/guardian of the student and the student's physician.

All schools are also responsible for developing and implementing guidelines for the care of food-allergic students. Such guidelines shall include, but not be limited to, staff development, strategies for identifying students at risk for life-threatening allergic reactions, means to manage the student's allergy including avoidance measures, designation of typical symptoms and dosing instructions for medications.

(cf. 5141 Student Health Services)

(cf. 5141.21 Administering Medication)

(cf. 5141.23 Students With Special Health Care Needs)

(cf. 5141.3 Health Assessments)

(cf. 5145.4 Nondiscrimination)

Students

Students with Special Health Care Needs (continued)

Legal Reference:

Connecticut General Statutes

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

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

10-207 Duties of medical advisors.

Section 504 of the Rehabilitation Act of 1973

Americans With Disabilities Act

FCS Instruction 783-2, Revision 2, Meal substitution for medical or other special dietary reasons.

New Policy adopted:
/2002

Students

Students with Special Health Care Needs

Accommodating Students with Special Dietary Needs

In order to properly implement the Board policy pertaining to the management of food allergies, the following administrative regulations are hereby established:

1. Each school shall establish a method of ensuring that relevant information is transmitted to all supervising persons of an identified student. It is incumbent upon the school to notify any person who may be supervising an identified student with food allergies, especially those which may be life-threatening, such as peanut allergies.
2. The primary concern of the school is the prevention and appropriate treatment of potentially severe allergic reaction, anaphylaxis.
3. Parents with allergic children must provide the school with an individualized action plan prepared by the student's physician. (See form; EMERGENCY HEALTH CARE FORM)
4. At risk students should have some means of identification, such as a medical alert bracelet.
5. Most food-allergic children bring their lunch from home. However, guidelines established by the USDA Child Nutrition Division in charge of school lunches requires school food service staff to provide substitute meals to allergic students if the physician of the student sends in written instructions certifying the child's allergy, what foods are to be avoided and safe substitutions.
6. Consider establishing a no-food trading policy within the school.
7. Permit parents to review/preview menus in order to select safe foods their child may eat.
8. Consider the following avoidance strategies due to the fact that risk can never be fully eliminated in the school environment:
 - a) Parents should be encouraged to instruct their children in how to avoid contact with substances to which they are allergic.
 - b) Carefully monitor identified children, especially in the younger grades.
 - c) Allergic children should consider eating foods that are only prepared at home.
 - d) Students should be encouraged not to exchange foods or utensils with other students.
 - e) Surfaces, toys and equipment should be washed clean of allergic containing foods.
 - f) Food personnel should be instructed about necessary measures required to prevent cross contamination during food handling, preparation and serving of food.
 - g) Check hand soap ingredients to be sure it does not contain peanut oils.
 - h) Provide staff updates at faculty meetings as needed.
 - i) Consider a peanut-free table in the cafeteria.
9. Provide training for staff in the use of epinephrine auto injections.
10. Epinephrine should be kept in close proximity to students at risk of anaphylaxis and in all cases where it is administered, the student must be sent to the hospital immediately.

5141.25
Form

EMERGENCY HEALTH CARE PLAN

Place
Child's
Picture
Here

ALLERGY TO:	
Student's Name	
DOB:	
Teacher:	
Asthmatic	YES <input type="checkbox"/> * No <input type="checkbox"/>
*Denotes HIGH RISK for severe reaction	

SIGNS OF AN ALLERGIC REACTION INCLUDE

Systems:	Symptoms:
MOUTH	itching and swelling of the lips, tongue, or mouth
THROAT	itching and/or a sense of tightness in the throat, hoarseness, and hacking cough
SKIN	hives, itchy rash, and/or swelling about the face or extremities
GUT	nausea, abdominal cramps, vomiting and/or diarrhea
LUNG	shortness of breath, repetitive coughing, and/or wheezing
HEART	"thready" pulse, "passing out"
The severity of symptoms can quickly change.	
*All above symptoms can potentially progress to a life-threatening situation!	

Action:

- If ingestion is suspected, give (medication/dose/route) _____ **immediately!**
- CALL RESCUE SQUAD: _____
- CALL: Mother _____ Father _____
or emergency contacts.
- CALL: Dr. _____ at _____

DO NOT HESITATE TO ADMINISTER MEDICATION OR CALL RESCUE SQUAD EVEN IF PARENTS OR DOCTOR CANNOT BE REACHED!

Parent Signature	Date	Doctor's Signature	Date
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Emergency Contacts		Trained Staff Members	
1.		1.	
Name/Relation	Phone	Name/Relation	Phone
2.		2.	
Name/Relation	Phone	Name/Relation	Phone
3.		3.	
Name/Relation	Phone	Name/Relation	Phone

Students**Food Allergy Management Plan and Guidelines**

The Orange Public Schools recognize that food allergies may be life threatening. For this reason, the district is committed to developing strategies and practices to minimize the risk of accidental exposure to life threatening food allergens and to ensure prompt and effective medical response should a child suffer an allergic reaction while at school. The district further recognizes the importance of collaborating with parents and appropriate medical staff in developing such practices and encourages strategies to enable the student to become increasingly proactive in the care and management of his/her food allergy, as developmentally appropriate. To this end, the Orange Public Schools adopt the following guidelines related to the management of life threatening food allergies for students enrolled in the district schools.

I. Identifying Students with Life-Threatening Food Allergies

Early identification of students with life-threatening food allergies is important. The district therefore encourages parents/guardians of children with a life-threatening food allergy to notify the school of the allergy, providing such information about the extent and nature of the food allergy as is known, as well as any known effective treatment for the allergy.

II. Individualized Health Care Plans and Emergency Care Plans

1. If the district determines that a child has a life-threatening food allergy, the district shall develop an Individualized Health Care Plan (IHCP) for the child. Each IHCP should contain information relevant to the child's participation in school activities, and should attempt to strike a balance between individual, school and community needs, while fostering normal development of the child.
2. The IHCP should be developed by a group of individuals, which shall include the parents, and appropriate school personnel. Such personnel may include, but are not limited to, the school nurse; school and/or food service administrator(s); classroom teacher(s); and the student, if appropriate. The school may also consult with the school medical advisor, as needed.
3. IHCPs are developed for students with special health needs or whose health needs require daily interventions. The IHCP describes how to meet the child's health and safety needs within the school environment and should address the student's needs across school settings. Information to be contained in an IHCP should include a description of the functional health issues (diagnoses); student objectives for promoting self care and age appropriate independence; and the responsibilities of parents, school nurse and other school personnel. The IHCP

may also include strategies to minimize the student's risk for exposure, such as considerations regarding:

- a. classroom environment, including allergy free considerations;
 - b. cafeteria safety;
 - c. participation in school nutrition programs;
 - d. snacks, birthdays, and other celebrations;
 - e. alternatives to food rewards or incentives;
 - f. hand-washing;
 - g. location of emergency medication;
 - h. risk management during lunch and recess times;
 - i. special events;
 - j. field trips;
 - k. extracurricular activities;
 - l. school transportation;
 - m. staff notification; and
 - n. transitions to new classrooms, grades and/or buildings.
4. The IHCP should be reviewed annually, or whenever there is a change in the student's emergency care plan, changes in self-monitoring and self-care abilities of the student, or following an emergency event requiring the administration of medication or the implementation of other emergency protocols.
5. In addition to the IHCP, the district shall also develop an Emergency Care Plan (ECP) for each child identified as having a life threatening food allergy. The ECP is part of the IHCP and describes the specific directions about what to do in a medical emergency. The ECP should include the following information:
 - a. The child's name and other identifying information, such as date of birth, grade and photo;
 - b. The child's specific allergy;
 - c. The child's signs and symptoms of an allergic reaction;
 - d. The medication, if any, or other treatment to be administered in the event of exposure;
 - e. The location and storage of medication;
 - f. Who will administer the medication;
 - g. Other emergency procedures, such as calling 911, contacting the school nurse, and/or calling the parents or physician;
 - h. Recommendations for what to do if the child continues to experience symptoms after the administration of medication; and
 - i. Emergency contact information for the parents/family and medical provider.
6. In developing the ECP, the school nurse should obtain current health information from the parents/family and the student's health care provider, including the student's emergency plan and all medication orders. If needed, the school nurse

or other appropriate school personnel, should obtain consent to consult directly with the child's health care provider(s) to clarify medical needs, emergency medical protocol and medication orders.

7. A student identified as having a life-threatening food allergy is entitled to an IHCP and an ECP, regardless of his/her status as a child with a disability, as that term is understood under 504, or the IDEA.
8. The district shall ensure that the information contained in the IHCP and ECP is distributed to any school personnel responsible for implementing any provisions of the IHCP and/or ECP.
9. Whenever appropriate, a student with a life-threatening food allergy should be referred to a Section 504 Team for consideration if/when there is a reason to believe that the student has a disability that substantially limits a major life activity, as defined by Section 504. Whenever appropriate, students with life-threatening food allergies should be referred to a PPT for consideration of eligibility for special education and related services if there is a reason to suspect that the student has a qualifying disability and requires specialized instruction.
10. When making eligibility determinations under Section 504 and/or the IDEA, schools must consider the student's needs on an individualized, case-by-case basis.

III. Training/Prevention

The district shall provide appropriate education and training for school personnel regarding the management of students with life-threatening allergies. Such training shall include, as appropriate for each school (and depending on the specific needs of the individual students at the school) training in the administration of medication with cartridge injectors (i.e. epipens) and/or preventative strategies to minimize a child's risk of exposure to life-threatening allergens. Any such training regarding the administration of medication shall be done in accordance with state law and Board policy.

IV. Monitoring the District's Plan and Procedures

The district should conduct periodic assessments of its Food Allergy Management Plan and Procedures. Such assessments should occur at least annually and after each emergency event involving the administration of medication to determine the effectiveness of the process, why the incident occurred, what worked and what did not work.

Legal References:

Conn. General Statute 10-212a	Administration of Medications in Schools
Conn. General Statute 10-220i	Transportation of Students Carrying Cartridge Injectors
Conn. General Statute 19a-900	Use of cartridge injectors by staff members of before or after school program, day camp or day care facility
Conn. General Statute 52-577b	"Good Samaritan Law." Immunity from liability for emergency, medical assistance, first aid or medication by injector. School personnel not required to administer or render.
Regs. Conn. State Agencies 10-212a-1 through 10-212a-7	Administration of Medication by School Personnel

Guidelines for Managing Life-Threatening Food Allergies in Connecticut Schools.
Connecticut State Department of Education (2206)

Federal Law:

Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794
Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq.
The Americans with Disabilities Act of 1990 (ADA), 42 U.S.C. 12101 et seq.

SUGGESTED ROLES AND RESPONSIBILITIES

STUDENTS WITH LIFE-THREATENING ALLERGIES

Students should:

Learn to recognize symptoms of an allergic reaction.

Promptly inform an adult as soon as accidental exposure occurs or symptoms appear. Ask a friend to help you if you can not get to an adult.

Follow safety measures established by your parent(s)/guardian(s) and school team at all times.

Do not trade or share foods with anyone.

Do not eat any food item that has not come from home or been approved by your parent or guardian.

Wash hands before and after eating.

Develop a rapport with the school nurse and/or other trusted adult in the school to assist you in the successful management of the allergy at school.

Report any instances of teasing or bullying to an adult immediately.

PARENTS/GUARDIANS

Inform the school nurse of your child's allergies prior to the opening of school (or as soon as possible after a diagnosis).

Provide the school nurse with health information from your health care provider.

Provide the school nurse with medication orders from the licensed provider.

Participate in developing an Individualized Health Care Plan (IHCP) with the school nurse and school team.

Provide the school nurse with at least annual updates on your child's allergy status.

Provide the school nurse with written permission to communicate with your health care provider.

Provide the school with at least two (2) up-to-date epinephrine auto-injectors.

Provide the school nurse with the licensed provider's statement if the student no

longer has allergies.

Provide a list of foods and ingredients to avoid.

Consider providing a medical alert bracelet for your child.

Be willing to go on your child's field trips if possible and if requested.

Review the list of student responsibilities with your child and be sure he/she understands his role.

It is important that children take on more responsibility for their food allergies as they grow older and are developmentally ready. Consider teaching them:

Communication the seriousness of the allergy.

Communicate symptoms as they appear.

Read labels

Recognize potentially dangerous situations and make good safety decisions.

SCHOOL ADMINISTRATOR

Include in the school district's emergency response plan a written plan outlining emergency procedures for managing life-threatening allergic reactions. Develop procedures to assist schools to adapt or modify the plan to meet special needs of individual students. Consider risk reduction for life-threatening allergies.

Support faculty, staff, and parents in implementing all aspects of the life-threatening allergy management plan. Provide training and education for faculty and staff regarding:

Anaphylaxis and anaphylactic reactions to foods, insect stings, medications, latex

Risk reduction procedures

Emergency procedures

How to administer an epinephrine auto-injector in an emergency

Cafeteria management and food preparation for food service personnel

Provide emergency communication devices (e.g., two-way radio, intercom, walkie-talkie, cell phone) for all school activities, including transportation that involves a student with a life-threatening allergy.

Have a plan in place when there is no school nurse available, including at least three staff members that are trained in the recognition of early symptoms of anaphylaxis and in medication administration.

Inform parent/guardian if any student experiences an allergic reaction.

Make sure that plans include notification and training, as indicated, of substitute teachers, nurses or food service personnel.

Ensure that the students with life-threatening allergies are placed in classrooms where teachers are trained to administer an epinephrine auto-injector, if needed.

Provide guidance on district wide issues, such as transportation.

SCHOOL NURSE

Prior to entry into school (or, for a student who is already in school, immediately after the diagnosis of a life-threatening allergic condition), meet with the student's parent/guardian to develop a draft of an Individual Health Care Plan (IHCP).

Assure that the Emergency Care Plan (ECP) includes the student's name, photo, allergen, and symptoms of allergic reactions, risk reduction procedures, emergency procedures and that it is distributed to all appropriate staff.

Arrange and convene a team meeting, if possible before the opening of school to finalize the IHCP.

After the team meeting, review the plan with parent and student.

Familiarize teachers with the ECPs and IHCPs of their students by the opening of school, or as soon as the plans are written. Other staff members who have contact with students with life-threatening allergies should be familiar with their IHCPs and ECPs on a need-to-know basis including principal, school medical advisor, specialists, food service personnel, aides, physical education teacher, art and music teachers, custodian(s), bus driver, local EMS.

Provide information about students with life-threatening allergies and their photos (if consent given by parent/guardian) to all staff on a need-to-know basis.

Conduct education for appropriate staff regarding a student's life-threatening allergens, symptoms, risk reduction procedures, emergency procedures, and how to administer an epinephrine auto-injector.

Implement a periodic anaphylaxis drill similar to a fire drill as part of periodic refresher courses/training.

Track and document the education of all involved parties to ensure that they have been properly trained and updated.

Introduce yourself to the student and show him/her how to get to the nurse's office.

Post individualized plans as appropriate and have available all IHCPs and ECPs in an easily accessible place in the nurse's office. Post locations of epinephrine auto-injector.

Periodically check medications for expiration dates and arrange for them to be

current.

Arrange periodic follow-up to review effectiveness of IHCP, at least on an annual basis, or as often as necessary.

Make sure that substitute school nurses are fully oriented to students with life-threatening food allergies and their care plans.

Communicate with parent/guardian on a regular basis.

CLASSROOM TEACHER/SPECIALIST

Participate in the development of the student's IHCP and ECP (as a core team member).

Review and follow the ECP and IHCP of any student(s) in your classroom with life-threatening allergies.

Keep accessible the student's ECP and IHCP with photo (if consent is given by parent/guardian) in classroom or with the lesson plan.

Always act immediately and follow the ECP if a student reports signs of an allergic reaction.

Never allow a child you suspect of having an allergic reaction to walk alone to the school nurse.

Be sure volunteers, students teachers, aides, specialists and substitute teachers are informed of the student's food allergies and necessary safeguards.

Leave information in an organized, prominent and accessible format for substitute teachers.

Consider coordinating with parent and school nurse a lesson plan about food allergies and anaphylaxis in age appropriate terms for the class.

Educate classmates to avoid endangering, isolating, stigmatizing or harassing students with food allergies. Be aware of how the student with food allergies is being treated; use this opportunity to teach community caring; and enforce school rules/policies about bullying and threats.

Work with the school nurse to educate other parents about the presence and needs of the child with life-threatening allergies in the classroom. Enlist their help in keeping allergic foods out of the classroom.

Inform parents/guardians of children with life-threatening food allergies of any school events where food will be served.

Plan for a student's re-entry to school after an anaphylactic reaction

Prohibit students from trading/sharing snacks.

Avoid cross-contamination of foods by wiping down eating surfaces with soap and water before and after eating as applicable. Tables should also be washed with soap and water in the morning if an after-school event has been held in the classroom the day before.

Reinforce hand-washing before and after eating.

Avoid use of allergenic food for classroom activities (e.g., arts and crafts, counting, science projects, parties, holidays, and celebrations, cooking, pet foods or other projects).

Welcome parental involvement in organizing class parties and special events.

Consider non-food treats for rewards and incentives.

Collaborate with the school nurse and parents prior to planning a field trip to

Plan ahead for risk avoidance at the destination and during transportation to and from the destination.

Review plans when selecting field trip destinations; avoid high-risk places.

Ensure the epinephrine auto-injector and instructions are taken on field trips and remain in the care of the trained adult during the course of the trip.

Ensure that the child with life-threatening allergies is assigned to staff who are trained in recognizing symptoms of life-threatening allergic reactions, trained to use an epinephrine auto-injector, and trained in emergency procedures.

Consider eating situations on a field trip and plan for prevention of exposure to the student's life-threatening foods.

Consider ways to wash hands before and after eating (i.e., providing hand-wipes).

Invite parents of a student at risk for anaphylaxis to accompany their child on field trips, in addition to the other chaperones. The student's safety or attendance must not be conditioned on the parent's presence.

SCHOOL PSYCHOLOGIST

Participate in the development of the students IHCP and ECP (as a core team member).

Assist with staff training, especially around staff anxiety in caring for students with life-threatening food allergies.

Monitor anxiety, stress level and social development of students with life-threatening food allergies and provide interventions as appropriate.

Act as a resource to parents and students regarding anxiety, stress and normal development.

Educate classmates to avoid endangering, isolating, stigmatizing or harassing students with food allergies. Be aware of how the student with food allergies is being treated; use this opportunity to teach community caring; enforce school rules/policies about bullying and threats.

FOOD SERVICES

Participate in the team meeting with appropriate members for entry into school as appropriate.

Post the student's ECP with consent from parent/guardian.

Ensure that all food service staff and their substitutes are trained to recognize the signs and symptoms of an allergic reaction and what to do in the event of a reaction.

Maintain contact information for manufacturers of food products (e.g., Consumer Hotline) and make available to parents on request.

Provide parents with food labels as requested.

Review and follow sound food handling and food preparation practices to avoid cross-contact with potential food allergens.

Establish policies and procedures in collaboration with the school administration for the cafeteria regarding students with life threatening food allergies.

Create specific areas that will be allergen safe, as needed.

Strictly follow cleaning and sanitation protocols to avoid cross-contact.

Thoroughly clean all tables, chairs and floors after each meal.

Avoid the use of latex gloves by food service personnel. Use non-latex gloves instead.

Know how to access epinephrine auto-injector(s) or summon school nurse immediately.

Take all complaints seriously from any student with a life-threatening allergy.

Be prepared to take emergency action and follow student's ECP.

Students

First Aid/Emergency Medical Care

Use of Automatic External Defibrillators (AEDs)

The Orange Board of Education strives to provide a safe environment for students, staff, parents and the community. In achieving a safe environment, automatic external defibrillators (AEDs) are accessible on school grounds at all District schools for use in emergency medical situations. Such AEDs are not intended to and do not replace the assistance of qualified medical professionals.

The AEDs shall only be used by individuals specifically trained in the use of an AED, in accordance with applicable state statutes. The AEDs and school personnel trained in the operation of an AED and the use of CPR shall be accessible during each school's normal operational hours, and during school-sponsored events not occurring during the normal operational hours of the school. Training shall be in accordance with the standards set forth by the school district's Medical Advisor consistent with relevant medical guidelines and statutes.

The AEDs on school grounds are Orange Board of Education property. Any employee, student or other individual who inappropriately accesses and/or uses an AED will be subject to disciplinary action, up to and including expulsion from school and/or termination of employment. Civil and/or criminal liability may also be imposed on any student, employee or individual who inappropriately accesses and/or uses an AED.

The Superintendent of Schools shall establish administrative guidelines that will outline the specific responsibilities, training, management, maintenance and procedures for the use and storage of AEDs on school grounds.

(cf. 5114 – Suspension, Expulsion & Removal from Class)

Legal Reference: Connecticut General Statutes
 10-221 Boards of education to prescribe rules.
 52-557b “Good Samaritan law.” Immunity from liability for emergency medical assistance, first aid or medication by injection. School personnel not required to administer or render. (as amended by P.A. 09-59.)
 P.A. 09-94 An Act Concerning the Availability of Automatic External Defibrillators in Schools
 Public Law 106-505 Cardiac Arrest Survival Act
 Public Law 105-170 Aviator Medical Assistance Act
 Public Law 107-188 The Public Health Security and Bioterrorism Response Act

Policy adopted: 12/13/2010

Students

First Aid/Emergency Medical Care

Use of Automatic External Defibrillators (AEDs)

A. AED Trained Staff Member Responsibilities

1. Medical Control:

The District's School Medical Advisor is the medical advisor of the AED program. He/She has ongoing responsibility for:

- Providing medical direction for use of the AEDs.
- Writing a prescription for AEDs.
- Reviewing and approving guidelines for emergency procedures related to use of AEDs and CPR.
- Evaluation of post-event review forms and digital files downloaded from the AED.
- A report must be completed and forwarded to the local EMS provider each time an AED is activated.
- Activating internal emergency response system and providing prompt basic life support including AED and first aid according to training and experience.
- Understanding and complying with requirements of this policy and regulation.
- Following the more detailed procedures and guidelines of the AED program.

2. Maintenance and Testing:

- All AEDs in District schools must be maintained according to the manufacturer's specifications.
- The School nurse will check the status indicator on a weekday basis, during the school day when school is in session. The Director of Facilities or designee will check the AED status indicator on all non-school days.
- All problems shall be reported to the Business Administrator.

3. Follow up

- AED data will be downloaded within 24 hours with copies sent to EMS, school nurse and District Medical Advisor.

Students

First Aid/Emergency Medical Care

Use of Automatic External Defibrillators (AEDs) (continued)

Legal Reference: Connecticut General Statutes

10-221 Boards of education to prescribe rules.

52-557b “Good Samaritan law.” Immunity from liability for emergency medical assistance, first aid or medication by injection. School personnel not required to administer or render. (as amended by P.A. 09-59.)

P.A. 09-94 An Act Concerning the Availability of Automatic External Defibrillators in Schools

Public Law 106-505 Cardiac Arrest Survival Act

Public Law 105-170 Aviator Medical Assistance Act

Public Law 107-188 The Public Health Security and Bioterrorism Response Act

Regulation approved: 12/13/10

Students

Health Assessments and Immunizations

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

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

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

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

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

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

(cf. 5111 - Admission)

(cf. 5141.31 - Physical Examinations for School Programs)

(cf. 5125 - Student Records)

Legal Reference: Connecticut General Statutes
 10-204 Vaccination

10-204a Required immunizations as amended by PA 96-244.
10-204c Immunity from liability

Students

Health Assessments and Immunizations

Legal Reference (continued)

10-205 Appointment of school medical adviser

10-206 Health assessments

10-207 Duties of medical advisors

10-206a Free health assessments

10-208 Exemption from examination or treatment

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

10-209 School nurses

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

Regulation revised

& approved: 10/15/96

Policy and regulation revised: 9/10/01

Approved: 2002

Students

Health Assessments and Immunizations

In accordance with Connecticut General Statutes 10-206, 10-204a, and 10-214, the following health assessment procedures are established for students in the district:

- 1) Proof of immunization shall be required prior to school entry. A "school-aged child" also includes any student enrolled in an adult education program that leads to a high school diploma. This immunization verification is mandatory for all new school enterers and must include complete documentation of those immunizations requiring a full series. A required immunization record includes:

- a) **For initial entry into school for kindergarten, regular and special education pre-school programs:**

- 4 doses of DTP/DTaP vaccine (Diphtheria - Pertussis - Tetanus). At least one dose is required to be administered on or after the 4th birthday for children entering school at 48 to 71 months of age.

(Pertussis immunization shall not be required after a student's sixth birthday),

- 3 doses of Polio Vaccine with at least one dose of polio vaccine administered on or after the 4th birthday and before school entry. (This then usually results in 4 doses in total.)
- 2 doses of MMR vaccine (measles, mumps and rubella). One dose at 1 year of age or after and a second dose prior to school entry OR disease protection, confirmed in writing, by a physician, physician assistant or advanced practice registered nurse that the child has had a confirmed case of such disease based on specific blood testing conducted by a certified laboratory.
- 3 doses of Hepatitis B vaccine (HBV) or confirmed blood test (for any individual born January 1, 1994 or later)
- 1 dose of Hib (Hemophilus Influenza type b) is required of all school children who enter school **prior to their fifth birthday** or had a laboratory confirmed infection at age 24 months or older, confirmed in writing by a physician.

Students

Health Assessments and Immunizations (continued)

a) For initial entry into school for kindergarten, regular and special education pre-school programs: (continued)

- **Varicella (Chickenpox) Immunity - EFFECTIVE AUGUST 2000**

(i) All students born January 1, 1997 or later must show proof of immunity to varicella (chickenpox) for entry into licensed pre-school programs and kindergarten.

(ii) Proof of immunity includes any of the following:

- * Documentation of age appropriate immunizations considered to be one dose administered on or after the student's first birthday (if the student is less than 13 years old) or two doses administered at least 30 days apart for students whose initial vaccination is at thirteen years of age or older.

- * Serologic evidence of past infection.

Statement signed and dated by a physician, physician assistant or advanced practice registered nurse indicating a child has already had chickenpox based on family and/or medical history.

Immunization requirements are satisfied if a student:

- i) presents verification of the above mentioned required immunizations;
- ii) presents a certificate from a physician, physician assistant, advanced practice registered nurse or a local health agency stating that initial immunizations have been administered to the child and additional immunizations are in process;
- iii) presents a certificate from a physician stating that in the opinion of the physician immunization is medically contraindicated because of the physical condition of the child;
- iv) presents a statement from the parents or guardian of the child that such immunization would be contrary to religious beliefs of the child;
- v) he/she has had a natural infection confirmed in writing by a physician, physician assistant, advanced practice registered nurse or laboratory.

Students

Health Assessments and Immunizations (continued)

- 2.) Kindergarten students must have a health assessment dated within 1 YEAR prior to the start of school.

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. (CGS 10-204a)

Students failing to meet the above requirements shall not be allowed to attend school.

- 3) A physical examination including blood pressure, height, weight, hematocrit or hemoglobin, and screenings for hearing, vision, speech, gross dental and posture shall be required for all new school enterers, and students in grade 6. This health assessment must be completed either prior to school entry or 30 calendar days after the beginning of school for new school enterers. This assessment must be conducted within the school year for students in grade 6. Parents of students in grade 6 shall be notified, in writing, of the requirement of a health assessment and shall be offered an opportunity to be present at the time of assessment.

The 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.

A test for tuberculosis, as indicated above, is not mandatory, but should be performed if any of the following risk factors prevail:

1. birth in a high risk country of the world (to include all countries in Africa, Asia, the former Soviet Union, Eastern Europe, Central and South America, Dominican Republic and Haiti);
2. travel to a high risk country staying at least one week with substantial contact with the indigenous population since the previously required examination;
3. extensive contact with persons who have recently come to the United States since the previously required examination;
4. contact with persons suspected to have tuberculosis.

Health assessments completed within the calendar year of new school entry will be accepted by the school system. Failure of students to satisfy the above mentioned health assessment timeliness and/or requirements shall result in exclusion from school.

- 4) Parents or guardians of students being excluded from school due to failure to meet health assessment requirements shall be given a thirty calendar day notice in writing, prior to any effective date of school exclusion. Failure to complete required health assessment components within this

Students**Health Assessments and Immunizations (continued)**

thirty day grace period shall result in school exclusion. This exclusion shall be verified, in writing, by the Superintendent of Schools or his/her designee. Parents of excluded students may request administrative hearing of a health assessment-related exclusion within five days of final exclusion notice. An administrative hearing shall be conducted and a decision rendered within fifteen calendar days after receipt of request. A subcommittee of the Board of Education shall conduct an administrative hearing and will consider written and/or oral testimony offered by parents and/or school officials.

- 5) Health screenings shall be required for all students according to the following schedule:

Vision Screening	Grades K-6
Audiometric Screening	Grades K-3, 5
Postural Screening	Grades 5, 6

The school system shall provide these screening 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 conducted by their private physician shall be required to report screening results to the school nurse.

- 6) Parents of students failing to meet standards of screening or deemed in need of further testing shall be notified by the Superintendent of Schools or Designee.

Students eligible for free health assessments shall have them provided by the health services staff. Parents of these 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.

- 7) Health records shall be maintained in accordance with Policy #5125.

Legal Reference:	Connecticut General Statutes
	10-204 Vaccination
	10-204a Required immunizations
	10-204c Immunity from liability
	10-205 Appointment of school medical adviser
	10-206 Health assessments
	10-207 Duties of medical advisers
	10-206a Free health assessments
	10-208 Exemption from examination or treatment
	10-208a Physical activity of student rest cites; board to honor notice
	10-209 School nurses
	10-212 School nurses

Students

Health Assessments and Immunizations (continued)

- 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. Department of Public Health, Public Health Code, 10-204a-2a, 10-205a-3a, and 10-204a-4
20 U.S.C. Section 1232h, No Child Left Behind Act

Regulation revised
& Approved: 10/15/96
Policy and regulation revised: 9/10/01
Approved: 2002; Revised 1/26/06

Orange Public Schools
Orange, Connecticut

Students

Reporting of Child Abuse and Neglect

The Board of Education recognizes that student's mental and physical health will have an effect on the student's ability to obtain the most benefit from attending school. In order to increase the student's ability to learn while in school, the Board of Education realizes the importance and legal responsibility of mandated reporters in identifying students who may be suffering from abuse.

Connecticut General Statutes 17a-101, as amended by PA 96-246, has defined various school employees including the Superintendent as mandated reporters. Mandated reporters are required to report if they suspect or believe that a child has been abused (CGS 17a-101) or may be abused (CGS 17a-102). The district shall not discharge or in any manner discriminate or retaliate against any mandated school employee who in good faith makes a report pursuant to CGS 17a-101 or is involved in any proceedings pertaining to the alleged child abuse or neglect.

Reporting of Alleged Child Abuse Inflicted by Person Responsible for Child

1. Suspected abuse believed to be caused by a person responsible for a child under the age of eighteen, in accordance with CGS 17a-101, requires a mandated reporter to report it orally by telephone or in person within twelve (12) hours to the Department of Children and Families or to the local or state police.
2. This is to be followed within 48 hours with a written report to the Commissioner of the Department of Children and Families and the local or state police. The Board directs mandated reporters to inform the building Principal immediately after an oral report has been made and the Principal in turn will notify the Superintendent of Schools.
3. The report shall contain the names and addresses of the child and his/her parents, or other persons responsible for his/her care, if known; age of child; gender of the child; the nature and extent of his/her injuries; maltreatment or neglect, together with any evidence of previous injury or maltreatment to the child or his/her siblings; the name of the person suspected to have caused injury or maltreatment or neglect and any other information which the reporter believes might be helpful in establishing the cause of the injury or injuries and protecting the child; the approximate date and time the injury or injuries, maltreatment or neglect occurred; information concerning any previous injury or injuries to, or maltreatment or neglect of the child or his/her siblings; the circumstances in which the injury or injuries, maltreatment or neglect came to be known to the reporter; the name of the person or persons suspected to be responsible for causing such injury or injuries, maltreatment or neglect; and whatever action, if any was taken, to treat, provide shelter or otherwise assist the child.

Students

Reporting of Child Abuse and Neglect (continued)

Reporting of Alleged Child Abuse Inflicted by School Employee

As the result of increased awareness of child abuse in our society, CGS 17a-101 requires mandated reporters to report child abuse by school employees.

1. In cases where the mandated reporter suspects or believes such injury has been inflicted by a school employee, he/she shall report that suspicion orally or in person to the Department of Children and Families followed within 48 hours with a written report.
2. The Superintendent of Schools or supervising agent shall be notified immediately after the oral report has been made and shall also receive a copy of the written report.
3. The Superintendent shall immediately notify the child's parent or other person responsible for the child's care that a report has been made.
4. The written report to the Commissioner of the Department of Children and Families or his/her representative, concerning a certified school employee, shall also be sent by the Superintendent to the Commissioner of Education or his/her representative.
5. The report shall contain the names and addresses of the child and his/her parents, or other persons responsible for his/her care, if known; age of child; gender of the child; the nature and extent of his/her injuries; maltreatment or neglect, together with any evidence of previous injury or maltreatment to the child or his/her siblings; the name of the person suspected to have caused injury or maltreatment or neglect and any other information which the reporter believes might be helpful in establishing the cause of the injury or injuries and protecting the child; the approximate date and time the injury or injuries, maltreatment or neglect occurred; information concerning any previous injury or injuries to, or maltreatment or neglect of the child or his/her siblings; the circumstances in which the injury or injuries, maltreatment or neglect came to be known to the reporter; the name of the person or persons suspected to be responsible for causing such injury or injuries, maltreatment or neglect; and whatever action, if any was taken, to treat, provide shelter or otherwise assist the child.
6. The Superintendent is obligated to immediately begin the investigation of the report with the Department of Children and Families. The Superintendent may request assistance from the local police or state police in the investigation.

Students

Reporting of Child Abuse and Neglect (continued)

Reporting of Alleged Child Abuse Inflicted by School Employee (continued)

7. If the Superintendent finds evidence of child abuse by a school employee, he/she must immediately notify the child's parent guardian, the local or state police, the Commissioner of Children and Families or his/her representative, and, in the case of an investigation of a certified school employee, the Commissioner of Education or his/her representative.
8. When an investigation produces such evidence, and the employee in question is in a position requiring a certificate, the Superintendent must suspend the certified employee with pay and without diminution or termination of benefits, provided he/she notifies the Board of Education of the reasons for the suspension within 72 hours thereafter.
9. The suspension remains in effect until the Board takes action pursuant to CGS 10-151 (Teacher Tenure Act).
10. The Superintendent must report suspected child abuse by a certified school employee to the Commissioner of Education or his/her representative. If the contract of employment of a certified school employee is terminated as a result of an investigation which reveals that child abuse has occurred, the Superintendent shall notify the Commissioner of Education within 72 hours of such termination.

Identification of Problem

The following are indicators of possible abuse and neglect:

- A. Bruising, burns, injuries of suspicious origin
- B. Ongoing malnutrition
- C. Chronic Illnesses
- D. Excessive absenteeism
- E. Sub-Standard Cleanliness
- F. Inadequate Clothing
- G. Excessive cuts, scrapes, and broken bones
- H. Any mention by the student or others of episodes of physical or sexual abuse as well as neglect, including lack of supervision
- I. Gross neglect of child's physical needs
- J. Lack of medical treatment for the sick child.

Students

Reporting of Child Abuse and Neglect (continued)

Emergency Health Care and Reasonable Inquiry

When reasonable cause to suspect or believe that a child has been abused or neglected exists or when a child has a visible injury, school personnel may take reasonable inquiry of a child regarding such suspicion or visible injury.

School personnel, except for a school nurse or a School Medical Advisor, may not remove or insist that a child remove clothing to confirm suspected cause or neglect, except in those circumstances where immediate action is required or in the case of apparent need for emergency medical treatment. A School Medical Advisor or school nurse may request that a child remove clothing when the following condition exists:

1. A child has identified a particular injury, the extent of which can only be determined by removing the child's clothing, and
2. The examination is necessary to determine whether medical attention is required and not merely to confirm suspected abuse, and
3. The request is made in such a manner that the child clearly understands that compliance with the request is optional and that no adverse consequences will result from a refusal to comply.

Investigation of Reports of Suspected Child Abuse/Neglect in the School Setting

As part of the investigative process, the DCF social worker and social work supervisor may determine, based upon the nature of the referral, that an interview with the child needs to be conducted in the school setting. Interviewing in the school setting will be limited to emergency situations such as the following:

1. There is probable cause to believe that a suspected child abuse/neglect victim is in need of emergency medical services; or
2. A child, who is a suspected sexual abuse victim will return upon leaving school to the care of the suspected perpetrator; or
3. There is probable cause to believe that a suspected abuse victim will be in imminent danger if returned home.

School personnel who believe that an interview in the school setting may be necessary in order to protect the child, must notify DCF as early in the day as possible to provide both DCF and the education agency ample time to coordinate activities and actions as may be appropriate. Upon receipt of such notice, DCF will advise school personnel whether the child must be interviewed in the school.

If school personnel decide to retain the child after the scheduled school day in order to ensure that DCF or local or state police be involved, school personnel must attempt to notify the parents of the child.

DCF shall be solely responsible for notifying the parent of the interview, if such notification has not already taken place. DCF shall also be responsible for notifying the parent of any activities or actions taken by DCF following the interview.

Students

Reporting of Child Abuse and Neglect (continued)

Legal Reference:

Connecticut General Statutes

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

17a-102 Report of danger of abuse.

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

PA 96-246 An Act Concerning the Reporting, Investigation and Prosecution of Child Abuse and the Termination of Parental Rights

10-151 Teacher Tenure Act

PA-09-242

Policy adopted: 2/10/97

Approved: 2002

Revised & Approved 1/12/04

Revised & Approved 2/7/11

Students

5141.4R

Child Abuse

Any professional person pursuant to the performance of services and duties for the school who has reasonable cause to suspect that any child under the age of 18 has had serious physical injury or injuries other than by accidental means by:

1. a person responsible for such child's or youth's health, welfare, or care;
2. a person given access to such child by the responsible person in paragraph 1 above;
3. or a school employee, including the Superintendent.

or that the child under the age of eighteen has injuries which are at variance with the history given of them, or is in a condition which may be the result of maltreatment such as, but not limited to, malnutrition, sexual abuse, sexual exploitation, deprivation of necessities, emotional maltreatment, or cruel punishment, or has been neglected as defined by section 46b-120, shall report, or cause a report to be made, following the procedures outlined in 1 through 5 below:

1. In accordance with CGS 17a-101, a mandated reporter shall report suspected abuse by telephone or in person within twelve (12) hours to the Department of Children and Families or to the local or state police.
2. The oral report is to be followed within forty-eight (48) hours with a written report to the Commissioner of The Department of Children and Families and the local or state police.
3. In cases where the mandated reporter suspects or believes such injury has been caused by a school employer, he/she shall report that suspicion as in item 1 and 2. In addition the Superintendent of Schools or supervising agent shall be notified immediately, after the oral report has been made and they shall also receive a copy of the written report.
4. The Superintendent, in a situation of alleged child abuse by a school employee, shall immediately notify the child's parents or other person responsible for the child's care that a report has been made.
5. The Commissioner of Education shall also receive a copy of the written report in cases involving a school employee.

Reports, oral and written, shall contain the names and addresses of the child and his/her parents or other person responsible for his/her care if known; the age and gender of the child; the nature and the extent of his/her injuries, maltreatment or neglect, together with any evidence of previous injury; and any other information which the reporter believes might be helpful in establishing the cause of injury or injuries and protecting the child; the approximate date and time the injury or injuries, maltreatment or neglect occurred; information concerning any previous injury or injuries to, or maltreatment of the child or his/her siblings; the circumstances in which the injury, maltreatment or neglect came to be known to the reporter; the name of the person or persons suspected to be responsible for causing such injury or injuries, maltreatment or neglect, and whatever action, if any was taken to treat, provide shelter, or otherwise assist the child.

Any person, in good faith, making the above report shall be immune from any 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 report.

Students

Child Abuse (continued)

DCF regional offices are open Monday through Friday from 8:30 a.m. to 4:30 p.m. After 4:30 p.m., on weekdays, and on weekends and holidays, Care-Line is the officially designated access to the Connecticut Department of Children and Families.

If child abuse is suspected during a late afternoon, evening or weekend activity, the staff member must make the telephone report to Care-Line at 1-800-842-2288.

The school Principal, on the same day that the report was telephoned into DCF:

1. notifies the Director of Special Services;
2. confers with the school social worker, the school nurse, and/or other appropriate personnel — these individuals may have pertinent information regarding the case or may become involved at a later date.
3. calls the police (telephone number), to inform the department of the suspected child abuse report. The result of this communication will be a decision as to further action to be taken. If the decision is that the police will take action, such action may include, but not limited to, the following options:
 - a. may contact DCF to expedite follow-through on report;
 - b. may contact parents to inform and verify complaint;
 - c. may visit child's home, with or without child, to observe conditions;
 - d. may take the child into protective custody.

Form to be Completed

A Report of Suspected Child Abuse, is to be completed by the reporter within 48 hours of the oral report. The individual completing the form removes the yellow copy and sends the rest of the form (copies and carbon) intact to Protective Services of the DCF regional office. The address of the regional offices to be used by the staff is:

Protective Services
Department of Children and Families HOTLINE
P.O. Box 882
Middletown, Connecticut 06457

The yellow copy of the report is to be sent to the Director of Special Services. This copy is to be considered confidential and will be sent in a sealed envelope, stamped "confidential".

Students

Child Abuse

Maintenance of Records on Child Abuse (continued)

The Director of Special Services will be responsible for maintaining the school system's central file on cases of suspected abuse. This file is to be kept separately from student's confidential records. Under no circumstances should a copy of a report be filed in a student's records. The Director of Special Services will be the individual to make the determination on any person's "right to know", regarding suspected child abuse reports and related cases.

Suspected Child Abuse by Certified School Employee

If the reporter suspects a certified school employee of possible child abuse, the Superintendent of Schools should be immediately notified. Upon such notification, the Superintendent will:

1. make an immediate oral report to DCF, to the police, and to the Connecticut Commissioner of Education, and contact the parents.
2. immediately investigate the report with assistance from DCF, if desired, and the police.
3. complete Child Abuse form within 72 hours of oral report.

If the investigation substantiates child abuse by a certified employee, the Superintendent notifies child's parents or guardians, the police, DCF, and the Connecticut Commissioner of Education and will suspend the employee with pay and benefits until the Board of Education acts under 10-151 on teacher termination proceedings.

A. CHILD ABUSE PROCEDURAL CHECK LIST (when suspected offender is not a certified school employee)

1. ☐ Reporter calls DCF to report suspected case of child abuse.
2. ☐ Reporter notifies Principal of suspected case of child abuse.
3. ☐ Principal contacts police.
4. ☐ Principal contacts Superintendent of Schools. If suspected offender is certified staff member, the Superintendent follows steps in B below:
5. ☐ Principal contacts special services director.
6. ☐ Principal confers with school social worker or school nurse about suspected child abuse.
7. ☐ Reporter completes Child Abuse form within 72 hours of oral report.
8. ☐ Reporter sends Child Abuse form to DCF.
9. ☐ Reporter sends Child Abuse form to special services department.

5141.4R

Students

Child Abuse (continued)

Procedural Check list (continued)

B. CHILD ABUSE PROCEDURAL CHECK LIST
(when suspected offender is certified school employee)

1. ___ Reporter notifies Superintendent of Schools of suspected case of child abuse.
2. ___ The Superintendent makes an immediate oral report to DCF, to the police, and to the Connecticut Commissioner of Education and completes Child Abuse form within 48 hours of oral report. The Superintendent contacts the parents of the child to inform them a report has been made.
3. ___ The Superintendent, with assistance from DCF if desired, and the police immediately investigate the report.
4. ___ If the investigation substantiates child abuse by a certified employee, the Superintendent notifies child's parents or guardians, the police, DCF, and the Connecticut Commissioner of Education.
5. ___ Superintendent immediately suspends the employee with pay and benefits until Board acts under 10-151 on teacher termination proceedings.

Legal Reference: Connecticut General Statutes

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

17a-102 Report of danger of abuse.

17a-103 Reports by others.

17a-104 Treatment by Christian Science practitioner.

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

46b-120 Definitions.

New Regulation approved: /2002

Revised and Approved: 1/12/04

Revised and Approved: 2/07/11

Students

Suicide Prevention

Staff members shall be sensitive to student behavior indicating significant depression or emotional upset. Whenever staff members become aware of student behavior which might reasonably indicate a potential for suicide or suicidal gestures, or whenever student behavior indicates the possibility of such an act, these steps should be taken:

1. Building Principal; Director of Special Services; appropriate guidance counselor, social worker, and psychologist are notified of staff observations and/or concerns.
2. The Director of Special Services, or in his or her absence the building Principal, shall designate one of the special personnel named above as "primary counselor" for the crisis intervention.
3. Parents will be notified immediately by the Principal or designee.
4. The primary counselor will meet with the student and follow up with parents on his/her observations. If there is any indication of self-destructive acts, the counselor will request the parents to meet with school personnel and will advise the parents that the student should see a psychiatrist or other qualified counselor. If the parents cannot be contacted, or decline to meet with school personnel, the primary counselor will notify the Director of Special Services and DCYS.
5. A follow-up letter will be sent to parents confirming the advice given and action taken.
6. ~~As determined by the primary counselor, appropriate teachers will be notified that the student should be observed carefully and that staff members should report any unusual behavior or any absences immediately to the Principal.~~
7. The primary counselor will maintain contact with the student and his/her parents and serve as liaison between any outside counselors and the school. The Director of Special Services, the Principal, and the Superintendent of Schools will be kept informed of significant developments.

The Superintendent of Schools shall develop regulations and guidelines as necessary to implement this policy.

Legal Reference: Connecticut General Statutes

10-221 Boards of education to prescribe rules, policies, and procedures. (e) re "policy and procedures for dealing with youth suicide prevention and youth suicide attempts."

Policy revised:
/2002

5141.5 Guidelines

Students

Suicide Prevention

Guidelines

All school district professionals should share with Principals any observations of student behavior which may be related to the possibility of suicide.

The Principal, in turn, has a responsibility to follow guidelines in Board of Education policy and this regulation on suicide prevention. If circumstances indicate actions other than those described, Principals may consult with the designated Student Assistance Team (SAT), Planning and Placement Team (PPT) and/or other appropriate personnel and shall document the circumstances and resulting decisions.

For elementary schools, the term Student Assistance Teams should be replaced with Student Personnel Services Designee or school nurse.

Special Issues in Using Procedures

1. **Principal.** Principal shall mean Principal or Principal's designee.
2. **Communication.** The building Principal shall maintain communication with the Superintendent of Schools concerning all suicide attempts and shall call on the Central Office for advice on how to proceed as such assistance is needed. In turn the Superintendent will keep the Board informed about suicide related issues as appropriate. All communications must be kept confidential.
3. **Documentation.** All actions taken by school personnel will be carefully documented with factual information, observable behaviors, and actions and placed in the student's supplementary health file. Following an attempt or completed suicide, a daily log of student behavior should be maintained until no longer needed.
4. **Contagion.** Sometimes a suicide attempt or suicide will trigger other suicide attempts. The best preventive measure against the contagion effect involves careful identification and monitoring of students who may be in a risk category, efforts to reduce glamorization of the suicide, and carefully planned follow-up activities.
5. **Anniversary Dates.** The week, month or year anniversary of the death may trigger a delayed grief reaction or suicide attempts modeled after the first. School personnel should be sensitive to this and intensify student monitoring at these times.
6. **Support.** Student Assistance Team members should be sensitive to each other's needs for support, and it can also be helpful to have an outside professional available during and following crisis periods to "debrief" the team and offer support to individual members as needed.
7. **Suicide at School.** Most experts agree it is better to keep students at school where adult support systems are available than to send them home where no adult supervisors might be available to them. Students should only be released to their parents or other responsible adults should they ask to leave school early.

Students

Suicide Prevention (continued)

General Procedures During School Hours

School staff who have identified a potentially suicidal student or who have other reason to believe the student is at risk of suicide must immediately bring the student's name to the attention of the Principal or his/her designee even if the student has confided in the staff person and asked the staff person to keep their discussion confidential. In such cases, the staff person would explain that he/she cannot maintain confidentiality under the circumstances.

Appropriate staff members gather background information prior to contacting a student identified with suicidal tendencies — unless there appears to be imminent risk of self harm. This background check should be done on the same day as the referral and may include:

1. Further discussion with the person who made the referral.
2. Contact with other staff members for data on recent student performance.

At the earliest possible moment following the collection of information, contact with the student will be made to determine the seriousness of the situation.

Critical Situation

The student has the intent to kill himself/herself, a specific plan for how he/she will do it, and immediate access to the method; in addition, he/she exhibits feelings of loneliness, hopelessness, helplessness, and the inability to tolerate more pain.

1. A staff member will stay with the student to offer support. In addition, he/she will explain to the student that someone will be contacting parent(s) because of deep concern.
2. A staff member will notify parents and request that they come to the school immediately. The following points should be covered in the meeting with the parents:
 - (a) The seriousness of the situation.
 - (b) The need for immediate outside professional help.
 - (c) The need for continued monitoring.
 - (d) A request for parent(s) to sign a release of information form for communication between the school and the facility to which the student will be taken, the student's therapist, and other individuals as appropriate.

Students

5141.5 Guidelines

Suicide Prevention (continued)

3. When parents cannot be contacted, or if they refuse to come to the school, and a medical emergency exists, normal procedures will be followed for such emergencies. If parents refuse to come to school, the Principal will explain that the school may be required to file a medical neglect report with the Department of Children and Families. In addition, the Principal may inform parents that the student will not be accepted back into school until a formal mental health evaluation has taken place.

This exclusion will be done in compliance with state regulations and only if it is deemed to be in the best interest of the student.

4. As a follow-up, a staff member will contact the family to discuss plans for professional assistance and support to the student, and permission for communications between school and therapist will be requested. A plan of action for in-school support and monitoring of the student will be discussed at the next Student Assistance Team meeting.

Potential Suicide Situation

The student has some intent to kill himself/herself and has thought about how he/she would do it. He/she has access to the method but does not have everything in place. Although the student may exhibit feelings of hopelessness, helplessness, and unbearable pain, he/she shows some willingness to accept help. The following action will be taken, the order to be determined by the specific situation:

1. A staff member will explain to the student that his or her parents will be contacted to arrange for professional help and to develop an appropriate support system. The staff member will offer to speak on the student's behalf.
2. The Principal or designees will ask the student to sign an agreement not to harm himself/herself.
3. Following the meeting with the student the Principal or designee will:
 - (a) Convene the Student Assistance Team to plan a course of action.
 - (b) Contact the student's parents to inform them of the seriousness of the situation and request an immediate meeting the same day.
 - (c) Obtain further information from parents concerning the student's mental health history, including therapy and previous suicidal attempts or threats. If the student is currently being seen by a mental health professional, the Principal will ask for parental permission to speak with that professional.

5141.5Guidelines

Students

Suicide Prevention (continued)

- (d) Communicate the need for suicidal risk evaluation.
- (e) If the parent refuses to come to school, the Principal will explain that the school should file a medical neglect report with DCF.
- (f) As follow up, a team member will contact the family to discuss plans for professional help to the student. The team will meet to develop a plan for in school support.

General Procedures After School Hours

If a staff member has become aware of a potentially suicidal student during after school hours, he/she should consider and decide the following actions:

- 1. Contact parents.
- 2. Contact police.
- 3. Contact student's therapist.
- 4. Contact 24-hour crisis center.
- 5. Contact Principal.

Students Who Have Attempted Suicide

- 1. **In-school Attempt:**
 - (a) The staff person who becomes aware of the attempt will remain with the student and immediately send for the nurse and Principal.
 - (b) The nurse and Principal will follow school medical emergency procedures to get immediate medical help for the student.
 - (c) Parents will be contacted.
 - (d) Principal will refer to the Crisis Intervention Plan and Media guidelines.

5141.5Guidelines

Students

Suicide Prevention (continued)

Students Who Have Attempted Suicide (continued)

2. Out-of-school Attempt:

- (a) The staff person who receives information concerning an attempted suicide will immediately contact the school Principal who will verify the information and actions taken by the parents.
- (b) The Principal will determine if the situation warrants informing the faculty.
- (c) If the attempted suicide is causing visible distress among students, a school meeting may be held to identify others at risk with students and discuss concerns.
- (d) The Principal, in conjunction with the Student Assistance Team, will develop a plan to monitor and support high risk students.
- (e) A team member will be assigned to follow up and monitor the student upon his/her return to school.
- (f) As appropriate, information will be shared with Principals of sibling's schools.

Legal Reference: Connecticut General Statutes
10-221(e) Boards of education to prescribe rules.

Regulation revised:
/2002

Students

Crisis Response

The district recognizes that schools are subject to a number of potentially disruptive events. These events include major crises. No school is immune no matter the size or location. The challenge, however, is to protect students as much as possible in an increasingly violent world.

Being prepared for crises can enhance the district's effectiveness in responding to smaller incidents.

Although there is no guarantee that a district (school) will ever be completely safe from crime, the district will take the following security measures to lessen the chances of violence occurring on school grounds:

1. The district will coordinate a local school security committee (task force) comprised of school officials, law enforcement, other youth-service providers, parents and students. The committee will plan what safety measures are needed and how they can be implemented, as well as regularly review school safety and security measures;
2. Schools site administrators will acquire appropriate knowledge of crime-prevention measures and take greater responsibility in working with the Board and district to implement site security programs;
3. Schools will develop a comprehensive crisis management plan that incorporates resources available through other community agencies;
4. A school communications network will be established that links classrooms and playground supervisors with the front office or security staff as well as with local law enforcement and fire departments;
5. School staff will be informed and regularly updated on safety plans through in-service training. The training will include certified staff, classified staff, part-time employees and substitute teachers, and may include parents and community volunteers;
6. Parents and community volunteers will be used to help patrol surrounding neighborhoods and supervise the grounds before, during and after school;
7. Access points to school grounds will be limited and monitored during the school day. A single visitor entrance should be supervised. Visitors shall sign in at the office and wear an identification pass. Delivery entrances used by vendors will be checked regularly;
8. Students will be taught to take responsibility for their own safety by reporting suspicious individuals or unusual activity on school grounds and by learning personal safety and conflict-resolution techniques;
9. Schools will establish a curriculum committee to focus on teaching students non-violence, social skills, conflict resolution, law-related education and good decision making. A school security committee will be created to focus on safety measures which need to be implemented and methods for their accomplishment.

5141.6P

Students

Crisis Response (continued)

To protect against intrusion, the district will not only analyze the facilities to make illegal entry as difficult as possible, but will develop a crisis plan so that each staff member and student knows what to do in an emergency.

Legal References: Connecticut General Statutes

10-221(e) Boards of education to prescribe rules.

New Policy adopted:
/2002

Students

Crisis Response

While it is difficult to prescribe an all-purpose plan of action to be used in addressing crises of every conceivable sort, the Board of Education recommends that the following plan serve as broad guidelines when facing the challenges of a crisis situation. The intent of this protocol is to present a set of steps to be used when necessary, and to suggest, as well, an implied authorization to be flexible in responding to the specifics of a given situation.

1. When the situation is site or school focused, the Principal shall be the leader on the scene. That individual shall immediately inform the Superintendent of the circumstances which constitute a crisis or a potential crisis; the Superintendent or his designee shall be the spokesperson for the system in addressing the media or other individuals. The Superintendent shall determine which individuals beyond the immediate school community shall be consulted and/or informed of the situation.
2. In cases of site or building specific crisis, the Principal shall create a crisis response team that shall include such individuals as the school psychologist, social worker, faculty members, school nurse and/or school physician, specialized personnel from the counseling center, and others who can contribute to a determination of what specific actions and follow-up will occur. When the crisis involves all of the schools or affects the school community as a whole, the Superintendent shall be responsible for taking similar action.
3. The crisis response team, under the leadership of the building Principal or the Superintendent, shall determine, either in anticipation of a crisis or in the aftermath of one, the specific details of the situation, what information will be shared with students and staff regarding the events, what type of intervention is required, the scope of that intervention, and who shall be responsible for delivering the intervention.
4. Should a tragic event occur which constitutes crisis in the school community and school is in session, information shall be shared in a fashion that guarantees consistency of the message and sufficient detail to prepare staff to take whatever action might be required. If school is not in session, a telephone chain shall be implemented and a brief meeting shall be called to share details. Be sure to share information with all staff.
5. Announcements to students shall be handled in classroom groups and not via PA announcements or through memoranda. Staff shall be prepared to address student questions and to be able to identify student reactions that cause concern.
6. The Crisis Response Team shall receive referrals from staff when they have concerns about specific student reactions. This group shall serve as a general resource to staff in dealing with the crisis. The Team shall support teachers who are affected by the crisis, as well as students.

Students

Crisis Response (continued)

7. Crisis intervention plans may involve staff members from other schools or agencies in town when there are circumstances requiring more personnel.
8. In the aftermath of a crisis, the Crisis Response Team shall offer recommendations about follow-up actions and/events including commemorations, welcoming back students or staff who have suffered a loss, or memorials.
9. The Crisis Response Team shall convene after the crisis to assess how well the plan of action worked and to record recommendations for additions or deletions to this protocol.

Legal Reference: Connecticut General Statutes

10-221(e) Boards of Education to prescribe rules.

New Regulation approved:
/2002

Students

Health

Emergency and First Aid

**FIELD TRIP HEALTH COVERAGE FOR STUDENTS WITH CHRONIC/ACUTE
MEDICAL DISORDERS**

Elementary school children who are affected with a chronic or acute medical disorder which implies any possibility of a health crisis, will be accompanied on all field trips, including AT trips, by a parent/guardian or parent designee. Designee is to be assigned in writing by the child's parent/guardian at least twenty four hours prior to departure.

In the event a parent/guardian or designee is not available, the Orange Board of Education will contract the services of a registered nurse to accompany the child on his/her trip.

Regulation approved: May 14, 1991
Approved: 2002

ORANGE SCHOOL SYSTEM
Orange, CT.

Students

Student Safety

Student safety shall be a priority of all school district personnel through close supervision of students in all school buildings and grounds and through special attention to:

1. Maintenance of safe school environments.
2. Safe practices by school personnel and students — particularly in instructional areas or in extracurricular activities presenting special hazards.
3. Development of school programs and activities consistent with appropriate abilities and limitations of students at each age level.
4. Offering safety education to students germane to particular subjects, such as laboratory courses in science, and health and physical education.
5. Appropriate first aid care for students in case of accident or sudden illness.
6. Adequacy of emergency response procedures at each school in the district.

Each school shall establish an advisory committee to review specific policies, regulation, plans and procedures in order to ensure a comprehensive and effective program to increase student and staff awareness of safety and health issues and to review emergency response procedures at each school in the district. Members of the safety committee shall be appointed by the school principal and is to include appropriate personnel and parent representation.

(cf. 5135 Drugs/Alcohol and Tobacco
(cf. 5146 Child Abuse and Neglect)
(cf. 5147 Suicide Prevention)
(cf. 5143 Student Health Assessments and Immunizations)
(cf. 5144 Administering Medications)
(cf. 5145 Communicable and Infectious Diseases)
(cf. 5141.3 Health Records)
(cf. 6146 Family Life and Sex Education)
(cf. 6114 Emergencies and Disaster Preparedness)
(cf. 6114.7 Safe Schools)

Legal Reference: Connecticut General Statutes
PA 98-252 An Act Concerning Revisions to the Education Statutes

Policy adopted:
8/10/98
Approved: 2002

Students

Student Safety

Art Projects

Principals and art teachers must check the supplies material used by the classroom teachers and the art teachers in the execution of art projects and other projects for harmful chemicals.

Transportation

For the safety of all, parents picking up their children at the close of school are requested to do so five minutes before buses are loaded. The school cannot give neighbors permission to take home children other than their own. Such permission is to be given by parents in writing to the school.

Parents are asked not to park in the bus loading area at any time.

Children ~~should not~~ ride on buses other than the one to which they are assigned.

Students

Relations with Non-custodial Parents

The Board of Education, unless informed otherwise, assumes that there are no restrictions regarding the non-custodial parent's right to be kept informed of the student's school progress and activities. If restrictions are made relative to these rights, the custodial parent will be required to submit a copy of the court order to the superintendent, which curtails these specific rights.

Unless there are specific court-imposed restrictions, such as a final divorce decree which includes specific denial of visitation rights or a restraining order denying such rights, the non-custodial parent, upon written request and in accordance with Board of Education records policies 5124 and 5125 (a-c) may view the student's educational, medical or similar records maintained in such student's cumulative record, receive school progress reports, visit the child briefly at school and have an opportunity to confer with the student's teacher(s).

In addition, upon written request to the child's school principal, the school will subsequently and routinely mail to the parent making the request copies of all school information, which is normally sent home with the child. This will include mailings of copies of report cards and class and school newsletters during the school year in which the request is made. Non-custodial parents and parents with shared custody not normally receiving materials from the school may annually request this service.

The custodial parent has the responsibility to keep the school office informed as to the address of residence, in a manner determined by the school, and how he/she may be contacted at all times. The custodial parent must provide any legal documents, which restrict the rights of the non-custodial parent. Unless otherwise indicated by a verified note from the parent or by a legal document provided by a parent, only the custodial parent has the right to remove the student from school property. If school personnel anticipate possible student abduction, law enforcement personnel are to be notified immediately, and the student will remain on school property pending the arrival of law enforcement officials.

(cf. 5113.2 - Attendance and Excuses)

(cf. 5118 - Nonresident students)

(cf. 5124 - Reporting to Parents)

(cf. 5125/5125.1 - Student Records/Confidentiality)

(cf. 5145.8 Emancipation of Minors)

(cf. 5142.2 - Student Dismissal Precautions)

Legal Reference: Connecticut General Statutes

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

46b-56 Access of records of minor children by noncustodial parent

Federal Family Educational Rights and Privacy Act of 1974

Department of Education 34 C.F.R. Part 99 (May 9, 1980 45FR 30802) regs. implementing

FERPA enacted as part of 438 of General Education Provisions Act (20 U.S.C. 1232g) - parent and student privacy and other rights with respect to educational records.

New Policy adopted:
/2002

Students

Student Dismissal Precautions

No student may be released from school to anyone other than the parent, guardian or child protective services personnel and law enforcement officers pursuant to law, unless the name of the individual seeking release of the student appears on a list provided by the parent or guardian.

A student may be released to either parent unless a custodial parent supplies the building Principal with a certified copy of a court order or divorce decree to the contrary.

The Superintendent of Schools shall develop procedures to enable parents and guardians to amend the list of persons authorized to obtain the release of their children.

5142.2R

Students

Student Dismissal Precautions

The building Principal of each school in the district shall maintain lists of individuals who are authorized to obtain the release of students in attendance at the school. No student may be released in the custody of any individual, not the parent or guardian of the student, unless the individual's name appears upon the list.

Parents or guardians may submit a list of individuals authorized to obtain the release of their children from school at the time of the child's enrollment.

A parent or guardian may amend a list submitted pursuant to this regulation at any time, in writing.

Certified copies of any court orders or divorce decrees provided by the custodial parent, which restrict a parent's ability to seek the release of their child, shall be maintained by the Principal of each school.

If any individual seeks the release from school of a student he or she must report to the school office and present identification deemed satisfactory by the building Principal. The Principal must check the authorized list and relevant court orders or divorce decrees before a student may be released.

In the event of an emergency the Principal may release a student to some individual not appearing on the approved list only if the parent or guardian has been contacted by the Principal and has approved the release, and the Principal determines that an emergency exists.

STUDENTS

Safety: Skateboard/Rollerblade/Scooter Use

Skateboards/rollerblades/scooters are prohibited on school property unless special permission is given by the building administrator for a specific activity.

Due to the inherent dangers both to participant and non-participant, combined with the potential liability assumption, the use of skateboards/rollerblades/scooters on district grounds is not allowed. Students and parents will be informed at the beginning of the school year they are not allowed to bring their skateboards/rollerblades/scooters to school. Skateboards/rollerblades/scooters will be confiscated by school authorities and placed in the principal's office for parents to retrieve if they are brought to the property during school hours.

Policy adopted:
January 8, 2001

ORANGE SCHOOL SYSTEM
Orange, CT.

Approved 2002

Students

Insurance

The board of education shall offer the opportunity to parents to purchase student accident insurance. This is a group plan and the benefits are quite broad.

Parents ought to be aware that the law holds that the board of education is generally not financially responsible in cases of bodily injury to a child going to and from, and while in school. There are cases when the board is liable. These occasions are rare and result from proven cases of negligence by school employees or accidents resulting from faulty equipment or premises.

Policy
Adopted: 9/9/85

Orange School System
Orange, CT.

Students

Insurance

Each year a student insurance plan is to be made available. Information concerning the plan and its cost is to be sent home in September. Parents who register their children after the start of school should make inquiries if interested in the plan.

Regulation
Approved: 9/9/85

Orange School System
Orange, CT

Students

Discipline/Punishment

Permissible use of Reasonable Physical Intervention by Teachers, Administrators, and Other Persons Entrusted with the Care and Supervision of a Minor for School Purposes

The faculty and administration are charged with the responsibility to enforce discipline throughout the school. In the discharge of this responsibility, the use of physical force is limited to such situations wherein the teacher or other person reasonably believes it is necessary to:

1. protect himself or others from immediate physical injury;
2. obtain possession of a dangerous instrument or controlled substance on or within the control of the minor;
3. protect property from physical damage; or
4. restrain the minor or ESCORT the minor to another area to maintain order.

This policy prohibits the use of physical intervention by teachers or other such persons to maintain discipline, under normal circumstances.

Legal Reference: Public Act 89-186 (S.B. 468), An Act Concerning the Use of Reasonable Physical Force Defense By Teachers and Certain Other Pesons.

ADMINISTRATIVE GUIDELINES

Reasonable use of physical intervention by teachers, administrators, and other persons entrusted with the care and supervision of a minor for school purposes.

The staff of our schools is charged with the responsibility to maintain a safe and orderly environment in which our children can learn and play.

While promoting a learning environment which is safe for children and staff under normal and ordinary conditions the use of restraint would not be required or desirable. However, training and ongoing review of appropriate intervention procedures will be provided in the event that they are needed.

If a student's behavior is such that a staff member believes that the child could be a danger to him/herself or others, the following guidelines should be followed:

1. Playground Fight - The staff member(s) should send a student for help if needed. If practical, the staff member will position him/herself between the children and/or separate them using the least intrusive, most appropriate intervention technique. The students, once separated, will be released once they are in control and steps for disciplinary action should be taken according to the school's playground rules.
2. In the classroom or other area inside the school - if the student is out of control* and reason will not prevail the staff member shall:
 - a) seek out nearby assistance;
 - b) call the office or send a child for help. The office will send two people to the classroom or other area to assist (principal, nurse, teacher designee, psychologist, another teacher);
 - c) the child will be removed from the classroom to a separate area until he/she is calm and the issue can be resolved;
 - d) if the student poses an immediate threat to him/herself or others in the classroom, and in the staff member's judgement waiting for help would be inadvisable, the staff member shall arrange for the removal of all other students from the classroom or area in question;
 - e) if, in the judgement of the teacher or staff member, the situation warrants the use of physical intervention, the staff member will position him/herself between the children who are engaged in an argument or are fighting, and separate them using the least intrusive, most appropriate technique. Once students are determined to be under control, they shall be released and steps for disciplinary action should be taken according to the school's rules;
 - f) if physical intervention is employed, an incident report shall be filed by the staff members involved and the school nurse.

At all times common sense should prevail. If, in the judgement of the staff member(s) physical restraint is necessary, appropriate intervention should be employed.

**"Out of Control" - behavior which is disruptive, aggressive or violent and which, if unchecked, could place the child or other in an unsafe situation.*

STUDENT RESTRAINT REPORT^(5144forms)

Student Name: _____ Date: _____

Teacher: _____ Rm. #: _____ Time: _____

Check appropriate area(s):

Behavior:	yes	no	Directed towards:	staff	student	property	self
aggression	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
property destruction	<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>	
out of building	<input type="checkbox"/>	<input type="checkbox"/>					
off grounds	<input type="checkbox"/>	<input type="checkbox"/>					
other _____	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Describe the incident: (attach additional pages if necessary)

[illegible]

Signature _____

Describe Outcome:

Physical intervention required: yes ☐ no ☐

time out	<input type="checkbox"/>	guide along	<input type="checkbox"/>	front interlocking	<input type="checkbox"/>
in school suspension	<input type="checkbox"/>	lower figure four	<input type="checkbox"/>	single parallel	<input type="checkbox"/>
sent home	<input type="checkbox"/>	wedge hold	<input type="checkbox"/>	reverse cradle take down	<input type="checkbox"/>
suspension	<input type="checkbox"/>	limited security	<input type="checkbox"/>	security hold take down	<input type="checkbox"/>
police contact	<input type="checkbox"/>	fall security	<input type="checkbox"/>	other	<input type="checkbox"/>

Signature _____

Nurse Notified: yes ☐ no ☐ (if yes, was parent notified) yes ☐ no ☐

Assessment: _____

Outcome: _____

Signature _____

Mental Health Worker Notified: yes ☐ no ☐ (if yes, was parent notified) yes ☐ no ☐

Assessment: _____

Outcome: _____

Signature _____

Program Coordinator Comments: _____

Signature _____

Students

Use of Physical Force

Physical Restraint(s)

Successful learning outcomes for students are dependent upon a safe and supportive learning environment which preserves the health and safety of each student while respecting each individual's dignity, rights, and well-being. When student behavior seriously endangers the safety, well-being, or learning environment for self or others, immediate response or comprehensive treatment plans require a range of interventions. Procedures used to respond to such situations include safe physical management, restraint, or seclusion until the student is able to control him/herself without jeopardy.

The use of such procedures entails serious risks both of use, and of failure to use. Intrusive interventions that restrict physical freedom of movement or activity have the potential for serious consequences. These consequences include emotional distress, loss of dignity, and physical injury. For this reason, the use of such interventions is undertaken only when less restrictive alternatives are judged to be inadequate measures in the face of significant risk of psychological or physical harm to the student or others in the environment.

Operational Definitions:

The following operational definitions are used as the basis for specific procedures designed to insure appropriate, effective use of these interventions.

- **Physical management** is defined as any nonviolent techniques that require hands-on control by staff and are part of an approved physical intervention procedure and are carried out by staff who have been fully trained in such strategies.
- **Therapeutic physical restraint** is defined as any method of physically restricting an individual's freedom through direct physical contact in order to prevent injury to self or others, or serious disruption to the environment or learning process. It includes any mechanical or personal restriction that immobilizes or reduces the free movement of a person's arms, legs or head. Excluded are the use of helmets, mitts or similar devices used to prevent special education students from hurting themselves or if their use is documented in the student's Individualized Education Plan (IEP).
- **Seclusion** is defined as involuntary confinement of an individual whether alone or with staff supervision in a manner that prevents the individual from leaving in order to provide a safe environment that allows the individual to regain self-control.

Students

Use of Physical Force

Prohibitions

Mechanical or chemical restraints require special authorization and are employed in educational settings only when behaviors are judged by medical and clinical authorities to present a serious danger to self or others (e.g., when a helmet is used to prevent severe injury during self-injurious behavioral episodes). Any use of psychoactive medication requires authorization and ongoing supervision and monitoring by an appropriately credentialed physician. All other use of mechanical or chemical restraints is strictly prohibited.

In addition, use of specific physical holds and other practices identified by state regulatory agencies, by statute, or on the basis of accepted standards of professional practice may be prohibited. Use of physical management strategies, restraint, and seclusion is prohibited as a means of clinical treatment or behavioral intervention except in the following instances:

- There is clear clinical justification for its use, with specific practice guidelines and criteria for use;
- Staff receive ongoing orientation, training, and supervision by qualified professionals;
- Less restrictive alternatives present risk of harm to the individual or to others in the environment;
- There is clear documentation of use, quality review, and ongoing efforts to identify, develop, and promote preventive strategies and the use of safe and effective alternatives.

Criteria for Hands-On Intervention

Except in emergency situations, hands-on intervention may be used only under the following conditions:

- Justification of hands-on intervention as the least restrictive intervention to prevent serious harm to self or others, or significant disruption of the educational process, is defined in the Individual Education Plan, or in a specific, written behavioral treatment plan. This justification must evidence that behavior meets one or both of the following criteria:
 1. Behavior seriously infringes on health, well-being, or property of the person or others; or
 2. Behavior seriously infringes upon the individual's development or interactions; and
 3. Appropriate diagnostic procedures including functional behavioral assessment, physical examination, and psychiatric evaluation have been completed and indicate that less restrictive alternatives are inadequate to maintain safety and well-being of the individual and others in the environment.

Students

Use of Physical Force (continued)

Criteria for Hands-On Intervention (continued)

- Provisions for safety, well-being, and protection of individual rights have been documented, including:
 1. A clear statement of number and credentials of individuals authorized to carry out hands-on intervention;
 2. Specific strategies to be employed in the physical management process;
 3. Authorization by a licensed physician or registered nurse;
 4. Written consent by parent or guardian for implementation of physical management, restraint, or seclusion, including:
 - (a) Purpose of procedures and opportunities for questions;
 - (b) Benefits expected;
 - (c) Appropriate time span;
 - (d) Criteria for use;
 - (e) Demonstration of procedures to be used and alternatives;
 - (f) Supervision and documentation;
 - (g) Provisions for notification following use, and notice of right to withdraw consent.
- Ongoing documentation, oversight, and performance-improvement processes are in place to reduce the use of physical management, restraint, or seclusion.

Credentials of Staff Authorized to Implement Physical Management, Restraint, or Seclusion

All staff must be regular employees who have completed a recognized program of orientation and ongoing training in nonviolent physical intervention. Per diem or substitute staff are not authorized to participate in physical management, restraint, or seclusion except in clear emergency situations as necessary to prevent harm to the individual or others in the environment. Training must include a sequential curriculum that emphasizes at least restrictive hierarchy of prevention and intervention and includes the following:

- Ethical and legal issues related to behavioral intervention
- Learning theory and development characteristics
- Observational techniques, data collection, and reporting
- Informed consent
- Verbal de-escalation techniques
- Preventive ecological adaptations
- Crisis management
- Teamwork and communication
- Control dynamics

Students

Use of Physical Force (continued)

Such training shall be reviewed and updated at least annually, under the supervision of a licensed/registered/certified professional.

Health Assessment

All students who enter educational or treatment programs must provide documentation of a complete physical examination within the past six months. Students whose Individual Education, behavioral, or treatment plan specify physical management, restraint, or seclusion must have a documented approval of the plan by a registered nurse or licensed physician prior to implementation. Following each incident of one of these intrusive interventions, staff shall be required to complete an interview with students and/or to obtain a physical assessment by the program nurse or other qualified individual to insure that any injuries are identified and appropriately treated. During prolonged use of restraint or seclusion, administrative or medical assessment of the student must take place at no more than 30 minute intervals.

Therapeutic Resolution of Incidents Requiring Restraint or Seclusion

Upon conclusion of an incident requiring physical management, restraint, or seclusion, involved staff are required to carry out a problem-resolution session with the student(s) involved. The discussion must include at least a review of the sequence of events leading up to the intervention, a discussion of alternatives for avoiding the incident, and a plan for prevention of similar incidents in the future. Individual provisions shall be established for the student(s)' re-entry into routine program activities (e.g., a quiet rest period, an opportunity for restitution or restoration, completion or relaxation routines).

Quality Assurance Procedures

Each incident requiring the use of physical management, restraint, or seclusion shall be fully documented including:

- Description of antecedent conditions;
- Description of precipitating events;
- Sequence of specific prevention/intervention strategies and outcomes;
- Identification of staff members implementing the intervention;
- Duration of incident and intervention procedures;
- Incident resolution procedures;
- Prevention plan.

Documentation shall be subject to administrative review for quality assurance purposes both of the individual incident and of an aggregate analysis of specific intervention related to student, staff, and program characteristics, antecedent events, frequency, duration, and outcomes.

Students

Use of Physical Force (continued)

Program procedures shall be in place to provide ongoing support and supervision of staff related to the use of physical management, restraint, and seclusion including orientation, training, technical assistance, up to and including disciplinary action for inappropriate use of these interventions.

Reporting/Notification Requirements

1. Injuries caused by the use of restraints and/or seclusion in schools may be reported to the State Department of Education.
2. The parents/guardians of a special education student must be notified of each incident in which their child was placed in physical restraints or seclusion.
3. The Board shall keep records and compile annual reports of each instance and the underlying emergency that necessitated the use of physical restraints or seclusion.
4. Parents, guardians and other persons standing in place of parents shall be notified by the Board of the laws and regulations governing the use of physical restraints and seclusion, pursuant to chapter 814e, related to student and parental rights at the first PPT involving the student's Individualized Education Program (IEP).

Legal Reference: Connecticut General Statutes

10-76b State supervision of special education programs and services.

10-76d Duties and Powers of boards of education to provide special education programs and services.

46a-150 Definitions.

46a-152 Physical restraint, seclusion and use of psychopharmacologic agents restricted. Monitoring and documentation required.

46a-153 Recording of use of restraint and seclusion required. Review of records by state agencies. Reviewing state agency to report serious injury or death to Office of Protection and Advocacy for Persons with Disabilities and to Office of Child Advocate.

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

53a-19 Use of physical force in defense of person.

53a-20 Use of physical force in defense of premises.

53a-21 Use of physical force in defense of property.

PA 07-147 An Act Concerning Restraints and Seclusion in Public Schools.

Policy adopted: 02/11/2008

Students

Discipline

Discipline of Students with Disabilities

Students with disabilities are neither immune from a school district's disciplinary process nor entitled to participate in programs when their behavior impairs the education of other students. Students with disabilities who engage in disruptive activities and/or actions dangerous to themselves or others will be disciplined in accordance with their IEP, any behavioral intervention plan and this policy. School personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a student with a disability who violates the code of student conduct. Therefore, the District has the authority on a case-by-case basis to place a student in an alternative setting while a manifestation determination is pending. During any period of disciplinary action, irrespective of whether the behavior is determined to be a manifestation of the student's disability, the student will continue to receive a "free appropriate public education" in accordance with federal law and applicable regulations and educational services in order to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP and receive, as appropriate, a functional behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur.

Manifestation Determination

When a disciplinary change in placement is being considered for more than ten (10) days in a given school year related to a disabled student's behavior, the relevant members of the IEP team (PPT) and other qualified district personnel, as determined by the parent and District, will review the relationship between the student's disability and the behavior. All relevant information in the student's file, including the IEP, any teacher observations and any parental provided information shall be reviewed to determine if the conduct in question was caused by, or had a direct and substantial relationship to the student's disability or if the conduct was the direct result of the District's failure to implement the IEP. Such a review must take place as soon as possible, but no later than 10 school days from the date of the decision to take disciplinary actions which would remove a student with a disability from his/her current educational placement for more than ten school days.

The team will determine whether the student's behavior is a manifestation of the disability and whether the student's disability impaired his or her ability to control or understand the impact and consequences of the behavior.

Disciplinary Action for Behavior that is Not a Manifestation

School personnel may order a change in the placement of a disabled student who violates the conduct code to an appropriate interim educational setting, another setting, or a suspension of not more than ten school days, to the extent that such alternatives are applied to non-disabled students.

Disciplinary Action and/or Alternative Placement for Behavior that is a Manifestation

A student with disabilities whose behavior is determined to be a manifestation of his or her disability may not be expelled but will be disciplined in accordance with his or her IEP, any behavioral intervention plan and this policy.

Students

Discipline

Disciplinary Action and/or Alternative Placement for Behavior that is a Manifestation (continued)

In addition to any disciplinary action provided for in the IEP or behavioral intervention plan, a disabled student may be suspended for up to 10 school days cumulatively in a school year to the extent suspension would be applied to non-disabled students, without the need to provide any services. Disabled students may be suspended for additional removals for up to 10 days for separate acts of misconduct as long as the removals do not constitute a pattern or change in placement. School administrators and the student's special education teacher shall determine the level of services to be provided to the disabled student in subsequent suspensions beyond the first 10 days cumulative in a school year.

School personnel may remove a disabled student to an interim educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the student's disability if the student has inflicted serious bodily injury upon another person while at school, on school premises or at a school function or carries or possesses a weapon to or at school, on school premises or at a school function or carries or possesses a weapon to or at school, or solicits the sale of a controlled substance while at school, on school premises or at a school function.

A "serious bodily injury" is defined as bodily injury which involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ, or mental faculty (18 U.S.C. 1365(h)(3)).

The alternative educational setting shall be determined by the IEP Team (PPT). The parent/guardian of the disabled child who disagrees with any decision regarding disciplinary action, placement, or the manifestation determination, or the District if it believes that maintaining the current placement of the child is substantially likely to result in injury to the student or others, may request a hearing.

A hearing officer may order a change in placement of a disabled student to an appropriate alternative setting for not more than 45 school days where the district demonstrates by substantial evidence that maintaining the student's current placement is substantially likely to result in injury to the student or others.

When an appeal has been requested by the parent/guardian or the school District regarding the interim alternative setting or a manifestation determination, the student shall remain in the interim educational setting pending the decision of the hearing officer, or until the expiration of the 45 day time period, whichever occurs first, unless the parent/guardian and the state or local District agree otherwise.

Either before or within 10 days after any change in placement for more than ten days related to a disciplinary problem, the IEP team (PPT) must meet to determine an appropriate alternative setting, to develop a behavioral assessment plan or to review and modify an existing intervention plan, and review and modify the IEP where necessary.

Nothing in this policy shall prohibit the IEP team (PPT) team from establishing consequences for disruptive or unacceptable behavior as a part of the student's IEP. The plan shall be subject to all procedural safeguards established by the IEP process.

Expedited Hearings

An expedited hearing is available when:

Students

Discipline

Expedited Hearings(continued)

1. the parent/guardian disagrees with the IEP team (PPT) team's determination regarding manifestation or with any decision regarding placement.
2. the parent/guardian disagrees with the proposed new placement following an interim alternative placement.
3. the district believes it is dangerous for the student to be returned to the previous placement.

The hearing shall occur within 20 days of the date it is requested and the decision rendered within 10 school days after the hearing.

During any challenge to placement, the student will stay in the alternative placement.

Students Not Identified as Disabled

Students who have not been identified as disabled may be subjected to the same disciplinary measures applied to children without disabilities who engaged in comparable behaviors if the district did not have "knowledge" of the disability.

The district shall be deemed to have knowledge that a student has a disability if, before the behavior that precipitated the disciplinary action occurred:

1. the parent has expressed concern in writing that the student needs special education.
2. the parent has requested an evaluation.
3. the student's teacher or other district personnel have expressed concern about the student's behavior or performance to the director of special education or other supervisory district personnel.

If a request for evaluation is made during the period the student is subject to disciplinary measures, the evaluation will be expedited.

If the child is determined to be a child with a disability, taking into consideration information from the evaluation conducted by the district and information provided the parents/guardians, the district shall provide special education services in accordance with the IDEA except that, pending the results of the evaluation, the student shall remain in the educational placement determined by school authorities.

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

(cf. 5125 - Student Records)

(cf. 5131 - Conduct)

(cf. 5131.6 - Drugs, Tobacco, Alcohol)

(cf. 5131.7 - Weapons and Dangerous Instruments)

(cf. 5144 - Discipline/Punishment)

Legal Reference:

Connecticut General Statutes

10-233a through 10-233f. Suspension, removal and expulsion of students, as amended by PA 95-304 and PA 96-244.

Students

Discipline (continued)

53a-3 Definitions.

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

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

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

18 U.S.C. 921 Definitions.

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

Sec. 314 (Local Control Over Violence

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

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

Policy revised:
/2002
2005; 1/26/06

Orange Public Schools
Orange, Connecticut

Students

Discipline

Discipline of Students with Disabilities

Special Education Suspension Procedures

1. All suspension notices and suspension review procedures established by Board policy and state statute shall be followed when suspending a special education student. In addition, a special education student who is suspended from school shall receive educational services in accordance with the IDEA and its regulations.
2. If a disabled child carries or possesses a weapon to or at school, on school premises or to or at a school function or knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or school function, or has inflicted serious injury upon another person while at school, on school premises, or at a school function. The District may remove the student to an interim alternative educational setting for no more than 45 school days without regard to whether the behavior is determined to have a manifestation of the student's disability. The IEP Team (PPT) shall determine the alternative educational setting. The district shall, no later than 10 school days after determining to suspend the student, convene a meeting to review the relationship between the student's disability and the behavior which is subject to discipline, in accordance with the provisions described in paragraphs 2 through 4 below.
3. For all suspensions, in which further disciplinary actions is contemplated, no later than 10 school days after the decision to suspend a student is made, the District shall convene a PPT meeting to review and, if appropriate, modify the student's behavior modification plan, as necessary, to address the student's behavior. If no behavior management plan is in place, the District shall develop an assessment plan to address the behavior.
4. For suspensions of ten days or less, cumulatively in a given school year and for which no further disciplinary action is contemplated, it is not required to do a manifestation determination or a functional behavior assessment.

Special Education Expulsion Procedures

1. The District shall promptly notify the student's parent(s)/guardian(s) of the disobedience or misconduct and whether the student shall be recommended for expulsion. All procedural protections pertaining to notice provided under the District's discipline policy shall apply to a notice of recommended expulsion in the case of a special education student. Such notice shall also include the following information:
 - That a planning and placement team (PPT) shall be convened to determine whether the student's act of gross disobedience/misconduct is a manifestation of his or her disability. The PPT shall take place as soon as possible, but at least 10 calendar days after this notice was sent, unless such 10-day notice is waived by the parent(s)/guardian(s).

Students

Discipline

Discipline of Students with Disabilities (continued)

- That the student's parent(s)/guardian(s) are requested to attend the PPT meeting and the date, time, and location of the meeting.
2. For purposes of such manifestation determination review, the PPT shall include the members of the student's PPT team and other qualified personnel including, but not limited to, the authorized administrator familiar with the act of misconduct.
 3. In carrying out the manifestation determination review, the team shall consider, in terms of the behavior subject to the disciplinary action. All relevant information including:
 - evaluation and diagnostic results, including relevant information supplied by the parents;
 - observations of the student;
 - the student's IEP and placement; and
 - the District's implementation of the student's IEP.
 4. The team shall make the following determinations regarding whether the student's conduct was a manifestation of his or her disability:
 - whether, in relationship to the behavior subject to the disciplinary action, the student's IEP and placement were appropriate and whether the special education, supplementary aids and services, and behavior intervention strategies were provided consistent with the student's IEP and placement;
 - whether the student's disability did or did not impair the ability of the student to understand the impact and consequences of the behavior subject to the disciplinary action;
 - whether the student's disability did or did not impair the ability of the student to control the behavior subject to the disciplinary action; and
 - whether the conduct in question was the direct result of the District's failure to implement the student's IEP.
 5. If, at the manifestation review conference, it is determined that the behavior of the student was a manifestation of his or her disability, or if the conduct in question was the direct result of the District's failure to implement the student's IEP, the conduct shall be determined to be a manifestation of the student's disability and the authorized administrator shall not recommend expulsion. The authorized administrator may request a review of the appropriateness of the educational placement of the student. During the period necessary to propose a new placement, the student will remain in his or her then current placement or in the interim alternative setting unless:

Students

Discipline

Discipline of Students with Disabilities (continued)

- the student has not previously been suspended for a period exceeding 10 school days during the same school year, in which case the student may be suspended for a maximum of 10 school days less such previous suspension(s);
 - the parent(s)/guardian(s) and the District agree on a change in the interim placement; or
 - the District obtains an order from a court of competent jurisdiction or a State of Connecticut hearing officer changing the then current placement or providing for other appropriate relief.
6. If, at the manifestation review conference, it is determined that the behavior of the student was not a manifestation of his or her disability, the authorized administrator may recommend that the student be considered for expulsion by the School Board. The expulsion notice to the parent(s)/guardian(s) shall also include the following provisions:
- The parent(s)/guardians are entitled to all rights provided under the IDEA and those set forth in state statutes as available to the parent(s)/guardian(s) from the District. A copy of the parent's/guardian's rights shall be included with the expulsion hearing notice.
 - In addition to issues regularly determined at an expulsion hearing, the authorized administrator must present evidence that the PPT met and concluded that the student's misconduct was not a manifestation of his or her disability which shall be duly noted by the Board.
 - The administration shall ensure that relevant special education and disciplinary records of the student are transmitted for consideration by the School Board.
7. If a special education student is expelled from school in accordance with the procedures set forth above, the district shall convene a PPT meeting to develop an educational program to deliver educational services to the student during such period of expulsion.

Students

Discipline

Discipline of Students with Disabilities (continued)

Weapon and Drug Offenses

In accordance with the above procedures, the District may take one or more of the following steps when a student with a disability carries a weapon to school or to a school function or knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or at a school-related function or has inflicted serious bodily injury to another person while at school, on school premises, or at a school function:

1. Suspend the student from school for 10 school days or less.
2. Remove the disabled student to an interim alternative educational setting for up to 45 school days.
3. If the parent(s)/guardian(s) disagree with the alternative educational placement or with the District-proposed placement and the parent(s)/guardian(s) initiate a due process hearing, the student must remain in the alternative educational setting during the authorized review proceedings, unless the parent(s)/guardian(s) and the District agree on another placement.
4. Seek an order from a court of competent jurisdiction or a State of Connecticut Hearing Officer to change the student's educational placement if the District demonstrates that the current placement is substantially likely to result in injury to the student or to others.

Regulation adopted:
March 9, 1998
Approved: 2002; 1/26/06

ORANGE BOARD OF EDUCATION
Orange, CT.

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Students

Nondiscrimination

In compliance with regulations of Title VII of the Civil Rights Act 1964, Title IX of the Education Amendments of 1972 and Section 504 of the Rehabilitation Act of 1973, the Civil Rights Act of 1987 and the American With Disabilities Act, the Board of Education adopts the following Equal Employment Opportunity and Equal Education Opportunity Policies.

Equal Employment Opportunity

Both federal and state law prohibit discriminatory practices in hiring and employment. The Board of Education prohibit discriminatory acts in all district matters dealing with employees and applicants for positions and requires equal employment opportunities for all employees and applicants. As an equal opportunity employer, the Board of Education does not discriminate on the basis of race, color, religious creed, age, marital status, national origin, ancestry, sex, sexual orientation past or present history of mental disorder, mental retardation, learning disability, regarding any individual who can perform the essential functions of the job, with or without reasonable accommodations, physical disability (including blindness), or other disability except in the case of a bona fide occupational qualification or need.

Equal Education Opportunity

Pursuant to the IDEA, Americans With Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, no otherwise qualified individual with handicaps shall, solely by reason of such handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program of the Board of Education.

Every student has the right to participate fully in classroom instruction and extracurricular activities which shall not be abridged or impaired because of age, sex, sexual orientation, race, religion, national origin, pregnancy, parenthood, marriage, or for any reason not related to his/her individual capabilities.

Civil Rights Coordinators for the Board of Education shall monitor compliance with this policy. The names and location of the Civil Rights Coordinators are set forth below. Further compliance with policy is a responsibility of all district administrators in accordance with the procedures set forth in the attached regulations.

Students shall not be discriminated against, including but not limited to, in the areas of:

Admission

Use of school facilities

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Students

Nondiscrimination (continued)

Equal Education Opportunity (continued)

Student rules, regulations and benefits

Financial assistance

School-sponsored extracurricular activities

Enrollment in courses

Counseling and guidance

Physical education

Health services

Other aid, benefits, or services

Employee/or applicants shall not be discriminated against, including but not limited to, the areas of:

Hiring and promotion

Compensation

Job assignments

Leaves of absence

Fringe benefits

Labor activity

Contracts or professional agreements

Sexual harassment has been established as a form of sexual discrimination and is defined as follows:

"Any unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, when (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment or participation in an educational function (2) submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting the individual or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile or offensive working environment."

Students

Nondiscrimination (continued)

Examples of specific behaviors (that are unwanted and sexual in nature) that could constitute sexual harassment include, but not be limited to:

Attempted rape/rape	Inappropriate touching
Sexual name calling	Sexual rumors
Display of unwanted affections	Overly personal conversation
Corner/blocking	Harassing telephone calls
Inappropriate gestures	Leers
Sexually explicit jokes/cartoons/pictures	Sexually explicit comments

If you believe you have been discriminated against in regard to either of the proceeding policies, you may file a grievance that your rights have been denied or violated.

If you wish to discuss these regulations or your rights under this policy, or wish to discuss or file a grievance, please contact the Director of Pupil Services, our school district Equity/Title IX Coordinator, or an administrator. The Equity Coordinator can be reached at 203.891.8023 or by writing to Equity/Title IX Coordinator, 637 Orange Center Rd. Orange, CT 06477.

Forms are available in our school offices or from our Equity/Title IX Coordinator. Contact with the Equity/Title IX Coordinator should take place within forty - (40) calendar days of the alleged occurrence.

All files pertaining to investigations related to sexual harassment complaints will be kept protected and private in the Board of Education office according to the records retention laws.

Legal Reference: Civil Rights Act of 1964, Title VII, 42 U.S.C. 2000-e2(a).
Equal Employment Opportunity Commission Policy Guidance (N-915.035) on Current Issues of Sexual Harassment, effective 10/15/88.
Title IX of the Education Amendments of 1972, 34 CFR Section 106.
Meritor Savings Bank. FSB v. Vinson, 477 U.S. 57 (1986)
Connecticut General Statutes
46a-60 Discriminatory employment practices prohibited.
Constitution of the State of Connecticut, Article I, Section 20.

Policy revised:
/2002

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Discrimination Grievance Form

Any student, parent/guardian, employee or employment applicant who feels that he/she has been discriminated against on the basis of race, color, age, national origin, sex or handicap may discuss and/or file a grievance with either of the Equity/Title IX Coordinator of the Orange School District. Reporting should take place within 40 calendar days of the alleged discrimination.

Equity/Title IX Coordinator
Director of Special Services
637 Orange Center Rd.
Orange, CT 06477

Name of Presenter/Complainant: _____

Circle One: Employee Employment Applicant Student Parent/Guardian

Home address: _____

Telephone _____ Date of Claim _____ Date of Incident _____

1. Statement of Incident/Issue (include all pertinent information: who, how, where, when, how often, feelings, witness).

2. Please attach any additional information/documentation as necessary.

Signature of Presenter: _____

Signature of Civil Rights Coordinator: _____

Date Received: _____

Forms are available from Equity/Title IX Coordinator, Administrators' and School Offices.

Students

Nondiscrimination

Americans with Disabilities Act

The Board of Education recognizes its responsibility to comply with the letter and spirit of federal and state statutes regarding people with disabilities, including the Americans with Disabilities Act, as amended. Discrimination against individuals with a physical or mental impairment is prohibited even if the impairment doesn't substantially limit a major life activity. It is the policy of the Board of Education to provide a free and appropriate education for students with disabilities, regardless of the nature or severity of the student's disability; including those who are in need of special education and related services. It is the intent of the District to provide a free and appropriate public education to each Section 504/ADA qualified and eligible student with a disability within its jurisdiction. It shall comply with all applicable federal state and local laws prohibiting the exclusion of any person from any of its educational programs or activities because of race, creed, color, national origin, sexual disability, subject to conditions and limitations established by law.

Definitions

Disability: An individual is disabled if he/she (1) has a physical or mental impairment that substantially limits a major life activity; (2) has a record of such impairment; and (3) is regarded as having such impairment. An impairment that is episodic or in remission is considered a disability if it would substantially limit a major life activity when active.

Major Life Activity: A major life activity includes, but is not limited to, basic tasks such as caring for oneself, performing manual tasks, seeing, hearing, thinking, walking, eating, sleeping, reading, standing, lifting, bending, speaking, breathing, learning, concentrating, communicating, and working. The operation of a major bodily function is to be considered a major life activity. This includes functions of the immune system, normal cell growth, digestive, brain, respiratory, bowel, bladder, neurological, circulatory, endocrine, and reproductive functions.

Substantially Limits: A person is considered an individual with a disability when one or more of the individual's important life functions are restricted as to the conditions, manner, or duration under which they can be performed in comparison to most people. Ameliorative effects of mitigating measures will not be considered in the classification of a person with a disability. Mitigating measures include medication, prosthetics, hearing aids, oxygen therapy equipment, assistive technology, reasonable accommodations, mobility devices, and low-vision devices which magnify, enhance, or augment a visual image. Ordinary eyeglasses and contact lenses are exempt.

Being Regarded as Having Such Impairment: This means if the individual establishes that he/she has been subject for an action prohibited under the ADA, as amended, because of an actual or perceived physical or mental impairment whether or not the impairment limits or is perceived to limit a major life activity. This does not apply to conditions that are "transitory and minor," having a duration of less than six months.

Students

Nondiscrimination

Americans with Disabilities Act (continued)

The District shall not coerce, intimidate, threaten, retaliate against or interfere with any person who attempts to assert a right protected by the above law and will cooperate with investigating and enforcement proceedings under the ADA as well as Section 504, Title IX and Title VI.

The District shall designate at least one employee to coordinate its efforts to comply with the ADA, in addition to Title IX and Section 504. All students and staff shall be notified annually of the name, address, and telephone number of the designated individual. (or: The District's Compliance Officer in this policy is also the District's Section 504 and Title IX Compliance Officer.)

The Board directs the Superintendent to develop administrative regulations in order to implement appropriate ADA provisions for students, employees and others who may be affected by this Act. The District shall adopt and publish grievance procedures for prompt and equitable resolution of student/employee complaints alleging discrimination under these statutes.

(cf. 0521 – Nondiscrimination)

(cf. 4118.11/4218.11 – Nondiscrimination)

(cf. 4118.12/4218.12 – Disabilities)

Legal Reference: Connecticut General Statutes

10-15C Discrimination in public schools prohibited. School attendance by 5 year olds. (Amended by P.A. 97-247 to include “sexual orientation” and

P.A. 11-55 to include “gender identity or expression.”

19-581 through 585 AIDS testing and medical information.

10-153 Discrimination on account of marital status.

10-209 Records not to be public.

46a-60 Discriminatory employment practices prohibited.

Section 504 and the Federal Vocational Rehabilitation Act of 1973, 20 U.S.C. 706(7)(b).

American Disability Act of 1989 (42 U.S.C. Ch 126 §12112), as amended by ADA Amendments Act of 2008

Chalk v. The United States District Court of Central California.

P.A. 11-55 An Act Concerning Discrimination.

Students

Nondiscrimination

Grievance Procedures Under Americans with Disabilities Act

Employees

“Complaint” shall mean a claim based upon an event or condition which affects the education of a qualified employee with a disability, as defined by the Americans with Disabilities Act.

The aggrieved employee shall present the complaint in writing directly to his or her supervisor within 15 school days of the employee’s knowledge of the event or condition affecting the employee. The employee should discuss the issue in an effort to resolve the problem informally within three school days from presentation of the complaint. The Principal shall present a response to the employee within 30 school days from the receipt of the complaint. Such response to the problem shall be in writing and be presented to the employee. If no response is given the employee within 30 days referred to above, or if the response is unsatisfactory to the employee, the complaint will become a grievance.

Within 5 school days from receipt of the Principal’s written response, the aggrieved employee must submit the complaint and response to the appropriate ADA Coordinator as listed below, as a formal grievant packet.

Employment	Director of Educational Services
Facilities Accessibility	Assistant Superintendent for Management Services
Program Accessibility	Director of Pupil Personnel Services

Any grievance packet forwarded to the incorrect Coordinator will be forwarded to the appropriate Coordinator by the individual receiving the packet, the Coordinator shall note the date of receipt of the grievance packet and begin investigation of the grievance and preparation of a written decision. The Coordinator may review any written materials or records and may interview any person who the Coordinator feels may be helpful in resolving the grievance.

The Coordinator must return the grievance packet along with the Coordinator’s written decision to the aggrieved employee within 30 working days after receipt of the grievance statement. If due to circumstances beyond the power and control of the employer and the Coordinator shall immediately notify the employee of the same and shall have an additional 30 working days to complete the written response, or notify the employee that a decision cannot be reached.

If the aggrieved employee is not satisfied with the decision of the Coordinator or is notified that no decision could be reached, the aggrieved employee may appeal with 10 working days of receipt of the decision by referring the grievance packet to the Superintendent of Schools.

Students

Nondiscrimination

Grievance Procedures Under Americans with Disabilities Act (continued)

The Superintendent of Schools may review written materials or records and may interview any person which he or she feels may be helpful in resolving the grievance. The Superintendent of Schools must return the grievance packet along with his or her written decision to the aggrieved employee within 20 working days after receipt of the grievance statement.

If the aggrieved employee is not satisfied with the decision of the Superintendent of Schools, the employee may appeal the 10 working days of receipt of the decision by referring the grievance packet to the Board of Education, who shall refer it to the appropriate Board of Education committee. The committee shall conduct a hearing on behalf of the aggrieved employee within 20 working days after receipt of the appeal. The Committee Chair shall notify the aggrieved employee in writing of the Board's decision, which shall be final.

General Public

“Complaint” shall mean a claim based upon an event or condition which affects the education of a qualified member of the public with a disability, as defined by the Americans with Disabilities Act.

The aggrieved employee shall present the complaint in writing directly to the Building Principal within 15 school days of the individual's knowledge of the event or condition affecting him/her. The individual should discuss the issue in an effort to resolve the problem informally within three school days from presentation of the complaint. The Principal shall present a response to the individual within 30 school days from the receipt of the complaint. Such response to the problem shall be in writing and be presented to the individual. If no response is given the individual within 30 days referred to above, or if the response is unsatisfactory to the individual, the complaint will become a grievance.

Within 5 school days from receipt of the Principal's written response, the aggrieved employee must submit the complaint and response to the appropriate ADA Coordinator as listed below, as a formal grievant packet.

Employment	Director of Educational Services
Facilities Accessibility	Assistant Superintendent for Management Services
Program Accessibility	Director of Pupil Personnel Services

Any grievance packet forwarded to the incorrect Coordinator will be forwarded to the appropriate Coordinator by the individual receiving the packet, the Coordinator shall note the date of receipt of the grievance packet and begin investigation of the grievance and preparation of a written decision. The Coordinator may review any written materials or records and may interview any person who the Coordinator feels may be helpful in resolving the grievance.

Students

Nondiscrimination

Grievance Procedures Under Americans with Disabilities Act (continued)

The Coordinator must return the grievance packet along with the Coordinator's written decision to the aggrieved individual within 30 working days after receipt of the grievance statement. If due to circumstances beyond the power and control of the employer and the Coordinator shall immediately notify the employee of the same and shall have an additional 30 working days to complete the written response, or notify the individual that a decision cannot be reached.

If the aggrieved individual is not satisfied with the decision of the Coordinator or is notified that no decision could be reached, the aggrieved individual may appeal with 10 working days of receipt of the decision by referring the grievance packet to the Superintendent of Schools.

The Superintendent of Schools may review written materials or records and may interview any person which he or she feels may be helpful in resolving the grievance. The Superintendent of Schools must return the grievance packet along with his or her written decision to the aggrieved individual within 20 working days after receipt of the grievance statement.

If the aggrieved individual is not satisfied with the decision of the Superintendent of Schools, the employee may appeal the 10 working days of receipt of the decision by referring the grievance packet to the Board of Education, who shall refer it to the appropriate Board of Education committee. The committee shall conduct a hearing on behalf of the aggrieved individual within 20 working days after receipt of the appeal. The Committee Chair shall notify the aggrieved individual in writing of the Board's decision, which shall be final.

Students

"Complaint" shall mean a claim based upon an event or condition which affects the education of a qualified student with a disability, as defined by the Americans with Disabilities Act.

The aggrieved student shall present the complaint in writing directly to the building Principal within 15 school days of the student/parent/guardian knowledge of the event or condition affecting him/her. The student/parent/guardian should discuss the issue in an effort to resolve the problem informally within three school days from presentation of the complaint. The Principal shall present a response to the student/parent/guardian within 30 school days from the receipt of the complaint. Such response to the problem shall be in writing and be presented to the student/parent/guardian. If no response is given the individual within 30 days referred to above, or if the response is unsatisfactory to the student, the complaint will become a grievance.

Students

Nondiscrimination

Grievance Procedures Under Americans with Disabilities Act (continued)

Within 5 school days from receipt of the Principal's written response, the aggrieved student/parent/guardian must submit the complaint and response to the appropriate ADA Coordinator as listed below, as a formal grievant packet.

Employment	Director of Educational Services
Facilities Accessibility	Assistant Superintendent for Management Services
Program Accessibility	Director of Pupil Personnel Services

Any grievance packet forwarded to the incorrect Coordinator will be forwarded to the appropriate Coordinator by the individual receiving the packet, the Coordinator shall note the date of receipt of the grievance packet and begin investigation of the grievance and preparation of a written decision. The Coordinator may review any written materials or records and may interview any person who the Coordinator feels may be helpful in resolving the grievance.

The Coordinator must return the grievance packet along with the Coordinator's written decision to the aggrieved student/parent/guardian within 30 working days after receipt of the grievance statement. If due to circumstances beyond the power and control of the employer and the Coordinator shall immediately notify the student/parent/guardian of the same and shall have a additional 30 working days to complete the written response, or notify the student/parent/guardian that a decision cannot be reached.

If the aggrieved student/parent/guardian is not satisfied with the decision of the Coordinator or is notified that no decision could be reached, the aggrieved student/parent/guardian may appeal with 10 working days of receipt of the decision by referring the grievance packet to the Superintendent of Schools.

The Superintendent of Schools may review written materials or records and may interview any person which he or she feels may be helpful in resolving the grievance. The Superintendent of Schools must return the grievance packet along with his or her written decision to the aggrieved student/parent/guardian within 20 working days after receipt of the grievance statement.

If the aggrieved student/parent/guardian is not satisfied with the decision of the Superintendent of Schools, the student/parent/guardian may appeal the 10 working days of receipt of the decision by referring the grievance packet to the Board of Education, who shall refer it to the appropriate Board of Education committee. The committee shall conduct a hearing on behalf of the aggrieved individual within 20 working days after receipt of the appeal. The Committee Chair shall notify the aggrieved student/parent/guardian in writing of the Board's decision, which shall be final.

Students

Nondiscrimination

(cf. 4118.14/4218.14 - Disabilities)

Legal Reference: Connecticut General Statutes

19-581 through 585 AIDS testing and medical information.

10-209 Records not to be public.

46a-60 Discriminatory employment practices prohibited.

Section 504 and the Federal Vocational Rehabilitation Act of 1973, 20 U.S.C. 706(7)(b).

American Disability Act of 1989. (42 U.S.C. Ch 126 §12112), as amended by ADA Amendments Act of 2008.

Chalk v. The United States District Court of Central California.

Regulation revised: 1212/2011

Regulation approved: 4/06/09

Students

Police in Schools

Schools are responsible for students during school hours which includes protecting each student's constitutional rights, assuring due process in questioning and arrest, and protecting students from any form of illegal coercion.

When police are investigating possible criminal acts which occurred, or may have occurred, on school property, or while under the jurisdiction of the school district, they may question students at school when the following procedures are observed:

1. Students will be questioned as confidentially and inconspicuously as possible.
2. An attempt will be made to notify the student's parents so that they may be present during the questioning. The school Principal, or his/her designee, will be present.
3. Preferably, the officer doing the questioning will wear civilian clothes.

When investigating a possible criminal violation occurring off school grounds or not part of a school program, Police will be encouraged to question students in their homes; however, they may be permitted to question students in the schools when the procedures outlined in 1-3 above are observed.

(cf. 1411 Law Enforcement Agencies)

New Policy adopted:
/2002

5145.11(a)R

Students

Police in Schools

Questioning and Apprehension

When a student becomes involved with law enforcement officers, the officer is to be requested to confer with the student at a time when the student is not under the jurisdiction of the school, if this can be arranged. The following steps shall be taken to cooperate with the authorities:

1. The officer shall properly identify himself/herself.
2. Parents are notified immediately, if possible. The principal should make every effort to inform parents or guardians of the interest of the police authorities.
3. The student's parent or guardian, unless the right is waived by the parent or guardian, must be present if the conference is held in the school. If no parent or guardian is present, the principal or the principal's designee must be present.

Police Officer's Rights with Regard to Students

Attorneys generally agree on the following interpretations to three key questions:

1. **Have police officers the right to question students within the school?**

Police officers have no absolute right to enter school premises and demand to interrogate any student. However, a spirit of cooperation should be extended to any bona fide police or law enforcement official who comes to a school seeking to interrogate students.

2. **Have police officers the right to take students from school?**

Police officers have no right to remove a student from the school for purposes of interrogation, and this should not be allowed in the absence of the specific consent of parent or guardian.

However, police officers, counselors of the juvenile court, or other authorized law enforcement officials have an absolute right to enter the school to take a student into custody or to make a lawful arrest of a student. However, the officer should be made to display either an order signed by a judge or the juvenile court authorizing him/her to take the student into custody, or to display a warrant for the student's arrest.

5145.11(b)R

Students

Questioning and Apprehension

Police Officer's Rights with Regard to Students (continued)

The officer need not display a warrant if the officer observed the student commit a violation of law. The officer's oral statement to this effect shall be sufficient. (A witness to this statement is desirable).

If the student is arrested or taken into custody at a school, the school officials shall take immediate steps to notify the parent, guardian or responsible relative of the minor regarding the release of the minor to such officer, and regarding the place to which the minor is reportedly being taken.

3. Have the police officers the right to serve a subpoena?

While police officers have the legal right to serve a subpoena at school, the school system believes that the serving officials should be strongly urged to serve these subpoenas at the home of the student whenever possible. The subpoena may be served only in the school office in the presence of the school principal or designee.

In all of these situations, every possible step should be taken to insure a minimum of embarrassment or loss of class time for the student.

The Office of the Superintendent should be notified immediately when any of the above actions have occurred.

(cf. 1411 - Relations with Law Enforcement Agencies)

Regulation approved:
3/12/07

Orange Board of Education
Orange, CT

Student Interrogations, Searches and Arrests - A Checklist

I. What factors caused a reasonable suspicion that the search of the student or effects, locker or automobile will produce evidence that the student has violated or is violating the law or the student code of conduct?

A. Eyewitness account:

1. By whom: _____
2. Date/time: _____
3. Place: _____
4. What was observed? _____

B. Information from a reliable source:

1. From whom: _____
2. Time received: _____
3. How information was received: _____
4. Who received the information? _____
5. Describe the information: _____

C. Suspicious behavior. Explain. _____

D. Time of search: _____

E. Location of search: _____

F. Was the student informed of the purpose of the search? _____

G. Was consent for the search requested? _____

II. Was the search conducted reasonably in terms of scope and intrusiveness? _____

A. What were you searching for? _____

B. Sex of the student: _____

Student Interrogations, Searches and Arrests - A Checklist

- C. Age of the student: _____
- D. Urgency of the situation: _____
- E. What type of search was being conducted? _____

- F. Who conducted the search? _____
Position: _____
Sex: _____
- G. Witnesses: _____

III. Explanation of the search.

- A. Describe the time and location of the search: _____

- B. Describe exactly what was searched: _____

- C. What did the search yield? _____

- D. What was seized? _____

- E. Were any materials turned over to the police? _____
- F. Were parents/guardians notified of the search, including the reason for it and the scope? _____

Students

Search and Seizure

Desks and school lockers are the property of the schools. The right to inspect desks and lockers assigned to students may be exercised by school officials to safeguard students, their property and school property with reasonable care for the Fourth Amendment rights of students.

The exercise of the right to inspect also requires protection of each student's personal privacy and protection from coercion. An authorized school administrator may search a student's locker or desk under three (3) conditions:

1. There is reason to believe that the student's desk or locker contains the probable presence of contraband material.
2. The probable presence of contraband material poses a serious threat to the maintenance of discipline, order, safety and health in the school.
3. The student(s) have been informed in advance that school Board policy allows desks and lockers to be inspected if the administration has reason to believe that materials injurious to the best interests of students and the school are contained therein.

Student Search

A student may be searched if there are reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school the scope of the search must be reasonably related to the objectives of the search and the nature of the infraction.

Students may be searched by law enforcement officials on school property or when the student is under the jurisdiction of the district upon the request of the law enforcement official. Such requests ordinarily, shall be based on warrant. The school Principal or designee will attempt to notify the student's parents in advance and will be present for all such searches.

Legal Reference: Connecticut General Statutes
10-221 Boards of Education to prescribe rules
New Jersey v. T.L.O., 469 US 325; 105 S.Ct. 733

Policy revised:
/2002

Students

Search and Seizure

Justification for Student Searches

Students have the right to be free of unreasonable searches and seizures under the fourth amendment of the constitution of the United States. Balanced against this right is the school officials' responsibility to create and maintain an environment consistent with school's educational mission. School officials have a duty to protect the health, safety and welfare of all students under their authority.

Prohibited Items

Students are prohibited from bringing to school items or substances which would disrupt the educational function of the school or which are prohibited by school Board policy or administrative regulations or by law.

Desks and Other School Property

Desks and other school storage areas are provided to students for their convenience. These storage areas remain school property, and as such, are subject to routine periodic inspections by school authorities as well as searches. Such inspections to allow responsible school authorities to confirm that desks are being used appropriately in a manner consistent with the health and safety of all students. Students should not to store items in desks which violate school Board policy or administrative regulations or law.

Emergencies

Circumstances which put the safety of students or school staff at risk or could result in substantial property damage also will constitute sufficient reasons for school or police officials to conduct a thorough search of all school property.

Principals, or designees, may also conduct searches of student desks, their property, or students themselves when there are reasonable grounds to suspect that a particular student is in possession of an item or a substance that represents a material threat to school routine or is prohibited by school Board policies or regulations or by law.

Student property shall include, but not be limited to, purses, knapsacks, bookbags, and the like; outer coats and jackets; footwear; belts; pockets; hair; and hats..

Students

Search and Seizure (continued)

Police Notification

School authorities shall cooperate with appropriate law enforcement agencies in investigations of incidents on school property and in other investigations as outlined in Board of Education policy.

Prescription Drugs

Students who have a legitimate need to bring prescription drugs to school should register this information in the nurse's office.

Lost or abandoned items will be inspected by school authorities.

Student Searches

1. All searches of students shall be conducted or authorized by the Principal or designee, in the presence of a witness.
2. Students may be asked to consent to searches, but in no event shall the student be threatened with harsher punishment or treatment for refusing to consent, nor shall he or she be coerced or induced to give consent in any other manner. Consent, if given, shall be writing. If the student is unwilling to give free and voluntary consent, the school administrator may order the student to submit to a search, and if the student refuses to obey the order, insubordination charges may be brought against the student in accordance with applicable school regulations.
3. Searches should be no more intrusive than necessary to discover that for which the search was instigated.
4. A search of a student's handbag, gym bag or similar personal property carried by a student may be conducted if there is "reasonable grounds" for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school.
5. Desk searches shall be conducted in the presence of another staff member.
6. At no time should school officials conduct a search which requires a student to remove more clothing than his/her shoes, hat, or jacket. If school authorities are convinced that a more intrusive search is required, they should advise the proper law enforcement agency.
7. A search of a student's person, or a search of a group of students where no particular student within the group is suspected, may be conducted only if there is a reasonable suspicion of conduct immediately harmful to students, staff or school property. "Strip searches" of students are prohibited by employees of this school district.
8. Student searches which disclose evidence of school misconduct, but not criminal misconduct, should be treated according to applicable policies and/or regulations

Students

Search and Seizure (continued)

Student Searches (continued)

10. In the event that a student search discloses evidence of criminal wrongdoing, the school Principal or his/her designee shall determine whether or not police officials should be notified of the fruits of the search. If police officials are notified the student's parents should be advised of this fact as soon as possible.

Student Notification

Students shall be informed annually that Board policy allows student search and school desk/locker search.

(cf. 5141.21 Administering Medication)

Legal Reference: Connecticut General Statutes
10-221 Boards of education to prescribe rules.
New Jersey v T.L.O., 53 U.S.L.W. 4083 (1985)
PA 94-115 An Act Concerning School Searches.

Students

Search and Seizure Checklist

1. What factors cause you to have a reasonable suspicion that the search of this student or his or her effects, locker or automobile will turn up evidence that the student has violated or is violating the law or the rules of the school?
 - (a) Eyewitness account:
 - (1) By whom:
 - (2) Date/time:
 - (3) Place:
 - (4) What was seen:
 - (b) Information from a reliable source.
 - (1) From whom:
 - (2) Time received:
 - (3) How information was received:
 - (4) Who received the information:
 - (5) Describe information:
 - (c) Suspicious behavior. Explain:
 - (d) Time of search:
 - (e) Location of search:
 - (f) Student told purpose of search:
 - (g) Consent requested:
 - (h) Consent given:
2. Was the search you conducted reasonable in terms of scope and intrusiveness?
 - (a) What are you searching for:
 - (b) Sex of the student:
 - (c) Age of the student:

Students

Search and Seizure Checklist

- (d) Exigency of the situation:
- (e) What type of search is being conducted:
- (f) Who is conducting the search:

Position:

Sex:

- (g) Witness(es):

3. Explanation of Search.

- (a) Time and location of the search:
- (b) Describe exactly what was searched:
- (c) What did the search yield:
- (d) What was seized:
- (e) Were any materials turned over to the police:
- (f) Were parents notified of the search, including the reason for it and the scope:

EDUCATIONAL RESEARCH REQUESTS

Educational research requests shall be screened by the Superintendent of Schools. Those research requests that are considered to be appropriate for the elementary school shall be reviewed by the Administrative Council.

Those research requests that are considered appropriate should contribute to the improvement of education of the general welfare of children; should be of sufficient scope to justify the time and effort of Orange students and staff members; and should not interrupt the instructional activities unless there is clear significance for the educational program of the Orange Schools. A full report of the implications of the study should be presented to the Board of Education at the completion of the research project.

The objectives of the research should be clearly stated and the design should produce valid and reliable results, which will then be made available to the Orange Schools.

Staff members are to be consulted prior to the initiation of the research project.

Prior to final approval by the Administrative Council the researcher's credentials must be reviewed. Student researchers must have prior written approval by a faculty member of the institution in which the student is enrolled. This faculty member must have direct responsibility related to the conduct of the student's research.

Data derived from school records, interviews, or questionnaires which have potential for invasion of the privacy of students or their families must have advance written authorization of parents or guardians even though the data are collected and reported under conditions of anonymity. Release of this collected data must be approved by the Superintendent of Schools.

Recommendation to participate in a research project will be made by the Superintendent of Schools. The Board of Education will grant final approval of the project.

Approved: 4/8/83

ORANGE BOARD OF EDUCATION
Orange, CT.

Students

Directory Information

Directory information or class lists of student names and/or addresses, and telephone lists shall not be distributed without the consent of the parent or legal guardian of the student.

“Directory information” means one or more of the following items: student’s name, address, telephone number, date and place of birth, major field(s) of study, participation in officially recognized activities and sports, photographic, computer and/or video images, grade levels, electronic mail address, weight and height of members of athletic teams, dates of attendance, degrees and awards received, including honor roll publication, and the most recent previous public or private school attended by the student, parent’s name and/or e-mail address.

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

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

Public Notice

The District will give annual public notice to parents/guardians of students in attendance. The notice shall identify the types of information considered to be directory information, and the District’s option to release such information, unless parents/guardians or eligible students request the District withhold this information. Such notice will be given prior to the release of directory information.

Students

Directory Information (continued)

Exclusions

Exclusions from any or all directory categories named as directory information must be submitted in writing to the Principal by the parent/guardian, within fifteen days of the annual public notice.

(cf. 5125 - Student Records; Confidentiality)

Legal Reference: Connecticut General Statutes

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

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

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

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

P.L. 107-110 "No Child Left Behind Act" Title IX, Sec. 9528.

Policy adopted: 12/14/2009

**DENIAL OF PERMISSION TO RELEASE CERTAIN
DIRECTORY INFORMATION WITHOUT PRIOR WRITTEN CONSENT**

Dear Parent/ Guardian:

Certain directory information may be released to media, colleges, civic or school-related organizations and state or governmental agencies including military recruiters, as well as published programs for the athletic, music and theater presentations of this school district.

Directory information includes the following kinds of information:

1. Name of student
2. Address of student
3. Telephone number
4. E-mail address of student
5. Participation in officially recognized activities and sports
6. Dates of attendance
7. Degrees and awards received
8. Most recent school attended
9. Date of birth, place of birth
10. Photographic, computer and/or video images
11. Videotape not used in a disciplinary manner
12. Parent's name/e-mail address

Please circle the specific categories of information, if any, listed above that you do **not** wish to be released without your specific prior written permission.

_____ The release of all Directory Information is denied.

This form must be completed and returned to the school principal within ten (10) days after publication of the notice on "Directory Information."

Name of Student

School

Grade

Parent's Signature

Date

Students

Freedom of Speech/Expression

The school district shall recognize and protect the rights of student expression. It will balance these rights with the interests of an orderly and efficient educational process and of a school environment suitable for healthy growth and development of all students.

In an attempt to balance these rights it is expected student expression should not:

1. contain libelous or obscene language;
2. advocate illegal actions;
3. contain false statements or innuendoes that would subject any person to hatred, ridicule, contempt, or injury to reputation;
4. threaten imminent disruption of the school's educational process;
5. advocate actions which would endanger student health or safety;
6. invade the lawful rights of others;
7. be sold on school property — nor can material which solicits funds or donation be circulated.

Distributors of materials will be held responsible for cleaning up litter caused by such distribution.

(cf. 1220 Citizens' Advisory Committees)
(cf. 1312 Public Complaints)
(cf. 6144 Controversial Issues)
(cf. 6161 Equipment, Books, and Materials: Provision/Selection)

Legal Reference: Civil Rights Act of 1964, Title VII, 42 U.S.C.2000-e2(a).

Equal Employment Opportunity Commission Policy Guidance (N-915.035) on Current Issues of Sexual Harassment, effective 10/15/88.

Title IX of the Education Amendments of 1972, 34 CFR Section 106.

Meritor Savings Bank. FSB v. Vinson, 477 U.S. 57 (1986)

Faragher v. City of Boca Raton, No. 97-282 (U.S. Supreme Court, June 26, 1998)

Burlington Industries, Inc. v. Ellerth, No. 97-569, (U.S. Supreme Court, June 26, 1998)

Students

Freedom of Speech/Expression (continued)

Gebbser v. Lago Vista Indiana School District, No. 99-1866, (U.S. Supreme Court, June 26, 1998)

Connecticut General Statutes

46a-60 Discriminatory employment practices prohibited.

Constitution of the State of Connecticut, Article I, Section 20.

New Policy adopted:
/2002

Students

Nondiscrimination

Racial and/or Ethnic Harassment of Students

It is the policy of the Orange Board of Education to maintain a learning and working environment that is free from racial and/or ethnic harassment.

It shall be a violation of this policy for any employee of this District to harass another employee or student through unwelcome conduct or communications of a racial nature as defined in this policy. It shall also be a violation of this policy for students to harass other students through unwelcome conduct or communication of a racial nature as defined in this policy. The use of the term "employee" also includes non-employees and volunteers who work subject to the control of school authorities. **The terms "race" or "racial" as used in this policy refer to all forms of discrimination prohibited by Title VI of the Civil Rights Act of 1964, i.e., race, color, and national origin.**

Types of Racial Harassment

Racial harassment consists of unwelcome racial comments, and other inappropriate verbal or physical conduct of a racial nature when made by any employee to a student, when made by any employee to another employee, or when made by any student to another student, including but not limited to, situations where:

1. Such conduct has the purpose or effect of substantially interfering with an individual's academic or professional performance or creating an intimidating, hostile, or offensive employment or educational environment;
2. An employee or a student engages in racial harassment against another employee or student respectively, and denial of an employment or educational opportunity occurs as a result of the racial harassment.
3. Such conduct is engaged in by volunteers and/or non-employees over which the school corporation has some degree of control of their behavior while on school property.

Examples of Racial Harassment

Racial harassment includes, but is not limited to, the following:

1. Verbal harassment or abuse.

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Racial Harassment of Students

Examples of Racial Harassment (continued)

2. Repeated remarks to a person with racial or demeaning implications.
3. Engagement in racial harassment accompanied by implied or explicit threats concerning one's grades, job, promotion, and/or salary increase.

Administrators and supervisors who either engage in racial harassment either directly or indirectly, or tolerate such conduct by other employees shall be subject to disciplinary actions subject to this policy and to state law due process requirements.

Employees who engage in racial harassment shall be subject to disciplinary actions subject to this policy and to state law due process requirements.

Complaint Procedures

- A. Any person who alleges racial harassment by any employee or student in the school district may use the complaint procedure explained below or may complain directly to his or her immediate supervisor, Building Principal, or the Title VI Complaint designee of the school district. Filing of a complaint or otherwise reporting racial harassment will not reflect upon the individual's status nor will it affect future employment, grades, or work assignments.
- B. The right of confidentiality, both of the complainant and of the accused, will be respected consistent with the school corporation's legal obligations and the necessity to investigate allegations of racial misconduct and to take corrective action when this conduct has occurred.
- C. **Reporting Racial Harassment**

All reports of racial harassment shall be handled in the following manner:

- (a) Reports must be in writing on forms supplied by the District (if a verbal complaint is made, the school official should file a written report);
- (b) Reports must name the person(s) charged with racial harassment and state the facts;

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Racial Harassment of Students

C. Reporting Racial Harassment (continued)

- (c) Reports must be presented to the Building Principal where the alleged conduct took place. The Building Principal shall inform the Superintendent, or his/her designee, of all filed reports;
- (d) The Building Principal who receives a report shall thoroughly investigate the alleged racial harassment;
- (e) The report and the results of the investigation will be presented to the Superintendent. The Superintendent shall review the report and make a recommendation to the Board of Education of any action he/she deems appropriate.
- (f) The Board of Education may consider the report and the Superintendent's recommendation in executive session. The Board may take any action it deems appropriate. The alleged victim's name will not be released to the public unless required by law.

Sanctions For Misconduct

- A. A substantiated charge against an employee in the school corporation shall subject such employee to disciplinary action including but not limited to reassignment, suspension, or discharge.
- B. A substantiated charge against a student shall subject that student to disciplinary action including suspension and/or expulsion consistent with the student disciplinary policies.

False Reporting

Any person who knowingly files false charges against an employee or a student in an attempt to demean, harass, abuse, or embarrass that individual shall be subject to disciplinary action consistent with school policy and student disciplinary policies.

Students

Nondiscrimination

Racial Harassment of Students (continued)

(cf. 0521 - Equal Opportunity - Nondiscrimination)

(cf. 4118.113/4218.113 - Harassment)

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

(cf. 5131 - Student Conduct)

(cf. 5131.2 - Assault)

(cf. 5131.21 - Terroristic Threats/Acts)

(cf. 5144 - Discipline)

(cf. 5145.5 - Sexual Harassment)

(cf. 5145.51 - Peer Sexual Harassment)

Legal Reference: Civil Rights Act of 1964, Title VI,
42 U.S.C. §2000 et seq. 34 CFR Part 1000

Policy adopted: 3/12/01

ORANGE ELEMENTARY SCHOOLS
Orange, Connecticut

Harassment Complaint Form

Name: _____

Date: _____ School: _____

Who was responsible for the harassment? _____

Describe the harassment: _____

(attach additional pages if necessary)

Date(s), time(s), and place (places) the harassment occurred: _____

Were other individuals involved in the harassment? _____

If so, name the individual(s) and what their role was _____

Did anyone witness the harassment? _____ If so, name the witness(es) _____

What was your reaction to the harassment? _____

Describe any prior incidents _____

Signature of Complainant or Parents/Legal Guardian

copy: Student/Parents

Students

Exploitation/Sexual Harassment

General

Sexual harassment will not be tolerated among students of the school district, and any form of sexual harassment is forbidden whether by students, supervisory or non-supervisory personnel, individuals under contract, or volunteers in the schools. Students shall exhibit conduct which is respectful and courteous to employees, to fellow students, and to the public.

Definition

Sexual harassment is any unwelcome conduct of a sexual nature, whether verbal or physical, including, but not limited to:

1. insulting or degrading sexual remarks or conduct;
2. threats or suggestions that a student's submission to, or rejection of, unwelcome conduct will in any way influence a decision regarding that student;
3. conduct of a sexual nature which substantially interferes with the student's learning or creates an intimidating, hostile, or offensive learning environment — such as the display in the educational setting of sexually suggestive objects or pictures.

Complaints Procedures

The Board of Education encourages victims of sexual harassment to report such claims promptly to the Superintendent of Schools or designee. Complaints shall be investigated promptly and corrective action taken when allegations are verified. Confidentiality shall be maintained and no reprisals or retaliation shall occur as a result of good faith charges of sexual harassment.

The district shall provide staff development for district administrators and other staff and annually shall distribute this policy to staff and students.

Legal Reference: Civil Rights Act of 1964, Title VII, 42 U.S.C.2000-e2(a).
Equal Employment Opportunity Commission Policy Guidance (N-915.035) on Current Issues of Sexual Harassment, effective 10/15/88.
Title IX of the Education Amendments of 1972, 34 CFR Section 106.
Meritor Savings Bank, FSB v. Vinson, 477 U.S. 57 (1986)
Faragher v. City of Boca Raton, No. 97-282 (U.S. Supreme Court, June 26, 1998)

Students

Exploitation/Sexual Harassment

Legal Reference (continued)

Burlington Industries, Inc. v. Ellerth, No. 97-569, (U.S. Supreme Court, June 26, 1998)

Gebbs v. Lago Vista Indiana School District, No. 99-1866, (U.S. Supreme Court, June 26, 1998)

Connecticut General Statutes

46a-60 Discriminatory employment practices prohibited.

Constitution of the State of Connecticut, Article I, Section 20.

Policy adopted:
5/13/1997

Students

Exploitation/Sexual Harassment

Sexual harassment is prohibited in the school system. Sexual harassment may consist of, but is not limited to,:

1. Submission to, or rejection of, conduct as the basis of academic decisions affecting the individual.
2. Sexual conduct having a negative purpose or affect upon an individual's academic performance, or of creating an intimidating, hostile, or offensive educational environment.
3. Suggestive or obscene letters, notes, invitations, derogatory comments, slurs, jokes, epithets, assault, touching, impeding or blocking movement, leering, gestures, display of sexually suggestive objects, pictures, or cartoons.
4. Continuing to express sexual interest after being informed that the interest is unwelcome.
5. Coercive sexual behavior used to control, influence, or affect the educational opportunities, grades, and/or learning environment of student, including promises or threats regarding grades, course admission, performance evaluations, or recommendations; enhancement or limitation of student benefits, or services (e.g. scholarships, financial aid, work study job).
6. Inappropriate attention of a sexual nature from peer(s), i.e. student to student, employee to employee.

Complaint Procedure

1. If a student believes that he/she is being or has been harassed, that person should immediately inform the harasser that his/her behavior is unwelcome, offensive, in poor taste, unprofessional, or highly inappropriate.
2. As soon as a student feels that he or she has been subjected to sexual harassment, he or she should make a written complaint to the appropriate school personnel, or the Principal or his/her designee. The student will be provided a copy of this policy and regulation and made aware of his or her rights.
3. The complaint should state the:
 - (a) Name of complainant;
 - (b) Date of complaint;
 - (c) Date of alleged harassment;
 - (d) Name or names of alleged harasser or harassers;

Students

Sexual Harassment (continued)

- (e) Location where such alleged harassment occurred;
 - (f) Detailed statement of the circumstances constituting the alleged harassment.
4. Any student who makes an oral complaint of harassment to any of the above mentioned personnel will be provided a copy of this regulation and requested to make a written complaint as outlined above.
 5. All complaints are to be forwarded immediately to the Principal or designee — unless that individual is the subject of the complaint in which case the complaint should be forwarded directly to the Superintendent or designee.
 6. If possible, within five (5) working days of receipt of the complaint, the staff member assigned to investigate the complaint shall commence an effective, thorough, objective and complete investigation. The investigator shall consult with individuals reasonably believed to have relevant information, including the student and the alleged harasser, any witnesses to the conduct, and victims of similar conduct that the investigator reasonably believes may exist. The investigation shall be free of stereotypical assumptions about either party. The investigation shall be carried on discretely, maintaining confidentiality as possible while still conducting an effective and thorough investigation. Throughout the investigative process, due process rights of the alleged harasser will be protected.
 7. The investigator shall make a written report summarizing the results of the investigation and proposed disposition of the matter, and shall provide copies to the complainant, the alleged harasser, and, as appropriate, to others directly concerned.
 8. If the student complainant is dissatisfied with results of an investigation, he or she may file a written appeal to the Superintendent or designee who shall review the investigator's written report, information collected by the investigator together with the recommended disposition of the complaint to determine whether the alleged conduct constitutes harassment. The Superintendent or designee may also conduct a reasonable investigation, including interviewing the complainant and alleged harasser and any witnesses with relevant information. After completing this review, the Superintendent shall respond as soon as possible in writing to the complainant.

If after a thorough investigation, there is reasonable cause to believe that sexual harassment has occurred, the district shall take reasonable actions to ensure the harassment ceases and will not recur. Actions taken in response to findings of harassment may include reassignment, transfer, or disciplinary action, or warnings that appropriate action shall be taken if further acts of harassment or retaliation occur.

Copies of this regulation will be distributed to all elementary school students.

Students

Sexual Harassment (continued)

Legal Reference: Civil Rights Act of 1964, Title VII, 42 U.S.C.2000-e2(a).
Equal Employment Opportunity Commission Policy Guidance (N-915.035) on
Current Issues of Sexual Harassment, effective 10/15/88.
Title IX of the Education Amendments of 1972, 34 CFR Section 106.
Meritor Savings Bank. FSB v. Vinson, 477 U.S. 57 (1986)
Connecticut General Statutes
46a-60 Discriminatory employment practices prohibited.
Constitution of the State of Connecticut, Article I, Section 20.

Regulation approved:
5/13/1997

SEXUAL HARASSMENT (Form A)
For parents of a person who is an alleged sexual harasser

School Letterhead

(This should not be a form letter)

Dear _____:

A sexual harassment charge involving _____ was reported to the administration on _____ and we have spoken to _____ regarding this matter.

Sexual harassment is against the law. The Orange Schools have a policy (5145.5) addressing this issue within the school environment. Sexual harassment includes not only unwelcome sexual advances and requests for sexual favors but also offensive written, verbal or physical conduct that is sexual in nature.

We have spoken to _____ regarding this matter and have explained this type of harassment, if true, will not be tolerated. We hope that by informing you of this incident and explaining to _____ the ramifications of this behavior, that this incident will not occur again.

It is our policy, however, to inform all parents when initial allegations are made so that all parties are aware if any outside legal problems develop. We will continue to investigate this incident, and will keep you informed of our findings.

Please feel free to contact me regarding any questions you may have about this matter.

Very truly yours,

Administrator

cc: Confidential File

SEXUAL HARASSMENT (Form B)
For parents of an alleged victim of sexual harassment

School Letterhead

(This should not be a form letter)

Dear _____:

A sexual harassment charge involving _____ was reported to the administration on _____ and we have spoken to _____ regarding this matter.

Sexual harassment is against the law. The Orange Schools have a policy (5145.5) addressing this issue within the school environment. Sexual harassment includes not only unwelcome sexual advances and requests for sexual favors but also offensive written, verbal or physical conduct that is sexual in nature.

It is our policy to inform all parents when initial allegations are made so that all parties are aware if any outside legal problems develop. We will continue to investigate this incident, and will keep you informed of our findings.

Please feel free to contact me regarding any questions you may have about this matter.

Very truly yours,

Administrator

cc: Confidential File

Students

Surrogate Parent Program

Any child considered by the school district to require special education and whose natural parents are unavailable as defined by law, or who is a ward of the state, or such child is an unaccompanied and homeless youth as defined in 42 USC 11434a, may be provided a surrogate parent appointed by the Commissioner of Education in the manner provided by law.

The function of the surrogate parent will be to act as the child's advocate in the educational decision-making process, which includes all special education identification, evaluation, placement, hearing, mediation and appeal procedures conducted for the student.

In addition, the surrogate parent will also act as the child's advocate in the evaluation and planning procedures available to children under Section 504 of the U.S. Rehabilitation Act.

Surrogate parents will be informed, by the Board as are regular parents, annually of Board policies regarding student conduct and discipline and if the Board suspends or expels a child for conduct that violates Board policy and seriously disrupts the educational process, for carrying a weapon or for selling or distributing drugs.

The law makes provisions whereby a parent or legal guardian or the student for whom a surrogate parent has been appointed may contest the surrogate parent appointment.

(cf. 3511 – Compliance with 504 Regulations)
(cf. 5114 – Suspension and Expulsion/Due Process)
(cf. 5131 - Conduct)
(cf. 5144 - Discipline)
(cf. 5145 – Civil, Legal Rights and Responsibility)
(cf. 6171 – Special Education)

Legal Reference: Connecticut General Statutes
 10-94f Definitions.
 10-94g Commissioner of Education to appoint surrogate parent;
 Procedure for objection to or extension of said appointment. (as
 amended by PA 00-48 & PA 06-18)
 10-94h Term of surrogate parent.
 10-94i Rights and liabilities of surrogate parents.
 10-94j Regulations re appointment of surrogate parents. 9as
 amended by PA 00-48)

5145.71P

Students

Surrogate Parent Program (continued)

10-94k Funding of surrogate program.
10-233e Notice as to disciplinary policies and actions.
PA 06-18 An Act Concerning Special Education
Section 504 U.S. Rehabilitation Act, 29 U.S.C. 791

Policy adopted:
3/12/07

Orange Board of Education
Orange, CT

Nursing

Bus Accident Management - Local

Delegation to the Scene of Accident

The school nurse from the home school will go to the accident scene for the purposes of student identification, provision of pertinent medical health status information, and emotional support. The para-medics will make decisions regarding treatment and hospitals to which injured students will be taken.

Re-entry Assessment

All students involved in the accident will be assessed by their school nurse upon re entry to school.

Assessments will be documented on each student's cumulative health record along with follow-up information. Referrals will be made when indicated.

Accident Reports

Accident reports will be filled out by the school nurse for every child involved in the accident and filed in the school health office, board of education and necessary copies sent to insurance company by the school secretary.

Notification to School Health Physician

The school nurse will notify the school health physician.

Items to be addressed by administrative body as second part of the document

Notification of superintendent

1. School principal/designated teacher will go to the scene of the accident.
 - a. Bring bus emergency folder with bus emergency information.
 - b. Bring absence list when accident occurs on bus.
 - c. Verify count and names of children on bus.
 - d. Go to emergency room with children whose parents are not yet at the scene. These children are not emancipated so we are responsible until parent arrives at the ER
In the event that there are several children going to more than one hospital the administrator in charge will designate staff to accompany all affected students.

Nursing

Bus Accident Management – Local (continued)

2. Principal or designee will:
 - a. notify parent/guardian in accordance with emergency information form
 - b. provide information regarding accident
 - c. provide support for uninjured siblings returned to school in event an injured sibling has been taken to ER
 - d. establish plan for parents to either touch base with or pick up children at school
 - e. provide for crisis intervention for children entering school the day of the accident who were not directly involved in the accident; crisis intervention teams from schools within the system should be alerted for possible assistance
 - f. provide BOE with a bus emergency file copy

Regulation revised: (policy number only)
/2002