

# CHAPTER 5000 – STUDENTS

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**0523 Equity and Diversity**

The Board of Education (Board) is committed to the success of every student in each of our schools and to achieving the mission of ensuring that all students graduate ready for college, career and life. The Board believes that the responsibility for student success is broadly shared by District staff, administrators, teachers, community and families. The Board is focused on closing the opportunity gap and creating learning communities that provide support and academic enrichment programs for all students. [or: The Board believes that every student has the potential to achieve and it is the responsibility of the District to give each student the opportunity and support to meet his or her highest potential.]

The concept of educational equity extends beyond formal equity, where all students are treated the same, to fostering a barrier-free environment where all students, regardless of their race, class, or other personal characteristics such as creed, color, religion, ancestry, national origin, age, economic status, gender, sexual orientation including gender expression or identity, pregnancy status, marital status, physical appearance, or the presence of any sensory, mental or physical disability, have the opportunity to benefit equally.

The responsibility for the disparities among our youth rests with adults, not the children. The Board is aware that student achievement data from across the country reveal similar patterns and those complex societal and historical factors contribute to the inequities faced by students. Rather than perpetuating such disparities, the Board believes the District must address and overcome this inequity and institutional racism, providing all students with the support and opportunity to succeed. This means differentiating resource allocation, within budgetary limitations, to meet the needs of students who need more supports and opportunities to succeed academically. The district will provide additional and differentiated resources to support the success of all students, including students of color.

District schools will significantly change/improve its practices in order to achieve and maintain racial equity in education. Educational equity means raising the achievement of all students while (1) narrowing the gaps between the lowest and highest performing students and (2) eliminating the racial predictability and disproportionality of which student groups occupy the highest and lowest achievement categories.

With these commitments in mind, the ACES shall:

- Provide every student with equitable access to high quality and culturally relevant instruction, curriculum, support, facilities and other educational resources, even when this means differentiating resources to accomplish this goal.
- Create multiple pathways to success in order to meet the needs of its diverse students, and shall actively encourage, support and expect high academic achievement from all racial groups.
- Recruit, employ, support and retain a teacher, administrator, instructional and support workforce that is balanced and reflects the diversity of the student body.
- Provide professional development to strengthen employees' knowledge and skills for eliminating cultural, racial and ethnic disparities in achievement.

- Ensure that each school creates a welcoming culture and inclusive environment that reflects and supports the diversity of the District’s student population, their families and communities.
- Remedy the practices, including assessment, that lead to the over-representation of students of color in areas such as special education and discipline, and the under representation in programs such as talented and gifted and Advanced Placement.
- Review existing policies, programs, professional development and procedures to ensure the promotion of racial equality, and all applicable new policies, programs and procedures will be developed with a racial equity approach.
- Include other partners who have demonstrated culturally specific expertise, including families, government agencies, institutions of higher learning, early childhood education organizations, community-based organizations, businesses, and the community in general, in meeting the District’s high goals for educational outcomes.
- Provide, consistent with state regulations and District policy and within budgetary considerations, materials and assessments that reflect the diversity of students and staff, and which are geared towards the understanding and appreciation of culture, class, language, ethnicity and other differences that contribute to the uniqueness of each student and staff member.

The Board recognizes that these are long-term goals that require significant work and resources to implement in all schools. All District employees are responsible for the success and achievement of all students. The Superintendent is authorized to develop procedures to implement this policy, including an action plan with clear responsibility. Annually, the Superintendent shall report to the Board on the progress towards achieving the goals outlined in this policy.

- (cf. 0521 – Nondiscrimination)
- (cf. 1110.1 – Parental Involvement)
- (cf. 1110.3 – School Governance Council)
- (cf. 1210 – Community Associations)
- (cf. 1212 – Volunteers)
- (cf. 1330 or 3515 – Use of School Facilities)
- (cf. 1205 – Participation by the Public)
- (cf. 4111 – Recruitment and Selection)
- (cf. 4111.1/4211.1 – Affirmative Action)
- (cf. 4118.11 – Nondiscrimination)
- (cf. 4118.113/4218.113 – Harassment)
- (cf. 4118.3 – District Minority Recruitment Plan)
- (cf. 4131 – Staff Development)
- (cf. 5118.1 – Homeless Students)
- (cf. 5131.911 – Bullying/Safe School Climate Plans)
- (cf. 5145.4 – Nondiscrimination)
- (cf. 5145.5 – Sexual Harassment)
- (cf. 5145.51 – Peer Sexual Harassment)
- (cf. 5145.52 – Harassment)
- (cf. 5145.53 – Transgender and Non-Conforming Youth)

(cf. 5145.6 – Student Grievance Procedure)  
(cf. 6115 – Ceremonies and Observances)  
(cf. 6121 – Nondiscrimination)  
(cf. 6121.1 – Equal Educational Opportunity)  
(cf. 6141.21 – Religions in the Public Schools)  
(cf. 6141.22 – Religious Accommodations)  
(cf. 6141.311 – Programs for limited English Proficient Students)  
(cf. 6171 – Special Education)  
(cf. 9133 – Board of Education Advisory Committees)

***Legal Reference: Connecticut General Statutes***

46a-60 Discriminatory employment practices prohibited.  
10-15c Discrimination in public schools prohibited. School attendance by five-year olds.  
(Amended by P.A. 97-247 to include “sexual orientation” and P.A. 11-55 to include  
“gender identity or expression”)  
10-153 Discrimination on account of marital status.  
17a-101 Protection of children from abuse.  
Connecticut State Board of Education, “Position Statement on Culturally Responsive  
Education,” adopted May 4, 2011  
Title VII, Civil Rights Act, 42 U.S.C. 2000e, et seq.  
29 CFR 1604.11, EEOC Guidelines on Sex Discrimination.  
Title IX of the Educational Amendments of 1972, 20 U.S.C. 1681 et seq.  
34 CFR Section 106.8(b), OCR Guidelines for Title IX.  
Definitions, OCR Guidelines on Sexual Harassment, Fed. Reg. Vol 62, #49, 29 CFR Sec.  
1606.8 (a) 62 Fed Reg. 12033 (March 13, 1997) and 66 Fed. Reg. 5512 (January 19, 2001)  
20 U.S.C. 7905 (Boy Scouts of America Equal Access Act contained in No Child Left  
Behind Act of 2001)  
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)  
Gebbser v. Lago Vista Indiana School District, No. 99-1866, (U.S. Supreme Court, June  
26,1998)  
Davis v. Monro County Board of Education, No. 97-843, (U.S. Supreme Court, May 24,  
1999.)  
The Vietnam Era Veterans’ Readjustment Act of 1974, as amended, 38U.S.C. §4212  
Title II of the Genetic Information Nondiscrimination Act of 2008  
The Americans with Disabilities Act as amended by the ADA Amendments Act of 2008  
Public Law 111-256  
Meacham v. Knolls Atomic Power Laboratory 128 S.Ct. 2395, 76 U.S.L.W. 4488 (2008)  
Federal Express Corporation v. Holowecki 128 S.Ct. 1147, 76 U.S.L.W. 4110 (2008)  
Kentucky Retirement Systems v. EEOC 128 S.Ct. 2361, 76 U.S.L.W. 4503 (2008)  
Sprint/United Management Co. v. Mendelsohn 128 S.Ct. 1140, 76 U.S.L.W. 4107 (2008)

*Policy adopted: September 08, 2017*

## 5113 Attendance and Excuses

### Attendance

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

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

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

### Definitions (related to chronic absenteeism)

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

**Absence:** An excused absence, unexcused absence or disciplinary absence, as those terms are defined by the State Board of Education or an in-school suspension that is greater than or equal to one-half of a school day.

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

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

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

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

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

- B. For the tenth absence and all absences thereafter, a student's absences from school are considered excused for the following reasons:
  - 1. Student illness (must be verified by a licensed medical professional to be deemed excused, regardless of the length of the absence);
  - 2. Student's observance of a religious holiday;
  - 3. Death in the student's family or other emergency beyond the control of the student's family;
  - 4. Mandated court appearances (documentation required);
  - 5. The lack of transportation that is normally provided by a district other than the one the student attends (no parental documentation required);
  - 6. Extraordinary educational opportunities pre-approved by District administration and to be in accordance with Connecticut State Department of Education guidance.
- C. A student's absence from school shall be considered unexcused unless:
  - 1. The absence meets the definition of an excused absence and meets the documentation requirements; or
  - 2. The absence meets the definition of a disciplinary absence, which is the result of school or District disciplinary action and are excluded from these State Board of Education approved definitions.

When the school in which a child is enrolled receives no notification from a parent or other person having control of the child is aware of the child's absence, a reasonable effort shall be made by school personnel or volunteers under the direction of school personnel to notify by telephone and by mail such parent or other person having control of the child but if the student has 20 absences the parent may contact school administration to work out special circumstances and develop a plan for necessary accommodations.

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

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

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

obtaining assignments from the student's teacher prior to any period of excused absence, and for ensuring that such assignments are completed by such child prior to his or her return to school from such period of excused absence.

### **Chronic Absenteeism**

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

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

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

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

The District shall utilize the chronic absenteeism prevention and intervention plan developed by the State Department of Education when it becomes available. (SDE to develop by 1/1/16.)

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

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



## **Dismissal**

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

No teacher may permit any individual student to leave school prior to the regular hour of dismissal without the permission of the Principal.

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

(cf. 5142 - Student Safety)

cf. 5113.2 - Truancy)

cf. 6113 - Released Time)

### ***Legal Reference: Connecticut General Statutes***

10-220(c) Duties of boards of education (as amended by PA 15-225)

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

10-185 Penalty

10-198a Policies and procedures concerning truants (as amended by PA11-136, An Act Concerning Minor Revisions to the Education Statutes and PA 14-198, An Act Concerning Excused Absences from School for Children of Service Members, and PA 16-147, An Act Concerning the Recommendations of the Juvenile Justice Policy and Oversight Committee)  
45a-8c Truancy clinic. Administration. Policies and procedures. Report. (as amended by PA 15-225)

PA 15-225 An Act Concerning Chronic Absenteeism

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

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

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

*Policy adopted: June 08, 2017*

### **5113.1 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 pre-kindergarten through 12 must make a written request. The designated adult of students in grades Pre-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.

***Legal Reference: Connecticut General Statutes***

10-184 Duties of parents; 10-221(b) Board of Education to prescribe rule.

*Policy adopted: September 11, 2003*

## **5113.2 Truancy**

The ACES Governing Board policy on student truancy stresses early prevention and inquiry leading to remediation of absences rather than imposition of punitive measures for students. Referral to legal authorities normally shall be made only when local resources are exhausted.

School personnel shall seek cooperation from parents or other persons having control of such child and assist them in remedying and preventing truancy.

***Legal Reference: Connecticut General Statutes***

10-198a Policies and procedures concerning truants.

*Policy adopted: September 11, 2003*

## **5114: Suspension/Expulsion/Student 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. (or: Such suspensions may be served in any school building under the jurisdiction of the Board of Education. The

Board has determined that in-school suspensions shall be served in the following all ACES schools.

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. All suspensions shall be in-school suspensions unless the administration determines for any student in grades three through twelve, inclusive, that (1) the student being suspended poses such a danger to persons or property or such a disruption of the educational process that the student (grades three to twelve, inclusive) shall be excluded from school during the period of suspension, or (2) that an out-of-school suspension is appropriate based on evidence of previous disciplinary problems that have led to suspensions or expulsion of the student and efforts by the administration to address such disciplinary problems through means other than out-of-school suspension or expulsion, including positive support strategies.  
A student in grades preschool to two, inclusive, may be given an out-of-school suspension if it is determined by the administration that such suspension is appropriate based on evidence that the student’s conduct on school grounds is of a violent or sexual nature that endangers persons. In addition a person’s duty as a mandated reporter to report suspected child abuse or neglect is not limited by this provision.
5. **“Expulsion”** shall be defined as an exclusion from school privileges for any student in grades three to twelve, inclusive, for more than ten (10) consecutive school days and shall be deemed to include but not be limited to, exclusion from the school to which such student was assigned at the time such disciplinary action was taken, provided that assignment to a regular classroom program in a different school in the district shall not constitute a suspension or an expulsion. Such period of exclusion may extend to the school year following the school year in which the exclusion was imposed, up to one calendar year.
6. **“Emergency”** shall be defined as a situation under which the continued presence of the student in the school imposes such a danger to persons or property or such a disruption of the educational process that a hearing may be delayed until a time as soon after the exclusion of such student as possible.
7. **“Days”** is defined as days when school is in session.
8. **“School-sponsored activity”** is defined as any activity sponsored, recognized or authorized by the Board of Education and includes activities conducted on or off school property.
9. **“Possess”** means to have physical possession or otherwise to exercise dominion or control over tangible property.
10. **“Deadly weapon”** means any weapon, whether loaded or unloaded, from which a shot may be discharged, or a switchblade knife, gravity knife, billy, blackjack, bludgeon, or metal knuckles.
11. **“Firearm”** means 1) any weapon (including a starter gun) which will or is designed to or readily be converted to expel a projectile by the action of an explosive; 2) the frame or receiver of any such weapon; 3) any firearm muffler or firearm silencer; or 4) any destructive device. Firearm does not include any

antique firearm. For purposes of this definition “destructive device” means any explosive, incendiary, or poison gas, bomb, grenade, rocket having a propellant charge of more than 4 ounces, missile having an explosive or incendiary charge of more than ¼ ounce, mine, or device similar to any of the weapons described herein.

12. **“Vehicle”** means a “motor vehicle” as defined in Section 14-1 of the Connecticut General Statutes, snow mobile, any aircraft, or any vessel equipped for propulsion by mechanical means or sail.
13. **“Martial arts weapon”** means a nunchakum kama, kasari-fundo, octagon sai, tonfa or chinese star.
14. **“Dangerous Drugs and Narcotics”** is defined as any controlled drug in accordance with Connecticut General Statutes §219-240.

**B. Removal from Class**

1. All teachers are hereby authorized to remove a student from class when such student causes a serious disruption of the educational process within the classroom.
2. Such teacher shall send the student to a designated area and shall immediately inform the building Principal or his/her designee as to the name of the student and the reason for removal.
3. No student shall be removed from class more than six (6) times in any year nor more than twice in one week, unless such student is referred to the Building Principal or his/her designee and granted an informal hearing in accordance with the provisions of this policy, as stated in G(3).

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

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

**D. Suspension and Expulsion**

1. A student may be suspended (in-school) or suspended (out-of-school) or expelled (grade three to twelve, inclusive) for conduct on school property or at a school-sponsored activity that endangers persons or property, is violative of a publicized policy of the Board, or is seriously disruptive of the educational process, including but not limited to one or more of the following reasons:
  - a. Conduct causing danger to the physical well-being of himself/herself or other people that is not reasonably necessary for self-defense;
  - b. Intentionally causing or attempting to cause physical injury to another person that is not reasonably necessary for self-defense;
  - c. Intentionally causing or attempting to cause damage or school property or material belonging to staff (private property);
  - d. Stealing or attempting to steal private or school property or taking or attempting to take personal property or money from any other person;
  - e. The use, either spoken or written on clothing, of obscene or profane language or gestures on school property or at a school-sponsored activity;

- f. Deliberate refusal to obey the directions or orders of a member of the school staff;
- g. Harassment and/or hazing/bullying on the basis of that person's race, religion, ethnic background, gender or sexual orientation;
- h. Open defiance of the authority of any teacher or person having authority over the student, including verbal abuse;
- i. Threatening in any manner, including orally, in writing, or via electronic communication, a member of the school including any teacher, a member of the school administration or any other employee, or a fellow student;
- j. Blackmailing a member of the school community, including any teacher, member of the school administration or any other employee or fellow student;
- k. Possession of a firearm, deadly weapon, dangerous instrument, or martial arts weapon, as defined in Section 53a-3, such as a pistol, knife, blackjack, etc.;
- l. Possession of any weapon or weapon facsimile, including but not limited to knife, pistol, pellet guns and/or air soft pistols.
- m. Possession, transmission, distribution, selling, use or consumption of alcoholic beverages, dangerous drugs or narcotics or intoxicant of any kind or any facsimile of a dangerous drug, narcotic or intoxicant of any kind;
- n. Knowingly being in the presence of those who are in possession of using, transmitting, or being under the influence of any dangerous drug, narcotic, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, or intoxicant of any kind;
- o. Participation in any unauthorized occupancy by any group of students or others of any part of any school, school premises or other building owned by any school district after having been ordered to leave said school premises or other facility by the Principal or other person then in charge of said school building or facility;
- p. Participation in any walkout from a classroom or school building by any group of students and refusing to immediately return to said classroom or school building after having been directed to do so by the Principal or other person then in charge of said classroom or school building;
- q. Intentional incitement which results in an unauthorized occupation of, or walkout from, any school building, school premises, facility or classroom by any group of students or other persons;
- r. Repeated unauthorized absence from or tardiness to school;
- s. Intentional and successful incitement of truancy by other students;
- t. The use or copying of the academic work of another and the presenting of it as one's own without proper attribution;
- u. Violation of school rules and practices or Board policy, regulation or agreement, including that dealing with conduct on school buses and the use of school district equipment;

- v. Violation of any federal or state law which would indicate that the violator presents a danger to any person in the school community or to school property;
- w. Lying, misleading or being deceitful to a school employee or person having authority over the student;
- x. Unauthorized leaving of school or school-sponsored activities;
- y. Unauthorized smoking.

**E. Suspension for Conduct Off School Grounds**

1. Students are subject to suspension for conduct off school property and outside of school-sponsored activities in accordance with law, for conduct that violates a publicized policy of the Board and is seriously disruptive of the educational process, including but not limited to the following:
  - a. Conduct leading to a violation of any federal or state law if that conduct is determined to pose a danger to the student himself/herself, other students, school employees or school property.
  - b. Adjudication as a delinquent or a youthful offender as the result of a felony if the conduct leading to the adjudication is determined to pose a danger to the student himself/herself, other students, school employees or school property.
2. In making a determination as to whether conduct is “seriously disruptive of the educational process,” the administration, Board of Education or impartial hearing board may consider, but such consideration shall not be limited to; (1) whether the incident occurred within close proximity of a school; (2) whether other students from the school were involved or whether there was any gang involvement; (3) whether the conduct involved violence, threats of violence or the unlawful use of a weapon as defined in Section 29-38 and whether any injuries occurred, and (4) whether the conduct involved the use of alcohol, narcotic drug, hallucinogenic drug, amphetamine, barbiturate or marijuana.

**F. Mandatory Expulsion**

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

1. The student, on grounds or at a school-sponsored activity, was in possession of a firearm, as defined in 18 U.S.C. 921\*, as amended from time to time, or deadly weapon, dangerous instrument or martial arts weapon, as defined in C.G.S. 53A-3; or the student, off school grounds, did possess such firearm in violation of C.G.S. 29-35 or did possess and use such 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.

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

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

**G. Suspension Procedure**

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.

The administration is expected to use the guidelines developed and promulgated by the Commissioner of Education to help determine whether a student should receive an in-school or out-of-school suspension.

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

If an emergency situation exists, the hearing outlined in paragraph G(3) shall be held as soon as possible after the exclusion of the student.

2. In the case of suspension, the administration shall notify the student's parents and the Superintendent of Schools not later than twenty-four (24) hours of the suspension as to the name of the student who has been suspended and the reason therefore. Any student who is suspended shall be given an opportunity to

complete any class work including, but not limited to, examinations which such student missed during the period of his/her suspension.

3. Except in the case of an emergency, as defined in paragraph A, above, a student shall be afforded the opportunity to meet with the administration and to respond to the stated charges prior to the effectuation of any period of suspension or in-school suspension. If, at such a meeting the student denies the stated charges, he/she may at that time present his/her version of the incident(s) upon which the proposed suspension is based. The administration shall then determine whether or not suspension or in-school suspension is warranted. In determining the length of a suspension period, the administration may receive and consider evidence of past disciplinary problems which have led to removal from a classroom, in-school suspension, or expulsion.
4. For any student who is suspended for the first time and who has never been expelled, the school administration may shorten the length of or waive the suspension period if the student successfully completes an administration-specified program and meets any other administration-required conditions. Such program shall be at no expense to the student or his/her parents/guardians.
5. No student shall be suspended more than ten times or a total of fifty (50) days in one school year, whichever results in fewer days of exclusion, unless a hearing as provided in paragraph H(5) is first granted.
6. No student shall be placed on in-school suspension more than fifteen times or a total of fifty (50) days in one school year, whichever results in fewer days of exclusion, unless a hearing as provided in paragraph H(5) is first granted.

#### **H. Expulsion Procedures**

1. The Board of Education may, upon recommendation of the Superintendent of Schools, expel any student for one or more of the reasons stated in this policy if in the judgment of the Board of Education, such disciplinary action is in the best interest of the school system.
2. Upon receipt of a recommendation for expulsion from the Superintendent of Schools the Board shall, after giving written notice to the student and his parents or guardian, if said student is less than 18 years of age, conduct a hearing prior to taking any action on the expulsion of said student, provided however, that in the event of an emergency as defined in this policy, the student may be expelled prior to the hearing but in such case even a hearing shall be held as soon after the expulsion as possible. The notice shall include information concerning legal services that are provided free of charge or at a reduced rate that are available locally (CT Legal Service a source of such services) and how to access such services.
3. Three members of the Board of Education shall constitute a quorum for an expulsion hearing. A student may be expelled if a majority of the Board members sitting in the expulsion hearing vote to expel and provided at least three affirmative votes for expulsion are cast.
4. A special education student's handicapping conditions shall be considered before making a decision to expel. A Planning and Placement Team (PPT) meeting must be held to determine whether the behavior or student actions violative of Board of



Education standards set forth in policy governing suspension and expulsion are the result of the student's handicapping condition.

5. The procedure for any hearing conducted under this paragraph shall at least include the right to:
  - a. Notice prior to the date of the proposed hearing which shall include a statement of the time, place and nature of the hearing; a statement of the legal jurisdiction under which the hearing is to be held; and a statement that the board is not required to offer an alternative educational opportunity to any student between 16 and 18 who was previously expelled or who is found to have engaged in conduct endangering persons which involved (1) possession of a firearm, deadly weapon, dangerous instrument or martial arts weapon on school property or school transportation or at a school sponsored activity or (2) offering for sale or distribution on school property or at a school sponsored activity a controlled substance, as defined in Section 21a-240(a) of the Connecticut General Statutes.
  - b. A short and plain statement of the matters asserted, if such matters have not already been provided in a statement of reasons requested by the student;
  - c. The opportunity to be heard in the student's own defense;
  - d. The opportunity to present witnesses and evidence in the student's defense;
  - e. The opportunity to cross-examine adverse witnesses;
  - f. The opportunity to be represented by counsel at the parents'/student's own expense; and
  - g. Information concerning legal services provided free of charge or at a reduced rate that are available locally and how to access such services;
  - h. The opportunity to have the services of a translator, to be provided by the Board of Education whenever the student or his/her parent or legal guardian do not speak the English language;
  - i. The prompt notification of the decision of the Board of Education, which decision shall be in writing if adverse to the student concerned.
6. The record of the hearing held in any expulsion case shall include the following:
  - a. All evidence received and considered by the Board of Education;
  - b. Questions and offers of proof, objections and ruling on such objections;
  - c. The decision of the Board of Education rendered after such hearing; and
  - d. A copy of the initial letter of notice of proposed expulsion, a copy of any statement of reasons provided upon request, a statement of the notice of hearing and the official transcript, if any or if not transcribed, any recording or stenographic record of the hearing.
7. Rules of evidence at expulsion hearings shall assure fairness, but shall not be controlled by the formal rules of evidence, and shall include the following:
  - a. Any oral or documentary evidence may be received by the Board of Education but, as a matter of policy, irrelevant, immaterial or unduly repetitious evidence may be excluded. In addition, other evidence of past disciplinary problems which have led to removal from a classroom, in-

school suspension, suspension, or expulsion may be received for considering the length of an expulsion and the nature of the alternative educational opportunity, if any, to be offered;

- b. The Board of Education shall give effect to the rules of privilege by law;
  - c. In order to expedite a hearing, evidence may be received in written form, provided the interest of any party is not substantially prejudiced thereby;
  - d. Documentary evidence may be received in the form of copies or excerpts;
  - e. A party to an expulsion hearing may conduct cross-examination of witnesses where examination is required for a full and accurate disclosure of the facts;
  - f. The Board of Education may take notice of judicially cognizable facts in addition to facts within the Board's specialized knowledge provided, however, the parties shall be notified either before or during the hearing of the material noticed, including any staff memoranda or data, and an opportunity shall be afforded to any party to contest the material so noticed;
  - g. A stenographic record or tape-recording of any oral proceedings before the Board of Education at an expulsion hearing shall be made provided, however, that a transcript of such proceedings shall be furnished upon request of a party with the cost of such transcript to be paid by the requesting party. Findings of fact made by the Board after an expulsion hearing shall be based exclusively upon the evidence adduced at the hearing.
  - h. Decisions shall be in writing if adverse to the student and shall include findings of fact and conclusions necessary for the decision. Findings of fact made by the Board after an expulsion hearing shall be based exclusively upon the evidence adduced at the hearing.
8. For any student expelled for the first time and who has never been suspended, except for a student who has been expelled based on possession of a firearm or deadly weapon, the Board of Education may shorten the length of or waive the expulsion period if the student successfully completes a Board specified program and meets any other conditions required by the Board. Such a Board specified program shall not require the student or the parent/guardian of such student to pay for participation in the program.

**I. Notification**

1. All students and parents within the jurisdiction of the Board of Education shall be informed, annually, of Board Policy governing student conduct by the delivery to each said student of a written copy of said Board Policy.
2. The parents or guardian of any minor student either expelled or suspended shall be given notice of such disciplinary action no later than 24 hours of the time of the institution of the period of expulsion or suspension.
3. The notice of an expulsion hearing to the student and his/her parents or guardians, if said student is less than 18 years of age shall include information concerning legal services that are provided free of charge or at a reduced rate that are available and how to access such services.

**J. Students with Disabilities**

A special education student's IEP 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 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 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 and the conduct for which the student was suspended shall be included on the student's cumulative educational record. Such notice shall be expunged from the 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"):

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 the disability, the Superintendent may proceed with a recommendation for expulsion. During any period of 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 appropriate public 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 (or the student himself/herself if eighteen years of age or older) 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 (or student if eighteen years of age or older) and the Board otherwise agree, the child shall stay in the interim alternate educational setting, if so placed by student 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 of 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.

**K. 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. Any expelled student

who is between the ages of sixteen (16) and eighteen (18) not previously expelled and who wishes to continue his or her education shall be offered an alternative educational opportunity if he or she complies with conditions established by the Board of Education. Such alternative educational opportunity may include, but shall not be limited to, the assignment of a student (who is sixteen years of age or older) to an adult education program or placement of such student in a regular classroom program of a school other than the one from which the student has been excluded. Any student participating in an adult education program during a period of expulsion shall not be required to withdraw from school under C.G.S. 10-184. In determining the nature of the alternative education opportunity to be offered under this Section, the Board of Education may receive and consider evidence of past disciplinary problems which have led to removal from a classroom, suspension, or expulsion.

The Board of Education is not obligated to provide such alternative educational opportunity to any student eighteen years of age or older. The Board of Education is not required to offer such alternative educational opportunity to any student between the ages of sixteen and eighteen who is expelled because of conduct which endangers person, if it was determined at the expulsion hearing that the conduct for which the student was expelled involved (a) carrying on or introducing onto school property a firearm, deadly weapon or dangerous instrument as defined in C.G.S. 53a-3 or (b) offering for sale or distribution on school property or at a school sponsored activity a controlled substance, as defined in subdivision (8) of C.G.S. 21a-240, whose manufacture, distribution, sale, prescription, dispensing, transporting, or possessing with the intent to sell or dispense, offering, or administration is subject to criminal penalties under C.G.S. 21a-277 and 21a-278. 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.

Whenever the Board notifies a student between the ages of sixteen and eighteen or the parents/guardians of such student, that an expulsion hearing will be held, the notification shall include a statement that the Board is not required to offer an alternative educational opportunity to any student who is found to have engaged in conduct including possession of a martial arts weapon, firearms, deadly weapons or dangerous instruments on school property or at a school function.

**L. Other Considerations**

1. If a student is expelled, notice of the expulsion and the conduct for which the student was expelled shall be included on the student's cumulative educational record. Such notice, except for the notice of an expulsion of a student in grades nine through twelve, inclusive, based on possession of a firearm or deadly

weapon, shall be expunged from the cumulative educational record by the Board if the Board determines that the student's conduct and behavior in the years following such expulsion warrants an expungement or if the student graduates from high school.

2. If a student's expulsion is shortened or the expulsion period waived based upon the fact that the student was expelled for the first time, had never been suspended, and successfully completed a Board specified program and/or met other conditions required by the Board, the notice of expulsion shall be expunged from the cumulative educational record if the student graduates from high school or, if the Board so chooses, at the time the student completes the Board specified program and meets any other conditions required by the Board.
3. If a student in grades kindergarten to eight, is expelled based on possession of a firearm or deadly weapon, the Board may expunge from the students' cumulative education record the notice of the expulsion and the conduct for which the student was expelled if the Board determines that the conduct and behavior of the student in the years following such expulsion warrants an expungement.
4. The Board may adopt the decision of a student expulsion hearing conducted by another school district provided such Board of Education held a hearing pursuant to C.G.S.10-233d(a). Adoption of such a decision shall be limited to a determination of whether the conduct which was the basis for the expulsion would also warrant expulsion under the policies of this Board. The student shall be excluded from school pending such hearing. The excluded student shall be offered an alternative education opportunity in accordance with item K above.
5. Whenever a student against whom an expulsion hearing is pending withdraws from school and after notification of such hearing but before the hearing is completed and a decision rendered, (1) notice of the pending expulsion hearing shall be included on the student's cumulative educational record and (2) the Board shall completed the expulsion hearing and render a decision.
6. A student expelled for possession of a firearm or deadly weapon shall have the violation reported to the local police department.
7. The period of expulsion shall not extend beyond a period of one calendar year. A period of exclusion may extend into the next school year.
8. An expelled student may apply for early readmission to school. Such readmission shall be at the discretion of the Board of Education/Superintendent of Schools (choose which). Readmission decisions shall not be subject to appeal to Superior Court. The Board or Superintendent, as appropriate, may condition such readmission on specified criteria.
9. Any student who commits an expellable offense and is subsequently committed to a juvenile detention center, The Connecticut Juvenile Training School or any other residential placement for such offense may be expelled by the local board of education. The period of expulsion shall run concurrently with the period of commitment to a juvenile detention center, the Connecticut Juvenile Training School or any other residential placement.

## **Readmission of Student from a Residential Placement**

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

Students and parents shall be notified of this policy annually.

### ***Legal Reference: Connecticut General Statutes:***

4-176e through 4-180a. Contested Cases. Notice. Record, as amended  
10-233a through 10-233f Suspension, removal and expulsion of students, as amended by  
PA 95-304, PA 96-244, PA 98-139, PA 07-66, PA 07-122, PA 08-160, PA 09-82, PA 09-6  
(September Special Session), PA 10-111, PA 11-126, PA 14-299 and PA 15-96.

53a-3 Definitions.

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

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

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

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

18 U.S.C. 921 Definitions.

Title III - Amendments to the Individuals with Disabilities Education Act. Sec. 314 (Local  
Control Over Violence)

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

P.L. 105-17 The Individuals with Disabilities Act, Amendments 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 The Individuals with Disabilities Education Improvement Act of 2004

### ***Policy adopted:***

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rev 7/10

rev 7/11

rev 6/14

rev 7/15

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## 5118.1 Homeless Students

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

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

- A. **Records** – The selected school for the homeless student shall enroll the child or youths even in the absence of records normally required for enrollment. The last school in which the student was enrolled shall be contacted to obtain records.
- B. Other enrollment requirements that may constitute a barrier to the education of the homeless child or youth may be waived at the discretion of the Superintendent.
- C. **Grade Level Placement** – If the District is unable to determine the student’s grade level due to missing or incomplete records, the District shall administer tests or utilize other reasonable means to determine the appropriate grade level for the child.
- D. Fees and charges, which may present a barrier to the enrollment or transfer of a homeless child or youth, shall be waived.
- E. Transportation services must be comparable to those provided other students in the selected school. Transportation shall be provided to the student’s school of origin in compliance with federal and state regulations.
- F. Official school records, policies, and regulations shall be waived at the discretion of the Superintendent, in compliance with federal and state regulations.
- G. **Immunization Records** – The District shall make a reasonable effort to locate immunization records from information available. The District’s liaison shall assist the parent/guardian in obtaining the necessary immunizations and records. The District shall arrange for students to receive immunizations through health agencies and at District expense if no other recourse is available. Immunizations may, however, be waived for homeless youth only in accordance with provisions of Board of Education policy on immunizations.
- H. Other barriers to school attendance by homeless children or youth may be waived at the discretion of the Superintendent of Schools.

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

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

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



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

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

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

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

The Superintendent of Schools 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 (DCF).

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

1. The selected school for the homeless child shall enroll the child, even in the absence of records normally required for enrollment. The last school enrolled shall be contacted to obtain records.
2. Other enrollment requirements that may constitute a barrier to the education of the homeless child or youth may be waived at the discretion of the Superintendent. If the district is unable to determine the student’s grade level due to missing or incomplete records, the district shall administer tests or utilize other reasonable means to determine the appropriate grade level for the child.
3. Fees and charges, which may present a barrier to the enrollment or transfer of a homeless child or youth, may be waived at the discretion of the Superintendent.
4. Transportation services must be comparable to those provided other students in the selected school. Transportation shall be provided to the student’s school of origin in compliance with federal and state regulations. If the school of origin is in a different school district from where the homeless child or youth is currently living, both school districts shall agree on a method for sharing the responsibility and costs, or share the costs equally.
5. Official school records policies and regulations shall be waived at the discretion of the Superintendent, in compliance with federal statutes.

6. The district shall make a reasonable effort to locate immunization records from information available. The District's liaison shall assist the parent/guardian in obtaining the necessary immunizations and records. The District shall arrange for students to receive immunizations through health agencies and at District expense if no other recourse is available. Immunizations may, however, be waived for homeless youth only in accordance with provisions of 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.
8. The District will treat information about a homeless child or youth's living situation as a student education record subject to the protections of the Family Educational Rights and Privacy Act (FERPA). Such information shall not be deemed to be directory information.

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

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

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

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

(cf. 5143 - Student Health Assessments and Immunizations)

(cf. 5146 - Child Abuse and Neglect)

***Legal Reference: Connecticut General Statutes***

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

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

17a-103 Reports by others.

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

46b-120 Definitions.

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

Federal Register: McKinney-Vento Education for Homeless Children and Youths Program,

Vol. 81, No. 52, 3/17/2016.

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

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

*Policy adopted: June 08, 2017*

## **5118.1 Regulation 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 children and youths are federally defined as “individuals who lack a fixed, regular, and adequate nighttime residence.” This definition includes the following types of children and youths 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. 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;
- f. living in cars, parks, public spaces, abandoned buildings, bus or train stations, or similar settings;
- g. migratory children living in the above described circumstances.

Connecticut’s residency definitions contained in C.G.S. 10-253(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.

**“Enroll” and “enrollment”** are federally defined to include attending classes and participating fully in school activities.

“Unaccompanied youth” includes a homeless child or youth not in the physical custody of a parent or guardian.

**District Obligations Regarding Placement of Homeless Students:**

- a. District policy must remove barriers to the identification, enrollment and retention of homeless children and youth, including such barriers as outstanding fees, fines or absences.
- b. 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. The District must presume that keeping a homeless child or youth in the school of origin is in such individual’s best interest unless doing so is contrary to the request of the individuals’ parent/guardian or unaccompanied youth. **OR**
- c. 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. The school selected based on a homeless child or youth’s best interest shall immediately enroll such child even if he/she missed application or enrollment deadlines during any period of homelessness.
- d. The District is required, “to the extent feasible” to keep the homeless child or youth in the school of origin unless it is against the wishes of the parent/guardian. If the District determines that it is not in the child’s or youth’s best interest to attend the school of origin, the District will provide a written explanation of its determining reasons, in a manner and form that is understandable.
- e. The homeless child’s right to attend the school of origin extends for the duration of homelessness. When the child or youth completes the final grade served by the school of origin; it also includes the designated receiving school at the next level for all feeder schools.
- f. 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.
- g. A child who becomes homeless in between academic years is entitled to attend his/her school of origin for the following academic year.
- h. 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.
- i. 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.
- j. The District’s liaison must participate in professional development and technical assistance provided by the State Office of the Homeless Coordinator.
- k. The definition of “school of origin” includes preschools operated by a local school district.
- l. Information about a homeless student’s living situation shall be treated as a student education record, subject to FERPA protections and shall not be deemed to be directory information.

**Appeal Procedures: (Enrollment Disputes)**

- a. C.G.S. 10-186 currently defines the process for resolving issues involving homeless children and youths. The state is required to establish an appeal process.
- b. In a dispute over eligibility the child or youth shall immediately be enrolled in the school in which enrollment is sought, pending final resolution of the dispute and all available appeals.
- 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 final resolution of the dispute and all available appeals.
- d. The parent/guardian shall be made aware of the right to appeal the decision to the Board of Education. The Board shall issue a written decision on the dispute within 10 days of the receipt of the appeal and hand deliver the written decision and a notice of right-to-appeal to the State Coordinator for the Education of Homeless Children and Youths to the parents/guardians (or student if applicable). The decision of the State Coordinator shall be final.

**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, through Head Start programs, as Title I, state/local remedial programs, special education, limited English proficiency, vocational education, gifted/talented, school nutrition programs and preschool programs administered by the District.
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 and responsibility equally.
4. When a student obtains permanent housing, transportation to the school of origin must be provided until the end of the academic year, if it is in the student's best interest to remain in that school.

**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.

**Privacy**

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

**District Liaison for Homeless Students:**

The District's liaison for homeless students is the Director of Pupil Services.

The duties of the local liaison are:

- a. Ensure homeless children and youth are identified by school personnel and through outreach and coordination with other agencies and entities.
- b. Ensure homeless children are enrolled in and have a full and equal opportunity to succeed in the school district's schools.
- c. Ensure that homeless families and homeless children receive educational services for which they are eligible, including Head Start Programs and, preschool programs administered by the District.
- d. Inform parents/guardians of homeless children and youth 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 and youth is disseminated where such children receive services in locations frequented by parents/guardians of such children and unaccompanied youth, including schools, shelters, public libraries, and soup kitchens in a manner and form understandable to parents/guardians of homeless children and youths and unaccompanied youth.
- f. Ensure that enrollment disputes are mediated.
- g. Inform parent/guardian of all transportation services, including to the school of origin, and is assisted in accessing those services.
- h. Ensure that homeless children and youths receive referrals to health care services, dental services, mental health and substance abuse services, housing services and other appropriate services.

- i. 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.
- j. Assist children who do not have immunizations, or immunization or medical records, to obtain necessary immunizations, or immunization or medical records.
- k. Collaborate and coordinate with state coordinators and community and school personnel responsible for the provision of education and related services to homeless children.
- l. Indicate that a child or youth or his/her immediate family is eligible to participate in a local district program and authorized to affirm such individual/family for the HUD homeless assistance program. (This qualification can be done provided the District liaison has received the mandatory training.)
- m. Provide the State Coordinator the reliable, valid, and comprehensive data needed to fulfill the federally required data collection.
- n. Participate in professional development and other technical assistance activities, as determined appropriate by the State Coordinator.
- o. Ensure that school personnel providing services to homeless children and youth receive professional development and other support and that unaccompanied youths:
  - i. are enrolled in school;
  - ii. have opportunities to meet the same challenging State academic standards the State has established for other children and youth; and
  - iii. are informed of their status as independent youths under Section 480 of the Higher Education Act of 1965 (20 U.S.C. 1087VV) and that such youth may obtain assistance from the District to receive verification of such status for purposes of the Free Application for Federal Student Aid.
- p. Coordinate special education services for homeless children and youth identified as eligible within the local District.

*Policy adopted: June 09, 2017*

## **5121 Examination/Grading/Rating**

Through instructional performance objectives, the ACES Governing Board shall maintain student standards which promote educational achievement and excellence.

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

Students in grades 4, 6, 8 and 10 shall take Connecticut Statewide Mastery Tests provided by and administered under the supervision of the State Board of Education.

### ***Legal Reference: Connecticut General Statutes***

Sec. 10-14n Statewide mastery examination. ACES Governing Board: Approved September 11, 2003.

*Policy adopted: September 11, 2003*

## **5123 Promotion/Acceleration and Retention**

ACES 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 and graduation 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, 6, 8 and 10 testing program and on the other standardized test, 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. ACES shall provide alternatives to promotion such as, but not limited to transitional programs and may require students whose academic performance jeopardizes their promotion or graduation to attend after-school, summer school or other programs the district offers that are designed to help them. ACES administration shall determine remedial assistance for a student who is not promoted.

### ***Legal Reference: Connecticut General Statutes***

P.A. 99-288 An Act Concerning Education Accountability; Sec. 10-2213(a) Promotion and graduation policies.

*Policy adopted: July 12, 2000*

## **5124 Parent Involvement**

ACES recognizes that a child's education is a responsibility shared by the school, family and sending school district during the entire period the child spends in school. To support the goal of ACES to educate all students effectively, the school, the parents and the sending districts must work as knowledgeable partners.

Parents share the school's commitment to the educational success of their children, however diverse the parents and their children are in culture, language and need. ACES in collaboration with parents and our districts shall establish programs and practices that enhance parent involvement and reflect the specific needs of students and their families.

ACES, therefore, supports the development and implementation of parent-involvement-programs in each of our school programs which will include parents in many capacities.

ACES supports professional development opportunities for staff members to enhance understanding of effective parent involvement strategies. We also recognize the importance of administrative leadership in setting expectations and creating a climate conducive to parent participation.

ACES believes that parent involvement is essential to the well-being of students, and we shall foster and support active parent involvement.



***Legal Reference: Connecticut General Statutes***

Sec.10-15b Access of parent or guardian to student's records; Sec.10-154a Professional communications between teacher or nurse & student.

*Policy adopted: October 08, 1998; rev. September 11, 2003*

**5125 Confidentiality and Maintenance of Student Records**

The Local Educational Agency (LEA) representing the home district or sending district for any student enrolled in an ACES program maintains ownership of and holds ultimate responsibility for the official record of such student.

Records are to be considered on loan to ACES during the student's period of enrollment. As long as the student remains in an ACES program, ACES will maintain records and provide for the filing, protection, confidentiality review and, when appropriate, destruction of such records. Once a student exits from an ACES program, all records for that student, including educational reports generated by ACES, will be returned to the LEA.

In accordance with Federal and State regulations parents of students currently in attendance, as well as eligible students currently in attendance, will be annually notified of their rights with respect to access, disclosure and requests to amend, inspect and review student records. An ACES school official shall be present at all such inspections and reviews. The primary responsibility of this official shall be to provide parents with interpretations of the meaning of the records.

All ACES personnel who collect or use personally identifiable information regarding students will be annually informed of the confidential nature of such information, and of ACES procedures with respect to the rights of students and parents as they relate to the confidentiality of records and information.

ACES will maintain a record of the student's name, program, date of entrance and date of withdrawal from ACES. This information will be sent to and maintained by the Executive Director or designee for fifty (50) years according to law and maintained within the Central Office of ACES.

***Legal Reference: Connecticut General Statutes***

Sec.110-15b Access of parent or guardians to student's records; Sec.10-209 Records not to be public; Federal Family Educational Rights and Privacy Act of 1974 (as amended).

*Policy adopted: March 1993, rev. September 11, 2003.*

## **5131 Conduct at School and Activities:**

### **5131.1 Behavior Management**

ACES is committed to provide appropriate individualized educational services for students who exhibit a variety of special needs within the school, home, job site and community. The provision of such services often requires the utilization of behavior management procedures. Behavior management procedures employ a highly structured, data based, approach for teaching new behavior as well as the deceleration of excessive behaviors. Strategies used for the employment of behavior management techniques are guided by ethical/procedural safeguards which recognize the rights of the student, parent/guardian and community. Behavior management procedures are based on the principles of applied behavior analysis, including the least restrictive/intrusive practice, most effective practice, and positive reinforcement.

***Legal Reference: Connecticut General Statutes***

Sec. 46a-150 through 46(a)-154 Physical restraint of persons with disabilities; 34 C.F.R. § 330.346 (a)(2)(1).

*Policy adopted: September 12, 1991; rev. September 11, 2003.*

### **5131.2 Use of Physical/Mechanical Restraint**

Any student in an ACES program exhibiting dangerous, or potentially dangerous, behavior shall be subject to (approved) physical/mechanical restraint in accordance with the rules set down in Public Act No. 99-210, Substitute House Bill No. 6656.

In all situations, even those that become physically violent, it is the intent of ACES to provide the best possible care, welfare, safety and security for students, staff and property. Whenever possible, attempts will be made to prevent or defuse potentially assaultive or dangerous behavior through the use of early intervention strategies.

Physical intervention consists of “non-harmful restraint techniques to safely control an individual until he/she can regain control of his/her own behavior”. Safe, approved physical interventions should be used only as a last resort, after all other verbal and nonverbal strategies have been attempted, and only when the student presents a danger to himself/herself, others or ACES property. Physical intervention will never be used as a punishment or restriction of freedom, nor will it be used as a means to inflict pain.

The one and only purpose for using physical intervention is to keep the acting out student and others safe. This temporary intervention strategy allows the staff person to take control only until the student can regain control of his/her own behavior. For periods of prolonged restraint a nursing assessment must be conducted at a minimum of every 30 minutes. Physical intervention should be terminated when the staff person determines, through verbal and non-verbal interactions, that the student has regained physical and/or emotional control.

When the need arises for physical control and restraint, the least restrictive PHYSICAL MANAGEMENT TECHNIQUE (PMT) requiring the least amount of force will be used. Staff members are not to use any form of physical control and/or restraint for which they have not been trained.

***Legal Reference: Connecticut General Statutes***

Sec.46a-150 through 46(a)-154 Physical restraint of persons with disabilities; 34 C.F.R. § 330.346 (a)(2)(1).

*Policy adopted: July 12, 2000.*

## **5131.3 Bus Conduct**

### **5131.31 Transportation Safety Complaints**

The primary responsibility of the ACES Transportation Department is to transport students in a safe and efficient manner. The paramount emphasis is always on safety. State of Connecticut Statutes, ACES Governing Board policies and administrative guidelines reflect that commitment.

The ACES driver has been instructed to report any student who interferes with the safe operation of the vehicle. This report should be made to the principal in writing. The complaint will be addressed by administration.

Relative to ACES magnet schools, partnership districts often (in some cases exclusively) transport their district students to the magnet schools. The bus drivers who drive for the partner towns must also report in writing any student who interferes with the safe operation of the bus to the principal.

A student with special needs who attends an ACES program for students with special needs must abide by the same rules as applied to all students attending ACES schools. A behavioral plan will be developed to address such behavior concerns on the bus.

Parents will be notified of infractions, which may result in a warning of indefinite suspension from the bus, dependent on the severity and frequency of occurrence.

Students are not allowed to drive to school. The members of the Advisory Committee of The Collaborative Alternative High and Middle Magnet School will determine whether a deserving junior or senior may earn driving privileges. Regulations will guide this determination.

***Legal Reference: Connecticut General Statutes***

Sec.10-186(a) Duties of local and regional Boards of education re school attendance;  
Sec. 10-220(c) Duties of boards of education; Sec.10-221(a) Boards of education to prescribe rules;  
Sec.10-233c Suspension of students; PA 89-30.

*Policy adopted: May 1990; Revised: July 12, 2000.*

## **5131.6 Alcohol Use, Drugs, and Tobacco (including Performance Enhancing Substances)**

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

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

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

### **Definitions**

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

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

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

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

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

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

### **Privacy Rights**

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

### **Illegal Activities**

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

### **Notification of Policy**

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

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

1. the unlawful manufacture, distribution, sale, dispensing, possession or use of controlled substances, other illegal drugs, performance-enhancing substances, alcohol or tobacco, including electronic nicotine delivery systems and vapor products, is prohibited in school, on school grounds, on school transportation and at school sponsored activities;

2. compliance with the standards of conduct stated in the handbook is mandatory;
3. a violation of its provisions will subject students to disciplinary action up to and including expulsion and referral for prosecution;
4. CIAC controlled activities at the high school and middle school levels sponsored by the District/school are included in this policy and accompanying administrative regulations; and
5. CIAC may impose sanctions beyond those applied by the District for the use of performance-enhancing substances, as defined in this policy, by athletes.

### **Disciplinary Action**

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

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

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

### **Drug-Free Awareness Program**

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

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

## **Drugs and Alcohol**

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

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

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

## **Inhalant Abuse**

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

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

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

- Nitrous Oxide – Laughing Gas, Whippets, CO2 Cartridge

- Amyl Nitrite – “Locker Room,” “Rush,” “Poppers,” “Snappers”
- Butyl Nitrite – “Bullet,” “Climax”
- Chlorohydrocarbons – Aerosol Paint Cans, Cleaning Fluids
- Hydrocarbons – Aerosol Propellants, Gasoline, Glue, Butane

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

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

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

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

### **Performance-Enhancing Drugs (including food supplement)**

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

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

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

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



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

### **Tobacco/E-Cigarette Use by Students**

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

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

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

### **Medical Marijuana**

The conditions which follow are applicable to a District student, who holds a certificate authorizing the palliative use of marijuana issued by the Connecticut Department of Consumer Protection (DCP) for the medical use of marijuana as set out in P.A. 12-55, “An Act Concerning the Palliative Use of Marijuana” and as amended by P.A. 16-23.

The District will not refuse to enroll a student or otherwise penalize a student for being a medical marijuana certificate holder unless failure to do so would cause the school to lose a monetary or licensing benefit under federal law or regulations.

A student medical marijuana certificate holder is subject to, without bias, the same code of conduct and disciplinary standards applicable to all students attending District schools.

A student medical marijuana certificate holder shall not:

- Undertake any task under the influence of marijuana that would constitute negligence;
- Possess or engage in the medical use of marijuana
  - On a school bus,
  - On the grounds of any preschool, elementary or secondary school,
  - Utilize marijuana in any form on public transportation or in any public place;

- Operate, navigate, or be in actual physical control of any motor vehicle while under the influence of marijuana, except that a qualifying certified marijuana user for medical purposes shall not be considered to be under the influence of marijuana solely because of the presence of metabolites or components of marijuana that appear in insufficient concentration to cause impairment;
- Use marijuana in any manner not authorized by P.A. 12-55; as amended by P.A. 16-23.
- Offer to give, sell, or dispense medical marijuana to another student or other individual on school property, in school-provided vehicles, at school events, or when functioning as a representative of the school.

If District officials have reasonable belief that a student may be under the influence, in possession of, or distributing medical marijuana, in a manner not authorized by the medical marijuana statute, law enforcement authorities will be informed.

A student who violates any portion of this policy shall be subject to disciplinary action and applicable criminal prosecution.

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

***Legal Reference: Connecticut General Statutes***

- 1-21b Smoking prohibited in certain places.
- 10-19 Teaching about alcohol, nicotine or tobacco, drugs and acquired immune deficiency syndrome. Training of personnel.
- 10-154a Professional communications between teacher or nurse and student. Surrender or physical evidence obtained from students.
- 10-220b Policy statement on drugs.
- 10-221(d) Boards of education to prescribe rules, policies and procedures re sale or possession of alcohol or controlled drugs.
- 21a-240 Definitions dependency producing drugs.
- 21a-240(8) Definitions “Controlled Drugs,” dependency producing drugs.
- 21a-240(9) Definitions “controlled substance.”
- 21a-243 Regulation re schedules of controlled substances.
- 21a-408 et. seq. Palliative Uses of Marijuana (as amended by P.A. 16-23)

53-198 Smoking in motor buses, railroad cars and school buses.  
P.A. 11-73 An Act Regulating the Sale and Possession of Synthetic Marijuana and Salvia Divinorum.  
P.A. 12-55 An Act Concerning the Palliative Use of Marijuana.  
P.A. 16-23 An Act Concerning the Palliative Use of Marijuana.  
P.A. 14-76 An Act Concerning the Governor's Recommendations Regarding Electronic Nicotine Delivery Systems and Youth Smoking Prevention.  
P.A. 15-206 An Act Regulating Electronic Nicotine Delivery Systems and Vapor Products  
Federal Regulation 34 CFR Part 85 Drug-free Schools & Communities Act.  
20 U.S.C. Section 7181 et. seq., No Child Left Behind Act.  
Synthetic Drug Abuse Prevention Act of 2012. (part of s.3187, the Food and Drug Administration Safety and Innovation Act)  
New Jersey v. T.L.O, 469 U.S. 325 (1985).  
Veronia School District 47J v. Acton, 515 U.S. 646. (1995)  
Board of Education of Independent School District No 92 of Pottawatomie County v. Earls 01-332 U.S. (2002).

*Policy adopted: November 10, 2016*

### **5131.62 Possession by the Principal as Agent**

The principal in each school, as authorized agent of the Governing Board is personally responsible for holding contraband materials, including controlled drugs, and for delivering them to the proper public authorities.

A receipt should be furnished to the owner (or previous possessor), if known, and one should be demanded from the police officer who takes possession of the contraband materials.

*Policy adopted: May 11, 1985*

### **5131.63 Power to Inspect, Search and Question**

The students should be informed, through notice in the student handbook where such exists, and through suitable announcement at the beginning of each school year, and as deemed necessary during the year, that desks and lockers remain the property of the Governing Board, and may be inspected by delegated agents of the administration if the administration has reason to suspect that materials injurious to the best interests of the school are kept on school property.

ACES is responsible for the welfare of each student under its control. Interviewing of students by law enforcement officials will be done only in the presence of the principal or his/her designee. Every effort should be made to include the parent or guardian of a student in any interview which carries an implication of possible guilt or the furnishing of information leading to an indictment. The student's right to request and be represented by an attorney must not be abridged. The principal or his/her designee will maintain an informal record of the interview, showing the time, place, persons present and a summary of the discussion and findings.

*Policy adopted: May 11, 1985*

### **5131.64 Responsibilities of Teachers and other Personnel**

Communication by a student to a teacher, of the student's involvement in use of controlled drugs, may be kept confidential by the teacher, as long as the student is not under the influence of a drug or drugs. The teacher should endeavor to lead the student to seek treatment from an appropriate person or agency. Pupil Personnel staff, nurses or the principal may be consulted for assistance with this and provide information regarding available referral sources. The teacher working with the student should inform the principal that such a situation exists, but need not identify the student.

If a teacher suspects that a student is under the influence of drugs, she/he will notify the school nurse, or, in his/her absence, the principal. If in the judgment of the nurse or principal the student is under the influence of drugs, the customary procedures for illness or accident will be followed.

If a teacher or any other staff member suspects that a student has in his/her possession a controlled drug, she/he will so inform the principal. If the principal concurs in this judgment, she/he will immediately notify the parent or guardian and the police of his/her suspicions.

If a student is found by a teacher or any other staff member to have in his/her possession a substance suspected of being a controlled drug, the teacher or staff member will so inform the principal. If the principal concurs in this judgment, she/he will confiscate the substance, immediately call the police, and notify the parent or guardian of the student of his/her actions.

#### ***Legal Reference: Connecticut General Statutes***

Sec. 10-221(d) Boards of education to prescribe rules;  
Sec. 10-154a Professional communications between teacher or nurse and student.

*Policy adopted: May 11, 1985; rev. September 11, 2003.*

### **5131.65 Student/Client Smoking**

Students, in accordance with state law, are prohibited from smoking in school buildings or on school buses. Area Cooperative Educational Services recognizes that smoking represents a health and safety hazard which can have serious consequences for the smoker and non-smoker. Because of the Board's grave concern for the safety of the system—both people and property and in order to protect the students/clients from an environment that may be harmful to them and because of possible harm to personal well-being, the Board hereby prohibits smoking by all students/clients in all buildings and vehicles owned or leased by Area Cooperative Educational Services.

For the purposes of this policy "smoking" will mean all uses of smoking materials and tobacco, including cigars, cigarettes, pipes, chewing tobacco, and snuff.

There shall be no smoking or other use of tobacco products on school property during regular school hours or during the course of any trip or school activity sponsored by or under the supervision of the ACES Governing Board or its authorized agents.

The Board hereby directs the Executive Director or his/her designee to develop the necessary procedure and rules to insure the implementation and enforcement of the non-smoking policy.

***Legal Reference: Connecticut General Statutes***

Sec. 19-342 Smoking prohibited in public buildings. Signs required. Penalties.

*Policy adopted: September 9, 1993; rev. September 11, 2003*

## **5131.8 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 ACES Governing Board policy, even if such misconduct occurs off-school property and during non-school time.

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

Such discipline may result whether the incident was initiated in the school or on school grounds, if after the occurrence there was a reasonable likelihood that return of the student would contribute to a disruptive effect on the school education or its process, markedly interrupting or severely impeding the day-to day operation of a school.

***Legal Reference: Connecticut General Statutes***

Sec. 19-342 Smoking prohibited in public buildings. Signs required. Penalties.

*Policy adopted: September 9, 1993; rev. September 11, 2003*

## **5131.911 Bullying**

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

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

## Definitions

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

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

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

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

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

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

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

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

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

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

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

Examples of bullying include, but are not limited to:

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

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

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

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

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

A comprehensive program, to improve the school climate, involving everyone in the schools and the community, to address bullying at all school levels is essential to reducing incidences of

bullying. Such a program must involve interventions at all levels, school wide, classroom and individual.

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



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

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.

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

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

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

### **Prevention and Intervention Strategy**

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

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

9. Culturally competent school-based curriculum focusing on social-emotional learning, self-awareness and self-regulation.

### **District Safe School Climate Coordinator**

The Superintendent of Schools shall appoint, from among existing District staff, a District Safe School Climate Coordinator.

The Coordinator shall:

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

### **Safe School Climate Specialist**

Each school Principal shall serve, or designate someone to serve, as the Safe School Climate Specialist for the school.

The Specialist in each school shall:

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

### **Safe School Climate Committee**

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

The Safe School Climate Committee shall:

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

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

### **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 and teen dating violence 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 and teen dating violence;
3. Require school employees who witness acts of bullying or receive reports of bullying or teen dating violence to orally notify the Safe School Climate Specialist, or another school administrator if the Safe School Climate Specialist is unavailable, not later than one school day after such school employee witnesses or receives a report of bullying or teen dating violence, 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 or teen dating violence 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 and teen dating violence;
7. Provide for the inclusion of language in student codes of conduct concerning bullying and teen dating violence;
8. Require each school to notify the parents or guardians of students who commit any verified acts of bullying or teen dating violence 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 and teen dating violence;
9. Require each school to invite the parents or guardians of a student who commits any verified act of bullying or teen dating violence 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 or teen dating violence;
10. Establish a procedure for each school to document and maintain records relating to reports and investigations of bullying and teen dating violence in such school and to maintain a list of the number of verified acts of bullying and teen dating violence 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;
11. Direct the development of case-by-case interventions for addressing repeated incidents of bullying or teen dating violence against a single individual or recurrently perpetrated bullying incidents by the same individual that may include both counseling and discipline;
12. Prohibit discrimination and retaliation against an individual who reports or assists in the investigation of an act of bullying or teen dating violence;
13. Direct the development of student safety support plans for students against whom an act of bullying or teen dating violence was directed that addresses safety measures the school will take to protect such student against further acts of bullying or teen dating violence;
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 or teen dating violence constitute criminal conduct;
15. Prohibit bullying and teen dating violence (A) on school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by the Board or through the use of an electronic device or an electronic mobile device owned, leased or used by the Board and (B) outside of the school setting if such bullying or teen dating violence (i) creates a hostile environment at school for the student against whom such bullying or teen dating violence was directed, (ii) infringes on the rights of the student

- against whom such bullying or teen dating violence was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school;
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.

*Policy adopted: December 11, 2014*

### **5131.912 Pledge of Allegiance**

Students will be offered the opportunity to recite the Pledge of Allegiance at least once during each school day. Participation in reciting the Pledge of Allegiance will be voluntary. Students may refuse to participate in reciting the Pledge of Allegiance for any reason including, religious, political, philosophical, or personal reasons. If a student chooses not to participate, he/she may stand or sit in silence. The Executive Director is delegated the responsibility for ensuring the implementation of this policy.

***Legal Reference: Connecticut General Statutes***

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

*Policy adopted: November 14, 2002*

### **5132 Dress and Grooming**

ACES requires students to dress in clothing appropriate to the school situation and which is conducive to teaching and learning. Restrictions on freedom of student dress may be applied whenever the mode of dress in question:

- Is unsafe for the student or those around the student;
- Is disruptive to school operations and the education process in general; and
- Is contrary to law.

No restrictions on freedom of dress and adornment will be imposed which:

- Reflect discrimination as to civil rights;
- Enforce particular religious tenets; and
- Do not fall within the direct or implied powers of ACES and the governing board.

***Legal Reference: Connecticut General Statutes***

Sec. 10-221 Boards of education to prescribe rules.

*Policy adopted: July 12, 2000.*

## **5141 Student Health Services**

### **5141.0 Records Are Not to be Made Public**

No record of any medical examination made or filed under the provisions of Section 10-205, 10-206, 10-207 and 10-214, C.G.S., or any psychological examination made under the supervision or at the request of a board of education, shall be open to public inspection.

***Legal Reference: Connecticut General Statutes***

Sec. 10-209 Records not to be public.

*Policy adopted: May 9 1985.*

### **5141.1 Health Assessments**

The ACES Governing Board requires each pupil enrolled in ACES schools to have health assessments pursuant to the provision of C.G.S. Sec. 10-206, Such assessments shall be conducted either by a legally qualified practitioner of medicine, an advanced practice registered nurse or registered nurse, licensed pursuant to Chapter 378, a physician assistant licensed pursuant to Chapter 370, or by the school medical advisor or his/her designee to ascertain whether such pupil is suffering from any physical disability tending to prevent such pupil 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 pupil or to secure for the pupil a suitable program of education. No health assessment shall be made of any child unless such examination is made in the presence of the parent or guardian or in the presence of another school employee. The parent or guardian of such child shall receive prior written notice and shall have a reasonable opportunity to be present at such assessment or to provide for such assessment himself. ACES may deny continued attendance in public school to any child who fails to obtain the health assessments required under this section.

The ACES Governing Board requires each child to have a health assessment prior to initial enrollment in a public school and in grade six and ten. The results of each health assessment, pursuant to C.G.S. Sec. 10-206, and the results of the screenings, pursuant to C.G.S. Sec. 10-214, shall be recorded on forms supplied by the State Board of Education. Such information shall be included in the cumulative health record of each pupil and shall be kept on file in the school such pupil attends.

If a pupil permanently leaves the jurisdiction of the ACES Governing Board, the pupil's original cumulative health record shall be sent to the chief administrative officer of the sending school district. Each physician, advanced practice registered nurse, registered nurse, or physician assistant performing health assessments and screenings, shall sign each form. Any recommendations concerning the pupil shall be in writing. Appropriate ACES school health personnel shall review the results of each assessment and screening.

When, in the judgment of such health personnel, a pupil, as defined in C.G.S. Sec. 10-206(a),, is in need of further testing or treatment, the Executive Director shall give written notice to the

parent or guardian of such pupil and shall make reasonable efforts to assure that such further testing or treatment is provided. Such reasonable efforts shall include a determination of whether or not the parent or guardian has obtained the necessary testing or treatment for the pupil, and, if not, advising the parent or guardian on how such testing or treatment may be obtained. The results of such further testing or treatment shall be recorded and shall be reviewed by ACES school health personnel.

***Legal Reference: Connecticut General Statutes***

Sec. 10-206 Health assessments.

*Policy adopted: May 9 1985; rev: July 12, 2000; September 11, 2003.*

**5141.11 Free Health Assessments**

The ACES Governing Board shall provide for health assessments, pursuant to C.G.S. Sec. 10-206a without charge to all pupils whose parents or guardians meet the eligibility requirements for free and reduced price meals under the National School Lunch Program or for free milk under the special milk program. To meet its obligations pursuant to this section, ACES may utilize existing community resources and services.

***Legal Reference: Connecticut General Statutes***

Sec. 10-206a Free health assessments.

*Policy adopted: May 9, 1985; rev: September 11, 2003.*

**5141.12 Vision, Audiometric and Postural Screenings**

The ACES Governing Board shall provide annually to each pupil in kindergarten, grades one to six, inclusive, and grade nine, a vision screening, using a Snellen chart, or equivalent screening. The Executive Director shall give written notice to the parent or guardian of each pupil who is found to have any defect of vision or disease of the eyes, with a brief statement describing such defect or disease.

The ACES Governing Board shall provide annual audiometric screening for hearing to each pupil in kindergarten to grade three inclusive, grade five and grade eight. The Executive Director shall give written notice to the parent or guardian of each pupil found to have any impairment or defect of hearing, with a brief statement describing such impairment or defect.

The ACES Governing Board shall provide annual postural screenings for each pupil in grades five to nine. The Executive Director shall give written notice to the parent or guardian of each pupil who evidences any postural problem, with a brief statement describing such evidence.

Test results or treatment provided as a result of the screenings pursuant to this section shall be recorded on forms pursuant to C.G.S. Sec. 10-206 subsection (a).\



***Legal Reference: Connecticut General Statutes***

Sec. 10-214 Vision, audiometric and postural screenings.

*Policy adopted: May 9, 1985; rev: August 8, 1985; September 11, 2003.*

**5141.13 Exemption from Examination or Treatment**

No provision of ACES health policies, pursuant to C.G.S. Sec.10-206 Health Assessments; Sec.10-214 Vision, Audiometric and Postural Screenings, shall be construed to require any pupil to undergo a physical or medical examination or treatment, or to be compelled to receive medical instruction, if the parent or legal guardian of such pupil or the pupil, if such pupil is an emancipated minor or is eighteen years of age or older, in writing, notifies the teacher or principal or other person in charge of such pupil that such parent or guardian or pupil objects, on religious grounds to such physical or medical examination or treatment or medical instruction.

***Legal Reference: Connecticut General Statutes***

Sec. 10-208 Exemption from examination or treatment.

*Policy adopted: May 9, 1985. rev: September 11, 2003.*

**5141.14 Required Immunizations**

The ACES Governing Board requires each student to be protected by adequate immunization against diphtheria, pertussis, tetanus, poliomyelitis, measles, mumps, rubella, hemophilus influenzae type b and any other vaccine required by the schedule for active immunizations adopted pursuant to C.G.S. Sec. 19a-7f, before being permitted to attend any ACES school.

Any child shall be exempt from the appropriate provisions of this policy who presents any one of the following:

- a certificate from a physician or local health agency stating that initial immunizations have been given to such child and additional immunizations are in process under the guidelines and schedules specified by the Commissioner of Public Health;
- a certificate from a physician stating that in the opinion of such physician, such immunization is medically contraindicated because of the physical condition of such child;
- a statement from the parents or guardian of such child that such immunization would be contrary to the religious beliefs of such child;
- in the case of measles, mumps or rubella, presents 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;
- in the case of hemophilus influenzae type B has passed his fifth birthday;
- in the case of pertussis, has passed his sixth birthday;
- evidence of a natural infection confirmed by laboratory report, (except varicella);
- evidence of varicella confirmed in writing by a physician, physician assistant, advanced practice registered nurse or laboratory report.

**Legal Reference: Connecticut General Statutes**

Sec. 10-204a Required immunizations;  
10-204c Immunity from liability.

*Policy adopted: May 9, 1985; rev: September 11, 2003.*

**5141.15 Health Assessments/Sports Programs**

Any student participating in an intramural or interscholastic sports program must have a pre-participation health assessment, completed annually, within one year prior to the first training session for the sport or sports. Each participant in a sport program must complete a health questionnaire before participating in each sport.

Parents are expected to use the services of their private health care provider. If a student is unable to obtain a health assessment from his/her health care provider for financial or other reasons, an examination can be arranged utilizing existing community resources and services. Health assessment results shall be recorded on forms, signed by the examining health care provider, filed in the student's Cumulative Health Record, and maintained up to date by the school nurse.

C.I.A.C. Policy 4.15.B. Physical Examinations for student Athletes.

*Policy adopted: September 11, 2003.*

**5141.21 Administering Medication**

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

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

**General Policies on Administration of Medication**

A school nurse may administer medication to any student pursuant to the written order of an authorized prescriber (physician, dentist, optometrist, an advanced practice registered nurse, or a physician assistant and for interscholastic and intramural athletic events only, a podiatrist) and the written authorization of a parent or guardian of such child or eligible student and the written

permission of the parent/guardian for the exchange of information between the prescriber and the school nurse necessary to ensure the safe administration of such medication.

In the absence of a school nurse, only qualified personnel for schools following the successful completion of specific training in administration of medication and satisfactory completion of the required criminal history check, may administer medication to any student in the school. Qualified personnel for schools, as defined, may administer oral, topical, intranasal, or inhalant medication in the absence of a licensed nurse. Investigational drugs or research or study medications may not be administered by qualified personnel for schools.

In compliance with all applicable state statutes and regulations, parents/guardians may administer medications to their own children on school grounds.

The handling, storage, and disposal of medication shall be done pursuant to State Board of Education regulations.

Documentation and record keeping of medication administration shall be done pursuant to State Board of Education regulations.

Errors in the administration of medication shall be addressed pursuant to State Board of Education regulations.

The general supervision of administration of medication is the responsibility of the school nurse assigned to the school pursuant to State Board of Education regulations.

### **Storage and Administration of Epinephrine**

#### **Storage and Use of Epinephrine Cartridge Injectors (Emergency Administration of Epinephrine to Students without Prior Written Authorization)**

A school nurse or, in the absence of a school nurse, a qualified school employee who has completed the training pursuant to State Board of Education regulations on the prevention, recognition, and emergency treatment of anaphylaxis may administer epinephrine as emergency first aid to students who experience allergic reactions who were not previously known to have serious allergies and who do not have a prior written authorization of a parent/guardian or a prior written order of a qualified medical professional for the administration of epinephrine. A qualified school employee must annually complete the required training program in order to be permitted to administer epinephrine utilizing an epinephrine cartridge injector.

The school nurse or school principal shall select qualified school employees who voluntarily agree to be trained to administer such epinephrine as emergency first aid pursuant to section 10-212g. Such annual training program shall include instruction in (1) cardiopulmonary resuscitation, (2) first aid, (3) food allergies, (4) the signs and symptoms of anaphylaxis, (5) prevention and risk-reduction strategies regarding allergic reactions, (6) emergency management and administration of epinephrine, (7) follow-up and reporting procedures after a student has experienced an allergic reaction, (8) carrying out the provisions of subdivision (2) of subsection

(d) of section 10-212a, and (9) any other relevant issues and topics related to emergency first aid to students who experience allergic reactions. There shall be at least one such qualified school employee on the grounds of each District school during regular school hours in the absence of the school nurse. Each school must maintain a supply of epinephrine in cartridge injectors in an accessible location for such emergency use. The administration of epinephrine by a qualified school employee must be reported and documented pursuant to State Board of Education regulations.

Each school shall have 3 two-pack epipens.

The Board of Education, recognizing this emergency use of epinephrine for previously undiagnosed students, per the statute, is to take place during “regular school hours” establishes such hours to be from the arrival of the first students to the school site to the departure of the last bus serving the school at the conclusion of the day’s instructional programs.

### **Administration of Glucagon to Students**

The school nurse or school principal shall select a qualified school employee to, under certain conditions, give a glucagon injection to a student with diabetes who may require prompt treatment to protect him/her from serious harm or death. The nurse or principal must have the written authority from the student’s parent/guardian and a written order from the student’s Connecticut-licensed physician. The authorization shall be limited to situations when the school nurse is absent or unavailable. No qualified school employee shall administer this medication unless he/she volunteers to complete any training required by the school nurse and school medical advisor in the administration of medication with injectable equipment used to administer glucagon, and volunteers to administer the glucagon through an injector or injectable equipment used to deliver an appropriate dose of glucagon as emergency first aid response to diabetes. The school nurse and school medical advisor must attest that the qualified school employee has completed such training.

### **Administration of Anti-Epileptic Medications to Students**

With the written authorization of a student’s parent/guardian, and pursuant to the written order of a physician, a school nurse and a school medical advisor, as indicated, shall select and provide general supervision to a qualified school employee, who voluntarily agrees to serve as a qualified school employee, to administer anti-epileptic medication, including by rectal syringe, to a specific student with a medically diagnosed epileptic condition that requires prompt treatment in accordance with the student’s individual seizure action plan. Such authorization is limited to situations when the school nurse is absent or unavailable. No qualified school employee shall administer such medication unless he/she annually completes the training program developed by the State Department of Education, in consultation with the School Nurse Advisory Council.

In addition, the school nurse, shall attest, in writing, that such qualified school employee has completed the required training. The qualified school employee shall also receive monthly reviews by the school nurse to confirm his/her competency to administer anti-epileptic medication. For purposes of the administration of anti-epileptic medication, a “qualified school

employee” means a principal, teacher, licensed athletic trainer, licensed physical or occupational therapist employed by the District, coach or school paraprofessional.

### **Administration of Medication by Paraprofessionals**

A specific paraprofessional, approved by a school nurse supervisor and School Medical Advisor, may administer medications, including medications administered with a cartridge injector, to a specific student with a medically diagnosed allergic condition that may require prompt treatment in order to protect the student against serious harm or death pursuant to Section 10-212a-9 of the Regulations of Connecticut State Agencies.

### **Self-Administration of Medications by Students**

No student shall be permitted to carry any medication without the required written authorizations pursuant to State Board of Education regulations. Students who are authorized to carry medication pursuant to State Board of Education regulations must maintain safe and appropriate control of their medication.

A student may carry and self-administer medication, pursuant to State Board of Education regulations, with the written order of an authorized prescriber that includes authorization for the student to carry and self-administer such medication, including confirmation that the student has demonstrated the ability to safely manage and administer the medication; and the written authorization of a parent or guardian of such child or eligible student to carry and self-administer the medication, and the written permission of the parent/guardian for the exchange of information between the prescriber and the school nurse necessary to ensure the safe administration of such medication; and written verification that the school nurse has confirmed the student’s competency to safely manage and appropriately administer the medication.

A student diagnosed with asthma or an allergic condition, pursuant to State Board of Education regulations, may carry an inhaler or an epinephrine cartridge injector at all times with the written order of an authorized prescriber that includes authorization for the student to carry and self-administer such medication, including confirmation that the student has demonstrated the ability to safely manage and administer the medication; and the written authorization of a parent or guardian of such child or eligible student to carry and self-administer such medication, and the written permission of the parent/guardian for the exchange of information between the prescriber and the school nurse necessary to ensure the safe administration of such medication.

### **Administration of Medications in School Readiness Programs and Before- and After-School Programs**

Directors, or their designees, who may include lead teachers or school administrators, who have been properly trained, may administer medications to students as delegated by the school nurse or other registered nurse, in school readiness programs and before- and after-school programs that are child care programs. Such programs must either be District-administered or administered by a municipality exempt from licensure by the Department of Public Health and are located in a

District public school. Medicine may be administered pursuant to State Board of Education regulations, to children enrolled in these programs.

Administration of medications shall be provided only when it is medically necessary for program participants to access the program and maintain their health status while attending the program. A child attending any before- or after-school program, defined as any child care program operated and administered by the Board in any building or on the grounds of any district school, upon the request and with the written authorization of the child's parent/guardian and pursuant to the written order from the student's authorized prescriber, will be supervised by the District staff member (Director or designee, lead teacher, school administrator) trained to administer medication including a cartridge injector. Such administration shall be to a particular student medically diagnosed with an allergy that may require prompt treatment to avoid serious harm or death.

Investigational drugs or research or study medications may not be administered by Directors or their designees, lead teachers or school administrators.

Properly trained Directors, Directors' designees, lead teachers or school administrators may administer medications to students as delegated by the school nurse or other registered nurse. They may administer oral, topical, intranasal, or inhalant medications. No medication shall be administered without the written order of an authorized prescriber and the written approval of the parent/guardian.

The selected staff member shall be trained in the use of a cartridge injector by either a licensed physician, physician's assistant, advanced practice registered nurse or registered nurse.

The administration shall determine, in cooperation with the School Medical Advisor and school nurse [supervisor] whether additional school nursing services/nurses are required based on the needs of the program and the participants in the program. This determination shall include whether a licensed nurse is required on site. The recommendation shall be subject to Board approval.

The Board will allow students in the school readiness and before- and after-school programs to self-administer medication according to the student's individual health plan and only with the written order of an authorized prescriber, written authorization of the child's parent or guardian, written approval of the school nurse (The nurse has evaluated the situation and deemed it appropriate and safe and has developed a plan for general supervision of such self-medication.), and with the written permission of the parent or guardian for the exchange of information between the prescriber and the school nurse necessary to ensure the safe administration of such medication.

An error in the administration of medication shall be reported immediately to the school nurse, the parents/guardians and the prescribing physician. In case of an anaphylactic reaction or the risk of such reaction a school nurse may administer emergency oral and/or injectable medication to any child in need thereof on school grounds, or in the school building, according to the standing order of the School Medical Advisor or the child's private physician. However, in an

emergency any other person trained in CPR and First Aid may administer emergency oral and/or injectable medication to any child in need on school grounds, or in the school building. In addition, local poison control center information shall be readily available at the sites of these programs. The Program Director or his/her designee shall be responsible for decision making in the absence of the nurse.

In the event of a medical emergency, the following will be readily available: (1) local poison information center contact information; (2) the physician, clinic or emergency room to be contacted in such an emergency; and (3) the name of the person responsible for the decision making in the absence of a school nurse.

All medications shall be handled and stored in accordance with the provisions of subsection (a) to (k) inclusive of the Regulations of Connecticut State Agencies

Where possible, a separate supply of the child's medication shall be stored at the site of the before- or after-school program or school readiness program. If this is not possible, a plan should be in place to ensure the timely transfer of the medication from the school to the program and back on a daily basis.

THE PORTION OF THIS POLICY PERTAINING TO THE ADMINISTRATION OF MEDICATION IN SCHOOL READINESS PROGRAMS AND BEFORE- AND AFTER-SCHOOL PROGRAMS SHALL BE REVIEWED BY THE BOARD ON AN ANNUAL BASIS WITH INPUT FROM THE SCHOOL MEDICAL ADVISOR OR A LICENSED PHYSICIAN AND THE SCHOOL NURSE SUPERVISOR

#### **Administration of Medication by Coaches and Licensed Athletic Trainers During Intramural and Interscholastic Events**

During intramural and interscholastic athletic events, a coach, as defined in Section 10-222e of the C.G.S., or licensed athletic trainer employed by the school district pursuant to Chapter 375a of the C.G.S., who has been trained in the general principles of medication administration applicable to receiving, storing, and assisting with inhalant medications or cartridge injector medications and documentation, may administer medication for select students for whom self-administration plans are not viable options as determined by the school nurse in consultation with the student's parent or guardian, and authorized prescriber.

The medication which may be administered is limited to: (1) inhalant medications prescribed to treat respiratory conditions and (2) medication administered with a cartridge injector for students with a medically diagnosed allergic condition which may require prompt treatment to protect the student against serious harm or death.

The school nurse is responsible for the student's individualized medication plan and shall provide the coach with a copy of the authorized prescriber's order and the parental/guardian permission form. Parents are responsible for providing the medication, such as the inhaler or cartridge injector, to the coach or licensed athletic trainer, which shall be kept separate from the medication stored in the school health office during the school day.

Medications to be used in athletic events shall be stored in containers for the exclusive use of holding medications; in locations that preserve the integrity of the medication; under the general supervision of the coach or licensed athletic trainer trained in the administration of medication; and in a locked secure cabinet when not in use at athletic events.

The agreement of the coach or licensed athletic trainer is necessary for the administration of emergency medication and the implementation of the emergency care plan. Administration of a cartridge injector shall be reported to the school nurse at the earliest possible time but not later than the next school day. All other instances of the administration of medication shall be reported to the school nurse at least monthly or as frequently as required by the individual student plan.

Coaches and athletic trainers are required to fulfill the documentation of medication administration on the forms provided by the school nurse, and submit the record of medication administration to the school nurse at the end of each sport season. Errors in the administration of medication shall be addressed as specified in Section 10-212a-6 of the Regulations of Connecticut State Agencies. If the school nurse is not available, a report may be submitted by the coach or licensed athletic trainer to the school nurse on the next school day.

(cf. 4112.5/4212.5 – Security Check/Fingerprinting)

(cf. 5141 – Student Health Services)

(cf. 5141.23 – Students with Special Health Care Needs)

***Legal Reference: Connecticut General Statutes***

10-206 Health Assessment

10-212 School nurses and nurse practitioners. Administration of medications by parents or guardians on school grounds. Criminal history; records check.

10-212a Administration of medications in schools. (as amended by PA 99-2, and June Special Session and PA 03-211, PA 04-181, PA 07-241, PA 07-252, PA 09-155, PA 12-198, PA 14-176 and PA 15-215)

10-220j Blood glucose self-testing by children. Guidelines. (as amended by PA 12-198)

19a-900 Use of cartridge injector by staff member of before- or after-school program, day camp or day care facility.

21a-240 Definitions

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

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

Connecticut Regulations of State Agencies 10-212a-1 through 10-212a-10, inclusive, as amended.

Code of Federal Regulations: Title 21 Part 1307.2

20-12d Medical functions performed by physician assistants. Prescription authority.

20-94a Licensure as advanced practice registered nurse.

PA 07-241 An Act Concerning Minor Changes to the Education Statutes.

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

*Policy adopted: June 08, 2017*



## **5141.22 Communicable and Infectious Diseases**

### **5141.22.1 Notice of Disease to be Given Parent or Guardian**

Subject to the provisions of Section 19a-216, C.G.S., notice of any disease or defect from which any child is found by ACES school medical advisor to be suffering shall be given to the parent or guardian of such child, with such advice or order relating thereto as such medical advisor deems advisable, and such parent or guardian shall cause such child to be treated by a reputable physician for such disease or defects.

When any child shows symptoms of any communicable disease, notice shall also be given to the director of health or board of health and such child shall be excluded from attendance at such school and not permitted to return without a permit from the town, city or borough director of health.

#### ***Legal Reference: Connecticut General Statutes***

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

*Policy adopted: May 9 1985.*

### **5141.22.2 Students Diagnosed as Having Chronic Communicable Diseases**

The ACES Governing Board is committed to meeting the needs of students with special needs referred to its programs, regardless of physical limitations and medical conditions, when those programs are appropriate to meet their special educational needs.

At the same time, the Board is aware of its responsibility to provide a safe working environment for its employees, students, and for those with special medical conditions.

Therefore, while the presence of a chronic communicable disease in a referred student is not sufficient reason not to accept that student in an ACES program, the Executive Director, working with the medical advisors, is hereby charged with the development of admission procedures for such students which will maintain a safe environment for all staff and students.

In the event that a student already enrolled in an ACES Program develops a chronic communicable disease, the procedures utilized for admission to an ACES program will be followed to determine whether the student should remain in that program.

Additionally, the ACES Governing Board recognizes its responsibility to act as a resource to member LEA's in need of assistance in dealing with students with exceptional needs, whatever these needs may be. The Executive Director, therefore, is charged with the development of a process which will provide member LEA's with guidance in their attempts to provide educational programming in the least restrictive environment for students with chronic communicable diseases.

*Policy adopted: January 14, 1993*

### **5141.23.1 Prohibition on Recommendations for Psychotropic Drugs**

The Governing Board prohibits ACES school personnel from recommending the use of psychotropic drugs for any child. For the purposes of this policy, the term “recommend” shall mean directly or indirectly suggest that a child should use psychotropic drugs.

Notwithstanding the foregoing, ACES school medical staff may recommend that a child be evaluated by an appropriate medical practitioner.

Nothing in this policy shall be construed to prohibit a planning and placement team from discussing with parents and/or guardians of a child the appropriateness of consultation with, or evaluation by, medical practitioners; or to prohibit school personnel from consulting with appropriate medical practitioners with the consent of the parents and/or guardians of a child.

#### ***Legal Reference:***

P.A. 01-124: An Act Concerning Recommendations For and Refusals of the Use of Psychotropic Drugs by Children;

*Policy adopted: October 11, 2001.*

### **5141.28 First Aid/Emergency Medical Care**

#### **Sudden Cardiac Arrest Prevention**

The Board of Education (Board) recognizes the importance of ensuring the safety of students participating in the District’s intramural and interscholastic athletic programs. The purpose of this policy is to provide guidance for the prevention and recognition of sudden cardiac arrest in student athletes.

For purposes of this policy, “intramural or interscholastic athletics” shall include any activity sponsored by the District or a District school, as defined in C.G.S. 10-15f, or an organization sanctioned by the District that involves any athletic contest, practice, scrimmage, competition, demonstration, display or club activity.

#### **Sudden Cardiac Awareness Program**

For the school year beginning July 1, 2015, and each school year thereafter, the District shall use the sudden cardiac arrest awareness education program promulgated by the Connecticut State Board of Education (SBE). The program, to be available on the SBE’s website, will include:

1. the warning signs and symptoms associated with a sudden cardiac arrest,
2. the risks associated with continuing to engage in intramural or interscholastic athletics after exhibiting such warning signs and symptoms,
3. the means of obtaining proper medical treatment for a person suspected of experiencing a sudden cardiac arrest, and

4. the proper method of allowing a student who has experienced a sudden cardiac arrest to return to intramural or interscholastic athletics.

### **Training**

For the school year commencing July 1, 2015, and each school year thereafter, any person who holds or is issued a coaching permit by the State Board of Education and is a coach of intramural or interscholastic athletics shall annually review the SBE promulgated program prior to beginning the coaching assignment for the season of such intramural or interscholastic athletics.

Note: The SBE may revoke the coaching permit, as provided by law, of any coach who (1) does not annually review the program, (2) fails to immediately remove a student showing signs of sudden cardiac arrest, or (3) allows such student to resume participating without receiving appropriate medical clearance.

### **Consent Form Requirement**

Each school year, beginning July 1, 2015, prior to participation in an athletic activity, parent/guardians of students participating in intramural or interscholastic athletics shall sign and return to the District the SBE developed and approved informed consent form on sudden cardiac arrest. The form shall include a summary of the (1) program and (2) applicable Board policies on sudden cardiac arrests.

### **Removal from Play**

A student who, as determined by the coach of any intramural or interscholastic athletics, game official, certified athletic trainer, licensed physician, or other official designated by the District, exhibits signs, symptoms or behaviors consistent with a potential sudden cardiac arrest shall be removed by the coach from participating in any intramural or interscholastic athletics, and appropriate emergency medical services shall be implemented as indicated.

Any student known to have exhibited warning signs or symptoms of a sudden cardiac arrest prior to or following an athletic activity shall be prevented from participating in athletic activities.

### **Return to Play**

Prior to participation, the coach shall not return a student who previously exhibited warning signs of sudden cardiac arrest to participate in any intramural or interscholastic athletics until the student receives written clearance to participate in athletics from a licensed health care professional (a licensed physician, a physician assistant, or an advanced practice registered nurse).

(cf. 5141 – Student Health Services)

(cf. 5141.27 – Use of Automatic External Defibrillators)

(cf. 5141.3 – Health Assessments and Immunizations)

(cf. 5142 – Safety)  
(cf. 6145.2 – Interscholastic/Intramural Athletics)

***Legal Reference: Connecticut General Statutes***

PA 14-93 An Act Concerning Sudden Cardiac Arrest Prevention.

10-145b(i) Teaching certificates.

10-235 Indemnification of teachers, board members, employees and certain volunteers and students in damage suits; expenses of litigation.

10-212d Availability of automatic external defibrillators in schools. Emergency action response plans for life-threatening emergencies.

*Policy adopted: June 08, 2017*

**5141.28 Appendix #1 Athlete/Parent/Guardian Sudden Cardiac Arrest Symptoms and Warning Signs Information Sheet**

**Athlete/Parent/Guardian Sudden Cardiac Arrest Symptoms and Warning Signs Information Sheet**

**What is sudden cardiac arrest?**

Sudden cardiac arrest (SCA) is when the heart stops beating, suddenly and unexpectedly. When this happens blood stops flowing to the brain and other vital organs. SCA is NOT a heart attack. A heart attack may cause SCA, but they are not the same. A heart attack is caused by a blockage that stops the flow of blood to the heart. SCA is a malfunction in the heart's electrical system, causing the heart to suddenly stop beating.

**How common is sudden cardiac arrest in the United States?**

There are about 300,000 cardiac arrests outside hospitals each year. About 2,000 patients under 25 die of SCA each year.

**Are there warning signs?**

Although SCA happens unexpectedly, some people may have signs or symptoms, such as:

- dizziness
- lightheadedness
- shortness of breath
- difficulty breathing
- racing or fluttering heartbeat (palpitations)
- syncope (fainting)
- fatigue (extreme tiredness)
- weakness
- nausea
- vomiting
- chest pains

These symptoms can be unclear and confusing in athletes. Often, people confuse these warning signs with physical exhaustion. SCA can be prevented if the underlying causes can be diagnosed and treated.

**What are the risks of practicing or playing after experiencing these symptoms?**

There are risks associated with continuing to practice or play after experiencing these symptoms. When the heart stops, so does the blood that flows to the brain and other vital organs. Death or permanent brain damage can occur in just a few minutes. Most people who have SCA die from it.

**P.A. 14-93 – An Act Concerning Sudden Cardiac Arrest: The Act is intended to keep student-athletes safe while practicing or playing in intramural and/or interscholastic athletics.**

It requires coaches of intramural and interscholastic athletics to:

1. obtain the written consent of a student's parent or legal guardian before allowing a student to participate in such athletic activities;
2. annually review the sudden cardiac arrest awareness program before beginning their coaching assignments;
3. immediately remove from athletic activities a student who shows the warning signs of sudden cardiac arrest; and
4. bar such a student from resuming participation in athletic activities unless the student has received written clearance from a Connecticut-licensed doctor, physician assistant, or advanced practice registered nurse.

In addition, for the school year starting July 1, 2015 and each year afterwards, the State Board of Education (SBE) must make available to local districts a sudden cardiac arrest awareness education program.

The program, published on SBE's website, includes the:

1. warning signs and symptoms associated with sudden cardiac arrest, including fainting, difficulty breathing, chest pain, dizziness, an abnormal racing heart rate, or other symptoms;
2. risks associated with continuing to engage in intramural or interscholastic athletics after displaying these signs and symptoms;
3. means of obtaining proper medical treatment for someone suspected of experiencing sudden cardiac arrest; and
4. proper method of allowing a student who has experienced sudden cardiac arrest to return to intramural or interscholastic athletics.

## **Required Consent of Parents/Guardians**

State statute requires the school district must obtain the written consent of a student's parent or legal guardian before a student is allowed to participate in intramural or interscholastic activities.

*Policy adopted: June 08, 2017*

## **5141.3 Health Assessments and Immunizations**

The 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 disabilities to learning and find whether some special adaptation of the school program may be necessary, the Board of Education requires that students have health assessments.

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

The Board of Education shall annually designate a representative to receive reports of health assessments and immunizations from health care providers.

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.

Students born in high risk countries and entering school in Connecticut for the first time, should receive either TST (tuberculin skin test) or IGRA (interferon-gamma release assay). Any individual found to be positive shall have an appropriate medical management plan developed that includes a chest radiograph. Students at risk of infection for TB should be tested if they meet any of the risk factors for TB infection, as described in the administrative regulations accompanying this policy.

No record of any student's medical assessment may be open to the public.

As required, the District will annually report to the Department of Public Health and to the local health director the asthma data, pertaining to the total number of students per school and for the district, obtained through the required asthma assessments, including student demographics. Such required asthma diagnosis shall occur at the time of mandated health assessment at the time of enrollment, in either grade six or seven, and in either grade nine or ten. Such asthma diagnosis shall be reported whether or not it is recorded on the health assessment form, at the aforementioned intervals. The District, as required, will also participate in annual school surveys conducted by the Department of Public Health pertaining to asthma.

- (cf. 5111 - Admission)
- (cf. 5141.31 - Physical Examinations for School Programs)
- (cf. 5125 - Student Records)
- (cf. 5125.11 - Health/Medical Records – HIPAA)
- (cf. 5141 - Student Health Services)

***Legal Reference: Connecticut General Statutes***

- 10-204a Required immunizations
- 10-204c Immunity from liability
- 10-205 Appointment of school medical adviser
- 10-206 Health assessments
- 10-206a Free health assessments
- 10-207 Duties of medical advisors
- 10-208 Exemption from examination or treatment
- 10-208a Physical activity of student restricted; board to honor notice
- 10-209 Records not to be public. Provision of reports to schools.
- 10-212 School nurses and nurse practitioners
- 10-214 Vision, audiometric and postural screenings. When required. Notification of parents re defects; record of results.
- Department of Public Health, Public Health Code, 10-204a-2a, 10-204a-3a, 10-204a-4
- Section 4 of P.A. 14-231
- 20 U.S.C. Section 1232h, No Child Left Behind Act
- Federal Family Educational Rights and Privacy Act of 1974 (section 438 of the General Education Provisions Act, as amended, added by section 513 of P.L. 93-568, codified at 20 U.S.C. 1232g)
- 42 U.S.C. 1320d-1320d-8, P.L. 104-191, Health Insurance Portability and Accountability Act of 1996 (HIPAA)

*Policy adopted: December 12, 2014*

### 5141.3 Regulation Health Assessments and Immunizations

In accordance with Connecticut General Statutes 10-206, as amended, 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:
  - i. **For initial entry into school for kindergarten, regular and special education pre-school programs, grades 1-6:**
    - 4 doses of DTP/DTaP vaccine (Diphtheria - Pertussis - Tetanus). At least one dose is required to be administered on or after the 4<sup>th</sup> birthday for children enrolled in school at kindergarten or above. Students who start the series at age 7 or older need a total of 3 doses.
    - 3 doses of either trivalent oral polio vaccine (TOPV) or inactivated polio vaccine (IPV) with at least one dose of polio vaccine administered on or after the 4<sup>th</sup> 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 one (1) year of age or after and a second dose, given at least twenty-eight (28) days after the first dose, prior to school entry in kindergarten through grade twelve (12) OR disease protection, confirmed in writing, by a physician, physician assistant or advanced practical registered nurse that the child has had a confirmed case of such disease based on specific blood testing conducted by a certified laboratory. One dose on or after the child’s first birthday for enrollment in preschool.
    - 3 doses of Hepatitis B vaccine (HBV) or has had protection confirmed in writing by a physician, physician assistant or advanced practice registered nurse based on specific blood testing by a certified laboratory.
    - 1 dose of Hib (Hemophilus Influenza type b) given on or after the first birthday, 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, physician assistant or advanced practice registered nurse. Children five and older do not need proof of Hib vaccination.
    - Varicella (Chickenpox) Immunity –
      - i. 1 dose on or after the 1<sup>st</sup> birthday or must show proof of immunity to varicella (chickenpox) for entry into licensed pre-school programs and kindergarten; or on or after August 1, 2011 for entry into kindergarten two (2) doses shall be required, given at least three (3) months apart, the first dose on or after the 1<sup>st</sup> birthday.
      - 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.

Note: The National Advisory Committees on Immunization Practices (ACIP) changed the recommendation for routine vaccination against chicken pox (Varicella) from a single dose for all children beginning at 12 months of age to two doses, with the second dose given just prior to school entry. The ACIP also recommends that all school-aged children, up to 18 years of age, who have only had a single dose of Varicella vaccine to be vaccinated with a second dose.

- Serologic evidence of past infection, confirmed in writing by a physician, physician assistant or advanced practice registered nurse based on specific blood testing by a certified laboratory, or
  - Statement signed and dated by a physician, physician assistant or advanced practice registered nurse indicating a child has already had varicella (chickenpox) based on diagnosis of varicella or verification of history of varicella. (Date of chickenpox illness not required)
- iii. All students are required to show proof of immunity (see above) to Varicella for entry into 7<sup>th</sup> grade.

Note: The Connecticut Department of Public Health has indicated that a school-aged child, 13 years of age or older, will only be considered fully immunized if he/she has had two doses of the Varicella vaccine, given at least 4 weeks apart.

- Hepatitis A – Requirement for PK and K for children born on or after January 1, 2007, is enrolled in preschool or kindergarten on or after August 1, 2011.
  - i. Two (2) doses of hepatitis A vaccine given at least six (6) months apart, the first dose given on or after the child's first birthday; or
  - ii. Has had protection against hepatitis A confirmed in writing by a physician, physician assistant or advanced practice registered nurse based on specific blood testing by a certified laboratory.
- Influenza Requirement for PK.
  - i. Effective January 1, 2012 and each January 1 thereafter, children aged 24-59 months enrolled in preschool are required to receive at least one (1) dose of influenza vaccine between August 1 and December 31 of the preceding year (effective August 1, 2011).

- ii. Children aged 24-59 months who have not received vaccination against influenza previously must be given a second dose at least twenty-eight (28) days after the first dose.
- Pneumococcal Disease Requirement for PK and K
  - i. Effective August 1, 2011 all students born on or after January 1, 2007, enrolled in PK and K who are less than five (5) years of age must show proof of having received one (1) dose of pneumococcal conjugate vaccine on or after the student's first birthday.
  - ii. An individual shall be considered adequately protected if currently aged five (5) years or older.
- ii. **For entry into seventh (7<sup>th</sup>) grade:**

All students in grades K-12 are required to show proof of 2 doses of measles, mumps, rubella vaccine at least 28 days apart with the first dose administered on or after the first (1<sup>st</sup>) birthday, or laboratory confirmation of immunity confirmed in writing by a physician, physician assistant or advanced practice registered nurse.

  - Proof of having received 2 doses of measles-containing vaccine.

In those instances at entry to seventh grade, where an individual has not received a second dose of measles contained vaccine, a second dose shall be given. If an individual has received no measles containing vaccines, the second dose shall be given at least 4 weeks after the first. (Students entering 7th grade must show proof of having received 2 doses of measles-containing vaccine.
  - Proof of Varicella (Chickenpox) Immunity.
    - i. On or after August 1, 2011, two doses, given at least three (3) months apart, the first dose on or after the individual's first (1<sup>st</sup>) birthday and before the individual's thirteenth (13<sup>th</sup>) birthday or two doses given at least twenty-eight (28) days apart if the first dose was given on or after the individual's thirteenth (13<sup>th</sup>) birthday, or
    - ii. Serologic evidence of past infection, or
    - iii. A statement signed and dated by a physician, physician assistant, or advanced practice registered nurse indicating that the child has already had varicella (chickenpox) based on family and/or medical history. (Date of chickenpox illness not required)
  - Proof of at least three doses of Hepatitis B vaccine or show proof of serologic evidence of infection with Hepatitis B.

**NOTE: Students must show proof of 3 doses of Hepatitis B vaccine or serologic evidence of infection to enter eighth grade.**
  - Proof of Diphtheria-Pertussis-Tetanus Vaccination (Adolescent Tdap Vaccine Requirement for Grade 7 Students)
    - i. On or after August 1, 2011, an individual eleven (11) years of age or older, enrolled in the seventh (7<sup>th</sup>) grade, shall show proof of

- one (1) dose of diphtheria, tetanus and pertussis containing vaccine, (Tdap booster) in addition to completion of the recommended primary diphtheria, tetanus and pertussis containing vaccination series unless:
    - ii. Such individual has a medical exemption for this dose confirmed in writing by a physician, physician assistant or advanced practice registered nurse based on having last received diphtheria, tetanus and pertussis containing vaccine less than five (5) years earlier and no increased risk of pertussis according to the most recent standards of care for immunization in Connecticut (C.G.S. 19a-7f)
  - Meningococcal Vaccine (MCV4) Required for Grade 7 Students
    - i. Effective August 1, 2011, one dose of meningococcal vaccine
  - 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 in accordance with the current recommendation of the National Centers for Disease Control and Prevention Advisor Committee on Immunization Practices because of the physical condition of the child;
    - iv. presents a written statement officially acknowledged by a notary public or a judge, family support magistrate, clerk/deputy clerk of a court having a seal, a town clerk, a justice of the peace, a Connecticut-licensed attorney or a school nurse from the parents or guardian of the child that such immunization would be contrary to religious beliefs of the child or his/her parents or guardians;
    - v. he/she has had a natural infection confirmed in writing by a physician, physician assistant, advanced practice registered nurse or laboratory.
  - 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.
2. A physical examination including blood pressure, height, weight, hematocrit or hemoglobin, and a chronic disease assessment which shall include, but not be limited to, asthma and which must include public health related screening questions for parents to

answer and other screening questions for providers and screenings for hearing, vision, speech, and gross dental shall be required for all new school enterers, and students in grade 6 or grade 7 and grade 9 or 10. 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 or grade 9 or 10. Parents of students in grade 6 or grade 9 or 10 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, see list of countries in Appendix B) and do not have a record performed in the United States.
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 from high risk countries since the previously required examination;
4. contact with persons suspected to have tuberculosis; or
5. lives with anyone who has been in a homeless shelter, jail or prison, uses illegal drugs or has HIV infection

The results of the risk assessment and testing, when done, should be recorded on the State of Connecticut Health Assessment Record (HAR-3) or directly in the student's Cumulative Health Record (CHR-1).

Health assessments completed within two calendar years of new school entry or grades 6 or grade 9 or 10 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.

**(\*Note: As an alternative health assessment could be held in grade 7.)**

The District shall annually report to the Department of Public Health and to the local health director the asthma data pertaining to the total number of students per school and in the district obtained through school assessments, including student demographics. Such required asthma diagnosis shall occur at the time of mandated health assessment at the time of enrollment, in either grade 6 or 7, and in either grade 9 or 10. Such asthma diagnosis shall be reported whether or not it is recorded on the health assessment form, at the aforementioned intervals.

3. 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 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.

4. Health screenings shall be required for all students according to the following schedule:

Vision Screening	Grades K, 1, 3, 4, & 5
Audiometric Screening	Grades K, 1, 3, 4, & 5
Postural Screening	Female students: Grades 5 & 7 Male students: Grades 8 or 9

5. 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 to be conducted by their private physician shall be required to report screening results to the school nurse. The District shall provide a brief statement to parents/guardians of students not receiving the required vision, hearing or postural screening explaining why the student did not receive such screening(s).
6. (Health assessments may be conducted by a licensed physician, advanced practice registered nurse, registered nurse, physician assistant or by the School Medical Advisor.)
7. Parents of students failing to meet standards of screening or deemed in need of further testing shall be notified by the Superintendent of Schools.

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.

8. Health records shall be maintained in accordance with Policy #5125.
9. All candidates for all athletic teams shall be examined annually by the designated school physician at a time and place determined by the Director of Athletics and/or coach.

No candidate will be permitted to engage in either a practice or a contest unless this requirement has been met, and he or she has been declared medically fit for athletics.

An athlete need not be re-examined upon entering another sport unless the coach requests it.

If a student is injured, either in practice, a contest, or from an incident outside of school activities at requires him or her to forego either a practice session of contest, that student will not be permitted to return to athletic activity until the school physician examines the student and pronounces him/her medically fit for athletics.

***Legal Reference: Connecticut General Statutes***

10-204a Required immunizations

10-204c Immunity from liability

10-205 Appointment of school medical adviser

10-206 Health assessments (as amended by June Special Session PA 01-4, PA 01-9, PA 05-272 and PA 07-58)

10-207 Duties of medical advisers

10-206a Free health assessments (as amended by June Special Session PA 01-1)

10-208 Exemption from examination or treatment

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

10-209 Records not to be public. Provision of reports to schools.

10-212 School nurses and nurse practitioners

10-214 Vision, audiometric and postural screenings. When required. Notification of parents re defects; record of results, as amended by PA 96-229, An Act Concerning Scoliosis Screening and PA 15-215, An Act Concerning Various Revisions and Additions to the Education Statutes.

Department of Public Health, Public Health Code, 10-204a-2a, 10-204a-3a and 10-204a-4  
20 U.S.C. Section 1232h, No Child Left Behind Act

*Policy adopted: January 14, 2016*

### **5141.32 Postural Screening**

Postural screening is the method used to detect scoliosis, more commonly known as curvature of the spine.

Individualized postural screening using techniques approved by the School Medical Advisor shall be performed in Grades 5, and 7, for female students and in grades 8 or 9 for male students by the school nurse.

Postural screenings that are conducted and reported as part of the state-mandated health assessment in grade seven (7), according to C.G.S. 10-206, may fulfill the requirement for postural screening in the same year in which the health assessment is conducted (as opposed to reported). The postural screenings conducted as part of the mandated health assessment must meet the requirements of the regulations for scoliosis screening (see Connecticut Regulations Section 102-14).

A student who fails the initial screening shall be retested by the school nurse in two to three weeks. If the student fails again, the nurse shall notify the parent or guardian and recommend further professional evaluation.

***Legal Reference: Connecticut General Statutes, Chapter 169 (revised)***

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  
P.A. 14-230, An Act Concerning Minor Revisions to the Education Statutes.

*Policy adopted: December 12, 2014*

**5141.4 Reporting of Child Abuse, Neglect and Sexual Assault**

The Board of Education (Board) recognizes its legal and ethical obligations in the reporting of suspected child abuse, neglect and sexual assault. Any person applying for employment with the Board shall submit to a record check of the Department of Children and Families Child Abuse and Neglect Registry before the person may be hired. Mandated reporters include all school employees, specifically Superintendent, administrators, teachers, substitute teachers, guidance counselors, school paraprofessionals, coaches of intramural and interscholastic athletics, as well as licensed nurses, physicians, psychologists and social workers either employed by the Board or working in one of the District schools, or any other person who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in District schools. Such individual(s) who have reasonable cause to suspect or believe that a child has been abused, neglected, or placed in imminent risk of serious harm, or sexually assaulted by a school employee is required to report such abuse, neglect or risk and/or sexual assault.

A mandated reporter's suspicions may be based on factors including, but not limited to, observations, allegations, facts by a child, victim or third party. Suspicion or belief does not require certainty or probable cause.

Furthermore, the Board of Education requires all personnel who have reasonable cause to suspect or believe that a child, under the age of eighteen (18), has been abused, neglected, has had non-accidental physical injury, or injury which is at variance with the history given of such injury, is placed in imminent danger of serious harm or has been sexually abused by a school employee to report such cases in accordance with the law, Board policy and administrative regulations.

A mandated reporter shall make an oral report, by telephone or in person, to the Commissioner of Children and Families or a law enforcement agency as soon as possible, but no later than twelve (12) hours after the reporter has reasonable cause to suspect the child has been abused or neglected. In addition, the mandated reporter shall inform the building principal or his/her designee that he/she will be making such a report. Not later than forty-eight hours of making the oral report, the mandated reporter shall file a written report with the Commissioner of Children and Families or his/her designee. (The Department of Children and Families has established a 24 hour Child Abuse and Neglect Hotline at 1-800-842-2288 for the purpose of making such oral reports.)

The oral and written reports shall include, if known: (1) the names and addresses of the child and his/her parents/guardians or other persons responsible for his/her care; (2) the child's age; (3) the

child's gender; (4) the nature and extent of the child's injury or injuries, maltreatment or neglect; (5) the approximate date and time the injury or injuries, maltreatment or neglect occurred; (6) information concerning any previous injury or injuries to, or maltreatment or neglect of, the child or his/her siblings; (7) the circumstances in which the injury or injuries, maltreatment or neglect came to be known to the reporter; (8) the name of the person(s) suspected to be responsible for causing such injury or injuries, maltreatment or neglect; (9) the reasons such person or persons are suspected of causing such injury or injuries, maltreatment or neglect; (10) any information concerning any prior cases in which such person or persons have been suspected of causing an injury, maltreatment or neglect of a child; and (11) whatever action, if any, was taken to treat, provide shelter or otherwise assist the child. (For purposes of this section pertaining to the required reporting, a child includes any victim under eighteen years of age educated in a technical high school or District school. Any person who intentionally and unreasonably interferes with or prevents the making of the required report or attempts to conspire to do so shall be guilty of a class D felony, unless such individual is under eighteen years of age or educated in the technical high school system or in a District school, other than part of an adult education program.)

If the report of abuse, or neglect or sexual assault involves an employee of the District as the perpetrator, the District may conduct its own investigation into the allegation, provided that such investigation shall not interfere with or impede any investigation conducted by the Department of Children and Families or by a law enforcement agency.

The Board recognizes that the Department of Children and Families is required to disclose records to the Superintendent of Schools in response to a mandated reporter's written or oral report of abuse or neglect or if the Commissioner of Children and Families has reasonable belief that a school employee abused or neglected a student. Not later than five (5) working days after an investigation of child abuse or neglect by a school employee has been completed, DCF is required to notify the school employee and the Superintendent of the investigation's results. If DCF has reasonable cause, and recommends the employee be placed on DCF's Child Abuse and Neglect Registry, the Superintendent shall suspend such employee.

The Board, recognizing its responsibilities to protect children and in compliance with its statutory obligations, shall provide to each employee in-service training regarding the requirements and obligations of mandated reporters. District employees shall also participate in training offered by the Department of Children and Families. Each school employee is required to complete a refresher training program, not later than three years after completion of the initial training program and shall thereafter retake such refresher training course at least once every three years.

The Principal of each school in the district shall annually certify to the Superintendent that each school employee working at such school has completed the required initial training and the refresher training.

State law prohibits retaliation against a mandated reporter for fulfilling his/her obligations to report suspected child abuse or neglect. The Board shall not retaliate against any mandated



reporter for his/her compliance with the law and Board policy pertaining to the reporting of suspected child abuse and neglect

In accordance with the mandates of the law and consistent with its philosophy, the Board in establishing this policy directs the Superintendent of Schools to develop and formalize the necessary rules and regulations to comply fully with the intent of the law.

This policy will be distributed annually to all employees. Documentation shall be maintained that all employees have, in fact, received the written policy and completed the required initial and refresher training related to mandated reporting of child abuse and neglect as required by law.

### **Establishment of the Confidential Rapid Response Team**

Not later than January 1, 2016, the Board of Education shall establish a confidential rapid response team to coordinate with DCF to (1) ensure prompt reporting of suspected child abuse or neglect; or 1st, 2nd, 3rd, or 4th degree sexual assault; 1st degree aggravated sexual assault; or 3rd degree sexual assault with a firearm of a student not enrolled in adult education by a school employee and (2) provide immediate access to information and individuals relevant to DCF's investigation of such cases.

The confidential rapid response team shall consist of (1) a local teacher and the Superintendent, (2) a local police officer, and (3) any other person the Board of Education deems appropriate.

DCF, along with a multidisciplinary team, is required to take immediate action to investigate and address each report of child abuse, neglect or sexual abuse in any school.

### **Hiring Prohibitions**

The Board of Education will not employ anyone who was terminated or resigned after a suspension based on DCF's investigation, if he or she has been convicted of (1) child abuse or neglect or (2) 1st, 2nd, 3rd, or 4th degree sexual assault; 1st degree aggravated sexual assault; or 3rd degree sexual assault with a firearm of a student who is not enrolled in adult education.

The Boards of Education will not employ an individual who was terminated or resigned, if he or she (1) failed to report the suspicion of such crimes when required to do so or (2) intentionally and unreasonably interfered with or prevented a mandated reporter from carrying out this obligation or conspired or attempted to do so. This applies regardless of whether an allegation of abuse, neglect, or sexual assault has been substantiated.

(cf. 4112.6/4212.6 – Personnel Records)

(cf. 5141.511 – Sexual Abuse Prevention and Education Program)

### ***Legal Reference: Connecticut General Statutes***

10-220a In-service training. Professional development committees. Institutes for educators. Cooperating teacher program, regulations (as amended by PA 11-93)

10-221d Criminal history records check of school personnel. Fingerprinting. Termination or

dismissal (as amended by PA 11-93)

17a-28 Definitions. Confidentiality of and access to records; exceptions. Procedure for aggrieved persons. Regulations (as amended by PA 11-93 and PA 14-186)

17a-101 Protection of children from abuse. Reports required of certain professional persons. When child may be removed from surroundings without court order. (as amended by PA 96-246, PA 00-220, PA 02-106, PA 03-168, PA 09-242, PA 11-93 and PA 15-205)

17a-101a Report of abuse or neglect by mandated reporters. (as amended by PA 02-106, PA 11-93, and PA 15-205)

17a-102 Report of danger of abuse. (as amended by PA 02-106)

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

10-151 Teacher Tenure Act.

P.A. 11-93 An Act Concerning the Response of School Districts and the Departments of Education and Children and Families to Reports of Child Abuse and Neglect and the Identification of Foster Children in a School District.

P.A. 15-205 An Act Protecting School Children.

P.A. 14-186 An Act Concerning the Department of Children and Families and the Protection of Children.

*Policy adopted: June 09, 2016*

### **5141.5 Youth Suicide Prevention and Youth Suicide Attempts**

Area Cooperative Educational Services (ACES) is aware that suicide and other self-destructive behaviors have become critical problems for children and youth, families, school personnel and the community ACES is also aware that students experiencing stress or depression are less available for learning. Students engaging in self-destructive behaviors are jeopardizing their health and well being as well as their academic achievement.

ACES recognizes its responsibility to develop policy and procedures for dealing with youth suicide prevention and youth suicide attempts. In response to this concern it shall be the policy of ACES to establish programs and procedures regarding youth suicide prevention and intervention for teachers, administrators, staff and students. All school personnel will be required to act in accordance with ACES policy and procedures and timelines whenever there is any suspicion that a student may be at risk for suicide.

Policy and procedure will be evaluated on an annual basis to ensure that they are current with best practice and address the needs of students, staff, families and the community in dealing with the issue of youth suicide prevention.

#### ***Legal Reference: Connecticut General Statutes***

Sec. 10-221(e) re. "written policy and procedures for dealing with youth suicide prevention and youth suicide attempts."

*Policy adopted: December 10, 1992.*

## **5141.6 Student Medical Care at School**

ACES school personnel are responsible for the immediate care necessary for a student whose illness or injury occurs on the school premises during school hours or in school-sponsored and supervised activities.

ACES schools shall maintain Medical Emergency Information for each student. If a student's illness or injury requires immediate care, the approved Medical Emergency Procedure will be implemented. The parent / guardian or identified emergency contact person 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 care is indicated, and when parents / guardians or the identified emergency contact person cannot be reached, the approved Medical Emergency Procedure will be implemented. The nurse, Principal or other personnel designated by the principal will continue phoning the parent/guardian or identified emergency contact person until notification has been accomplished.

***Legal Reference: Connecticut General Statutes***

Sec 10-212 School nurses and nurse practitioners.

*Policy adopted: September 11, 2013.*

## **5141.61 Fire Drills/Crisis Response Drills**

In each school operated by ACES, there shall be a fire drill held at least once per month in which all students, teachers, and other employees shall be required to leave the school building. (Every third month, a Crisis response drill will replace the fire drill.)\*

***Legal Reference: Connecticut General Statutes***

Sec. 10-231 Fire drills.

*Policy adopted: May 9, 1985. Revised September 11, 2003.*

## **5141.63 Safe Schools**

The Aces Governing Board is committed to the prevention of violence against people or property in the schools or at school activities, whether by students, staff or others. While committed to the protection of each person's constitutional rights, including due process rights, the ACES Governing Board does not condone lawlessness. Any individual committing violent acts in or on school property will be disciplined according to applicable ACES Governing Board policy and regulations.

***Legal Reference: Connecticut General Statutes***

Sec. 10-221 Boards of education to prescribe rules; PA 94-221 An Act Concerning School Safety; PA 95-304 An Act Concerning School Safety.

*Policy adopted: Revised September 11, 2003.*

**5141.70 Physical Activity of Student Restricted**

ACES shall honor written notice submitted by a licensed practitioner of the healing arts, as defined in section 20-1, which places physical restrictions upon any pupil enrolled in ACES. For purposes of this section, licensed practitioner means any person who is licensed to practice under Chapter 370, 371, 372, 373 or 375.

***Legal Reference: Connecticut General Statutes***

Sec. 10-208a Physical activity of students restricted.

*Policy adopted: May 9, 1985. Revised September 11, 2003.*

**5141.7 Student Sports—Concussions**

Only coaches holding a permit issued by the State Board of Education who have completed an approved initial training course regarding concussions and subsequent review of current and relevant information on this topic and required refresher courses shall be permitted to coach intramural and/or interscholastic athletics for the District.

The District will also utilize protocols developed by the State Board of Education in consultation with the Commissioner of Public Health, the Connecticut Interscholastic Athletic Association (CIAC), and appropriate organizations representing licensed athletic trainers and state medical associations to inform and educate coaches, youth athletes and their parents and/or guardians of the nature and risk of concussions or head injuries, including the dangers associated with continuing to engage in athletic activity after a concussion, of the proper method of allowing a student athlete who has sustained a concussion to return to athletic activity.

Annually the District will distribute a head injury and concussion information sheet to all parents/guardians of student participants in competitive sport activities. The parent/guardian and student must return a signed acknowledgement indicating that they have reviewed and understand the information provided before the student participates in any covered activity. This acknowledgement form must be returned and be on file with the District in order for the student to be allowed to practice or compete in the sports activity.

All coaches will complete training pertaining to the District's procedures.

The required refresher course regarding concussions shall include, but not be limited to, an overview of key recognition and safety practices, an update of medical developments and current best practices in the field of concussion research, prevention and treatment.

The District shall implement the concussion education plan, developed by the State Board of Education per the stipulations of P.A. 14-66. Written materials, online training or videos, or in person training shall address, at a minimum, the recognition of signs or symptoms of concussion, means of obtaining proper medical treatment for a person suspected of sustaining a concussion, the nature and risks of concussions, including the danger of continuing to engage in athletic activity after sustaining a concussion, proper procedures for return to athletic activity and current best practices in the prevention and treatment of a concussion.

The Board recognizes and makes it part of this policy that commencing July 1, 2015, the CIAC prohibits student athletes from participation in any intramural or interscholastic activity unless the student athlete and his/her parent/guardian completes the concussion education plan of the State Board of Education and its contributing organizations to such plan.

The District, commencing July 1, 2015, will utilize the consent form developed by the State Board of Education and its contributing organizations, with parent/guardians of student athletes in intramural or interscholastic activities regarding concussions. This form shall provide a summary of the concussion education plan developed or approved by the State Board of Education and a summary of the Board's policy regarding concussions. The consent form shall be returned to the appropriate school authorities, signed by the parent/guardian, attesting to the receipt of such form and authorizing the student athlete to participate in the athletic activity.

Further, in compliance with applicable state statutes, the coach of any intramural or interscholastic athletics shall immediately remove any student athlete participating in intramural or interscholastic athletics who (1) is observed to exhibit signs, symptoms or behaviors consistent with a concussion following an observed or suspected blow to the head or body during a practice, game or competition, (2) is diagnosed with a concussion, or (3) is otherwise suspected of having sustained a concussion because such student athlete is observed to exhibit signs, symptoms or behaviors consistent with a concussion regardless of when such concussion or head injury may have occurred. Upon such removal, the coach or other qualified school employee defined in Connecticut General Statutes 10-212a, shall notify the student athlete's parent/guardian that the student athlete has exhibited such signs, symptoms, or behaviors consistent with a concussion or has been diagnosed with a concussion. Such notification shall be provided not later than twenty-four hours after such removal. However, a reasonable effort shall be made to provide such notification immediately after such removal.

The coach shall not permit such student athlete to participate in any supervised athletic activities involving physical exertion, including, but not limited to, practices, games or competitions, until such student athlete receives written clearance to participate in such supervised athletic activities involving physical exertion from a licensed health care professional\* trained in the evaluation and management of concussions.

Following medical clearance, the coach shall not permit such student athlete to participate in any full, unrestricted supervised athletic activities without limitations on contact or physical exertion, including, but not limited to, practices, games or competitions and such student athlete (1) no longer exhibits signs, symptoms or behaviors consistent with a concussion at rest or with exertion, and (2) receives written clearance to participate in such full, unrestricted

supervised athletic activities from a licensed health care professional trained in the evaluation and management of concussions.

\*“licensed health care professional” means a physician licensed pursuant to Chapter 370 of the General Statutes, a physician assistant licensed pursuant to Chapter 370 of the General Statutes, an advanced practice registered nurse licensed pursuant to Chapter 378 of the General Statutes or an athletic trainer licensed pursuant to Chapter 375a of the General Statutes.

The Board, as required, for the school year beginning July 1, 2014 and annually thereafter, will collect and report to the State Board of Education all occurrences of concussion. The report shall contain, if known, the nature and extent of the concussion and the circumstances in which it was sustained.

***Legal Reference: Connecticut General Statutes***

P.A. 10-62 An Act Concerning Student Athletes and Concussions

P.A. 14-66 An Act Concerning Youth Athletics and Concussions

5141.7 Regulation Student Sports—Concussions – Concussion Management in Student Sports

*Policy adopted: June 08, 2017*

**5141.7 Regulation Student Sports—Concussions – Concussion Management in Student Sports**

**A. Duties of the Athletic Director or Administrator in Charge of Athletics**

1. Annually, each spring, the Athletic Director or the administrator in charge of athletics, if there is no Athletic Director, shall review, with the District’s Medical Advisor and athletic trainer, any changes that have been made regarding the management of concussion and head injuries.
2. By the conclusion of the school year, the Athletic Director or administrator in charge of athletics will identify the competitive sport activities in the District for which compliance with the concussion policy is required. A list of competitive sports activities and the District’s policy and procedures will be distributed to all members of the coaching staff.
3. The Athletic Director or the administrator in charge of athletics, if there is no Athletic Director, shall be responsible for determining that all coaches of intramurals or interscholastic sports have fulfilled the required initial training and subsequent follow-up regarding concussions prior to the coach’s commencement of his/her assignment.

**B. Training of Coaches**

All coaches shall undergo training in head injuries and concussion management as required by state statute, in a program approved by the State Board of Education. In addition, the Centers for Disease Control and Prevention (CDC) has made available a tool kit, “Heads Up: Concussion in High School Sports,” which can provide additional information for coaches, athletes, and parents.

**C. Parent/Student Information Sheet**

On a yearly basis, a concussion consent and information sheet shall be signed and returned by the student athlete and the athlete's parent/guardian prior to the student athlete's initiating practice or competition. This information sheet may be incorporated into the parent permission sheet which permits students to participate in extracurricular athletics. Beginning with the school year commencing July 1, 2015, the District will utilize the informed consent form developed or approved and made available by the State Board of Education.

**D. Coaches Responsibility**

1. Based on mechanism of injury, observation, history and unusual behavior and reactions of the athlete, even without loss of consciousness, assume a concussion has occurred if the head was hit and even the mildest of symptoms occur. The student athlete who is suspected of sustaining a concussion in a practice or game shall be immediately removed from play.
2. If confusion, unusual behavior or responsiveness, deteriorating condition, loss of consciousness, or concern about neck and spine injury exists, the athlete should be referred at once for emergency care.
3. If no emergency is apparent, the athlete should be monitored every 5 to 10 minutes regarding mental status, attention, balance, behavior, speech and memory until stable over a few hours. If appropriate medical care is not available, an athlete even with mild symptoms should be sent for medical evaluation.
4. Upon removal from the athletic activity, the coach or other qualified school employee shall notify the athlete's parent/guardian that the student athlete has exhibited the signs, symptoms or behaviors consistent with a concussion or has been diagnosed with a concussion. Every reasonable effort shall be made to immediately provide such notification, but not later than twenty-four hours after such removal.
5. No athlete suspected of having a concussion should return to the same practice or contest, even if symptoms clear in 15 minutes, no sooner than twenty-four hours after removal and only after the athlete and his/her parent/guardian completes the State Board of Education concussion education plan and the athlete receives written clearance from a licensed health care professional trained in the evaluation and management of concussions.

**E. Return to Play After Concussion**

1. A student athlete who has been removed from play may not participate in any supervised team activities involving physical exertion, including, but not limited to practices, games, or competitions, sooner than twenty-four hours\* after such athlete was removed from play until the athlete is evaluated by a licensed health care provider trained in the evaluation and management of concussions and receives a written clearance to return to play from that health care provider [or: Any athlete removed from play because of a concussion must have written medical clearance from an appropriate health care professional before he/she can resume practice or competition.

Note: CIAC requirements indicate that no athlete shall return to participation on the same day of concussion.

\*P.A. 10-62 does not require a 24 hour waiting period before an athlete may return to participate in team activities. However, the law does require written clearance from a licensed health care professional.

2. After medical clearance, the return to play by the athlete should follow a step-wise protocol with provisions for delayed return to play based on return of any signs or symptoms.
3. The medical clearance return to play protocol is as follows:
  - a. No exertional activity until asymptomatic.
  - b. When the athlete appears clear, begin low-impact activity such as walking, stationary bike, etc.
  - c. Initiate aerobic activity fundamental to the specific sport such as skating, or running and may also begin progressive strength training activities.
  - d. Begin non-contact skill drills specific to sport such as dribbling, fielding, batting, etc.
  - e. Full contact in practice setting.
  - f. If athlete remains asymptomatic, he/she may return to game/play.

### **5141.8 Do Not Resuscitate Orders**

The ACES Governing Board acknowledges ACES responsibility to honor Do Not Resuscitate (DNR) Orders and instructs the Executive Director to prepare procedures for use in ACES Programs.

***Legal Reference: Connecticut General Statutes***

Sec. 19a-580d. "Do not resuscitate" orders. Regulations.

*Policy adopted: April 14, 1994*

### **5141.9 School Wellness**

The ACES Governing Board recognizes the importance of promoting good student nutrition and a healthy school environment. To this end, the Board hereby requires the provision of an integrated nutrition program to provide students with the skills and support to adopt healthy eating behaviors, obtain positive nutritional status and achieve improved academic success in a health conscious environment.

Additionally, the district shall take the appropriate measures to implement a comprehensive nutrition/health curriculum, promote healthful student eating through the provision of well balanced and nutritionally sound school lunch program, promote the consumption of healthy foods and beverages in appropriate portion sizes, and encourage increased physical activity for students during the school day where appropriate. The district will provide on-going opportunities for professional development for staff to ensure a process of continuous improvement with respect to wellness.



The school administration and wellness committee shall develop regulations indicating a plan of action for implementing this policy.

***Legal Reference:***

PL 108.265 Section 204 Local Wellness Policy.

*Policy adopted: May 11, 2006.*

### **5142.1 Relations with Non-custodial Students**

The ACES Governing Board, 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 Executive Director, 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, in accordance with ACES Governing Board policies, 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).

***Legal Reference: Connecticut General Statutes***

Sec. 46b-56 Access of records of minor children by non-custodial parent; Federal Family Educational Rights and Privacy Act of 1974.

*Policy adopted: September 11, 2003.*

### **5144.1 Physical Restraint and Seclusion of Students**

The Board seeks to foster a safe and positive learning environment for all students. The Board of Education employees will restrict the use of physical restraint or seclusion of students to emergency situations, in accordance with this policy and accompanying administrative regulations and applicable law. Physical restraint or seclusion of a student may be necessary in an emergency situation to maintain the safety of the student or another individual.

The Board of Education authorizes the Executive Director or his/her designee to develop and implement Administrative Regulations in accordance with this Policy and applicable law. The Board mandates compliance with this Policy and the associated Administrative Regulations at all times. Violations of this Policy and/or associated Administrative Regulations by a Board of Education staff member or other individual working at the direction of, or under the supervision of, the Board of Education, may result in disciplinary action, up to and including possible termination of employment status and/or termination of contract for services.

Nothing within these regulations shall be construed to interfere with the Board's responsibility to maintain a safe school setting, in accordance with Connecticut General Statutes § 10-220.

***Legal References:***

Conn. Gen. Stat. § 10-76b  
Conn. Gen. Stat. § 10-76d  
Conn. Gen. Stat. § 53a-18 to 53a-22  
Public Act 15-141, "An Act Concerning Seclusion and Restraint in Schools"  
Regs. Conn. State Agencies §§ 10-76b-5 through 10-76b-11, as amended July 1, 2013

***Other References:***

Restraint and Seclusion: Resource Document, United States Department of Education, available at <http://www2.ed.gov/policy/seclusion/restraints-and-seclusion-resources.pdf>.  
New Legislation for Public Act 15-141: An Act Concerning Seclusion and Restraint in Schools," Connecticut State Department of Education, October 5, 2015  
Memorandum from Dr. Isabelina Rodriguez.

*Policy adopted: June 09, 2016*

**Regulation #5144.1: Administrative Regulations Concerning Physical Restraint and Seclusion of Students**

ACES seeks to foster a safe and positive learning environment for all students. District employees will restrict the use of physical restraint or seclusion of students to emergency situations, in accordance with these administrative regulations and the associated policy and applicable law. Physical restraint or seclusion of a student may be necessary in an emergency situation to maintain the safety of the student or another individual.

The following sets forth the procedures for compliance with the relevant state law and regulations concerning the physical restraint and seclusion of students in the District. The Superintendent mandates compliance with these regulations at all times. Violations of these regulations by a Board of Education staff member or other individual working at the direction of, or under the supervision of, the Board of Education, may result in disciplinary action, up to and including possible termination of employment status and/or termination of contract for services.

Nothing within these regulations shall be construed to interfere with responsibility of the District to maintain a safe school setting, in accordance with Connecticut General Statutes § 10-220.

I. Definitions:

- A. Life Threatening Physical Restraint: Any physical restraint or hold of a person that (1) restricts the flow of air into a person's lungs, whether by chest compression or any other means, or (2) immobilizes or reduces the free movement of a person's arms, legs or head while the person is in the prone position.
- B. Psychopharmacological Agent: Any medication that affects the central nervous system, influencing thinking, emotion or behavior;

- C. Physical Restraint: Any mechanical or personal restriction that immobilizes or reduces the free movement of a person’s arms, legs or head. The term does not include: (1) Briefly holding a person in order to calm or comfort the person; (2) restraint involving the minimum contact necessary to safely escort a person from one area to another; (3) medical devices, including, but not limited to, supports prescribed by a health care provider to achieve proper body position or balance; (4) helmets or other protective gear used to protect a person from injuries due to a fall; or (E) helmets, mitts and similar devices used to prevent self-injury when the device is (i) part of a documented treatment plan or an Individualized Education Program (“IEP”); or (ii) prescribed or recommended by a medical professional, as defined in section 38a-976 of the Connecticut General Statutes, and is the least restrictive means available to prevent such injury.
  - D. School Employee: (1) Any individual employed by ACES who is a teacher, substitute teacher, administrator, superintendent, guidance counselor, psychologist, social worker, nurse, physician, paraprofessional, coach; and (2) 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 ACES Schools pursuant to a contract with ACES.
  - E. Seclusion: The confinement of a person in a room, whether alone or with supervision by a school employee, in a manner that prevents the person from leaving that room. Seclusion does not include any confinement of a student in which the person is physically able to leave the area of confinement including, but not limited to, in-school suspension and time-out.
  - F. Student: a child who is
    1. Enrolled in grades kindergarten to twelve, inclusive, in a public school under the jurisdiction of a local or regional board of education;
    2. Receiving special education and related services in an institution or facility operating under a contract with a local or regional board of education pursuant to subsection (d) of section 10-76d of the Connecticut General Statutes;
    3. Enrolled in a program or school administered by a regional education service center established pursuant to section 10-66a of the Connecticut General Statutes; OR
    4. Receiving special education and related services from an approved private special education program.
- II. Life-Threatening Physical Restraint
- A. No school employee shall under any circumstance use a life-threatening physical restraint on a student.
  - B. Nothing in this section shall be construed as limiting any defense to criminal prosecution for the use of deadly physical force that may be available under sections 53a-18 to 53a-22, inclusive, of the Connecticut General Statutes.
- III. Procedures for Physical Restraint and Seclusion of Students
- A. No school employee shall use physical restraint or seclusion on a student EXCEPT as an emergency intervention to prevent immediate or imminent injury to the student or to others.

- B. No school employee shall use physical restraint or seclusion on a student unless the school employee has received training in accordance with state law and/or the District's trainings plans as described in Section X below, upon implementation thereof.
- C. Physical restraint and seclusion of a student shall never be used as a disciplinary measure or as a convenience.
- D. School employees must explore ALL less restrictive alternatives prior to using physical restraint or seclusion for a student.
- E. School employees must comply with all regulations promulgated by the Connecticut State Department of Education in their use of physical restraint and seclusion with a student.
- F. Monitoring
  - 1. Physical restraint: A school employee must continually monitor any student who is physically restrained. The monitoring must be conducted by either:
    - a. direct observation of the student; or
    - b. observation by way of video monitoring within physical proximity sufficient to provide aid as may be needed.
  - 2. Involuntary seclusion: A school employee must frequently monitor any student who is involuntarily placed in seclusion. The monitoring must be conducted by either:
    - a. direct observation of the student; or
    - b. observation by way of video monitoring within physical proximity sufficient to provide aid as may be needed.
- G. Length
  - 1. Any period of physical restraint or seclusion:
    - a. shall be limited to that time necessary to allow the student to compose him or herself and return to the educational environment; and
    - b. shall not exceed fifteen (15) minutes, except as provided below.
  - 2. If any instance of physical restraint or seclusion of a student used as an emergency intervention exceeds fifteen (15) minutes, one of the following individuals, who have received training in the use of physical restraint or seclusion, will determine whether continued physical restraint or seclusion is necessary to prevent immediate or imminent injury to the student or to others:
    - a. an administrator, or such administrator's designee;
    - b. a school health or mental health personnel; or
    - c. a board certified behavior analyst.
  - 3. The individual identified under subsection 2 (a-c) shall make a new determination every thirty (30) minutes thereafter regarding whether such physical restraint or seclusion is necessary to prevent immediate or imminent injury to the student or to others.

- H. A school employee must regularly evaluate the student being physically restrained or secluded for signs of physical distress. The school employee must record each evaluation in the educational record of the person being physically restrained or secluded.

IV. Seclusion Room Requirements

Seclusion can happen in any location, although a district may designate an area or room for this purpose. Regardless of location, any room used for seclusion must:

- A. be of a size that is appropriate to the chronological and developmental age, size and behavior of the student;
- B. have a ceiling height that is comparable to the ceiling height of the other rooms in the building in which the seclusion room is located;
- C. be equipped with heating, cooling, ventilation and lighting systems that are comparable to the systems that are used in the other rooms of the building in which the seclusion room is located;
- D. be free of any object that poses a danger to the student who is being placed in the seclusion room;
- E. conform to applicable building code requirements.

If the door or doors to a room used for seclusion are to be locked, latched or otherwise secured, a modification from the State Fire Marshal's office shall be secured prior to the installation of a locking mechanism. If a door locking mechanism is used, the student shall be constantly monitored notwithstanding any other provisions of the Connecticut General Statutes or Regulations to the contrary. The locking mechanism to be used shall be a device that shall be readily released by staff as soon as possible but in no case longer than within two minutes of the onset of an emergency and is connected to the fire alarm system so that the locking mechanism is released automatically when a fire alarm is sounded. An "emergency," for purposes of this subsection, includes but is not limited to the following:

1. the need to provide direct and immediate medical attention to the student;
  2. fire;
  3. the need to remove the student to a safe location during a building lockdown; or
  4. other critical situations that may require immediate removal of the student from seclusion to a safe location; and
- F. have an unbreakable observation window or fixture located in a wall or door, which allows the student a clear line of sight beyond the area of seclusion, to permit frequent visual monitoring of the student and any school employee in such room. The requirement for an unbreakable observation window does not apply if it is necessary to clear and use a classroom or other room in the school building as a seclusion room for a student.

V. Use of Psychopharmacologic Agent

- A. No school employee may use a psychopharmacologic agent on a student without that student's consent and the consent of the student's parent/guardian, except:
  - 1. as an emergency intervention to prevent immediate or imminent injury to the student or to others; or
  - 2. as an integral part of the student's established medical or behavioral support or educational plan, or, if no such plan has been developed, as part of a licensed practitioner's initial orders.
- B. The use of psychopharmacologic agents, alone or in combination, may be used only in doses that are therapeutically appropriate and not as a substitute for other appropriate treatment.
- C. Any administration of a psychopharmacologic agent must ONLY be done in accordance with applicable federal and state law and the Board of Education's Administration of Medication Policy.

VI. Required Meetings

- A. Students not Eligible for Special Education (and not being evaluated for eligibility for special education)
  - 1. In the event that physical restraint or seclusion is used on a student four (4) or more times within twenty (20) school days, a team composed of an administrator, one or more of the student's teachers, a parent or guardian of the student, and, if any, a school mental health professional, shall convene to:
    - a. conduct or revise a behavioral assessment of the student;
    - b. create or revise any applicable behavior intervention plan; and
    - c. determine whether such student may require a referral for consideration for special education pursuant to federal and state law.
  - 2. The requirement to convene this meeting shall not supersede the District's obligation to refer a student to a planning and placement team ("PPT") as may be required in accordance with federal and state law.
- B. Students Eligible for Special Education (and students being evaluated for eligibility for special education),

In the event that physical restraint or seclusion is used on a student four (4) or more times within twenty (20) school days, the student's PPT shall convene to:

- 1. conduct or revise a functional behavioral assessment ("FBA");
- 2. create or revise any applicable behavior intervention plan ("BIP"), including but not limited to, such student's individualized education program ("IEP"); and

3. review or revise the student's IEP, as appropriate.
- C. A District and/or school administrator(s) shall determine the school employee(s) responsible for reviewing the number of occurrences of the use of physical restraint or seclusion on a monthly basis to ensure that the appropriate meeting(s) has been convened following the fourth occurrence of physical restraint or seclusion in a twenty (20) day period.

The State Department of Education has interpreted PA 15-141 to permit the inclusion of seclusion in the IEP of a student as a planned intervention. If the Board wishes to permit the inclusion of seclusion as a planned intervention in the IEP of a student, the following section must be included in these Administrative Regulations:

#### Seclusion as a Behavior Intervention in an IEP

- A. Only the student's PPT may determine if seclusion can be included as an intervention in the student's IEP, in which case the following must occur:
1. the PPT must ensure that all positive behavioral interventions and supports have been documented, reviewed and determined to be ineffective;
  2. an FBA must be conducted or reviewed, and, if appropriate, revised; and
  3. a BIP based on the FBA must be developed, which BIP must include the use of seclusion as a planned intervention.
- B. The PPT must include the following information in the IEP of the student:
1. the location of seclusion for the person at risk, which may be multiple locations within a school building;
  2. the maximum length of any period of seclusion, in accordance with Section III(D) of this regulation;
  3. the number of times during a single day that the student may be placed in seclusion;
  4. the frequency of monitoring required for the student while in seclusion;
  5. the timeframe and manner of notification of each incident of seclusion, as determined by the PPT and the parents of the student; and
  6. any other relevant information agreed-to by the PPT taking into consideration the age, disability and behaviors of the student that might subject the student to the use of seclusion;
  7. the use of seclusion on Page 10 of the student's IEP, under "Special Factors," and the BIP as an attachment to the IEP;
  8. the justification of the decision to use seclusion as a planned intervention in the IEP, which justification must include documentation of evidence that all previously attempted positive behavior interventions have been ineffective, the assessment data (i.e. FBA) and other relevant information in the IEP.

- C. Prior to including seclusion in an IEP of a student, the PPT must inquire as to whether there are any known medical or psychological conditions that would be directly and adversely impacted by the use of seclusion as a behavior intervention. A student may not be placed in seclusion if such student is known to have any medical or psychological condition that a licensed health care provider has indicated will be directly and adversely impacted by the use of seclusion. The PPT may request a medical or psychological evaluation of the child for purposes of determining whether there is a medical or psychological condition that will be directly and adversely impacted by the use of seclusion as a behavior intervention. Any written statement from a licensed health care professional in this regard shall be included in the special education file of the student.]

VII. Crisis Intervention Team

- A. Each school year, the Director of Special Education [or other responsible administrator] shall require each school in the District to identify a crisis intervention team consisting of school professionals, paraprofessional staff members and administrators who have been trained, in accordance with state law, in the use of physical restraint and seclusion.
- B. Members of crisis intervention teams shall respond to any incident in which the use of physical restraint or seclusion may be necessary as an emergency intervention to prevent immediate or imminent injury to a student or others.

VIII. Documentation and Communication

- A. After each incident of physical restraint or seclusion, and no later than the school day following the incident, a school employee must complete the form provided by the ACES for reporting incidents of physical restraint and seclusion. The incident form must be included in the educational file of the student who was physically restrained or secluded. The information documented on the form must include the following:
  - 1. in the case of an emergency use, the nature of the emergency and what other steps, including attempts at verbal de-escalation, were taken to prevent the emergency from arising if there were indications that such an emergency was likely to arise;
  - 2. a detailed description of the nature of the restraint or seclusion;
  - 3. the duration of the restraint or seclusion;
  - 4. the effect of the restraint or seclusion on the student's established behavioral support or educational plan; AND
  - 5. whether the seclusion of a student was conducted pursuant to an IEP.
- B. A school employee must notify the parent or guardian of a student of each incident that the student is physically restrained or secluded.
  - 1. A school employee must make a reasonable attempt to immediately notify a parent or guardian after a student is initially placed in physical restraint or seclusion; in all circumstances, a school employee shall notify



the parent or guardian within twenty-four (24) hours after a student is initially placed in physical restraint or seclusion.

2. Notification must be made by telephone, e-mail, or other method which may include, but is not limited to, sending a note home with the student.
3. The parent or guardian of a student who has been physically restrained or placed in seclusion shall be sent a copy of the completed incident report of such action no later than two (2) business days after the use of physical restraint or seclusion, regardless of whether the parent received the notification described in subsections 1 and 2 above.
4. The Director of Special Education [or other responsible administrator] shall determine what school employees shall be permitted to ensure that required parent/guardian notifications are made.

C. The Director of Special Education [or other responsible administrator], or his or her designee, must, at each initial PPT meeting for a student, inform the child's parent, guardian, or surrogate parent, or the student if such student is an emancipated minor or eighteen years of age or older, of the laws relating to physical restraint and seclusion as expressed through this regulation, and of the laws and regulations adopted by the Connecticut State Department of Education relating to physical restraint and seclusion.

1. The Director of Special Education [or other responsible administrator], or his or her designee, shall provide to the child's parent, guardian, or surrogate parent, or the student if such student is an emancipated minor or eighteen years of age or older, at the first PPT meeting following the student's referral to special education the plain language notice of rights regarding physical restraint and seclusion developed by the Connecticut State Department of Education.
2. The plain language notice developed by the Connecticut State Department of Education shall also be provided to the student's parent, guardian, or surrogate parent, or the student if such student is an emancipated minor or eighteen years of age or older at the first PPT meeting at which the use of seclusion as a behavior intervention is included in the student's IEP.

D. The Director of Special Education [or other responsible administrator], or his or her designee, must be notified of the following:

1. each use of physical restraint or seclusion on a student;
2. the nature of the emergency that necessitated its use;
3. whether the seclusion of a student was conducted pursuant to an IEP;  
AND
4. if the physical restraint or seclusion resulted in physical injury to the student.

IX. Responsibilities of the Director of Special Education [or other responsible administrator]

- A. The Director of Special Education [or other responsible administrator], or his or her designee, must compile annually the instances of physical restraint and seclusion within the District, the nature of each instance of physical restraint and seclusion, and whether instances of seclusion were conducted pursuant to IEPs.
  - B. The Director of Special Education [or other responsible administrator], or his or her designee, must report to the Connecticut State Department of Education within two (2) business days any instance of physical restraint or seclusion that resulted in physical injury (serious and non-serious) to the student.
- X. Professional Development Plan and Training
- A. The District shall annually provide all school professionals, paraprofessional staff members and administrators with an overview of the relevant laws and regulations regarding the use of physical restraint and seclusion on students. Such overview shall be in a manner and form as prescribed by the State Department of Education.
  - B. Plan Concerning Prevention Training
    - 1. The District shall develop a plan through which training regarding the prevention of incidents requiring physical restraint or seclusion of students is provided to all school professionals, paraprofessional staff members and administrators.
    - 2. This plan shall be implemented no later than July 1, 2017.
    - 3. This plan shall require the training of all school professionals, paraprofessional staff and administrators not later than July 1, 2019.
  - C. Plan Concerning Proper Means of Using Physical Restraint and Seclusion
    - 1. The District shall develop a plan through which training regarding the proper means of physically restraining or secluding a student is provided to all school professionals, paraprofessional staff members and administrators. Such training shall include, but not be limited to:
      - a. verbal defusing or de-escalation;
      - b. prevention strategies;
      - c. types of physical restraint;
      - d. the differences between life-threatening physical restraint and other varying levels of physical restraint;
      - e. the differences between permissible physical restraint and pain compliance techniques;
      - f. monitoring to prevent harm to a person physically restrained or in seclusion; and
      - g. recording and reporting procedures on the use of physical restraint and seclusion.
    - 2. This plan shall be implemented no later than July 1, 2017.

3. This plan shall require the training of all school professionals, paraprofessional staff and administrators not later than July 1, 2019, and periodically thereafter as prescribed by the State Department of Education.

XI. Review and Revision of Policies, Regulations and Procedures

- A. The District shall make available policies and procedures regarding the physical restraint and seclusion of students on the District's Internet web site and procedures manual.
- B. The District shall update any policies, regulations and/or procedures regarding the physical restraint and seclusion of students within sixty (60) days after the State Department of Education's adoption or revision of regulations regarding the same. Any and all such updates shall be made available in accordance with subsection A of this section.

***Legal References:***

Conn. Gen. Stat. § 10-76b

Conn. Gen. Stat. § 10-76d

Conn. Gen. Stat. § 53a-18 to 53a-22

Public Act 15-141, "An Act Concerning Seclusion and Restraint in Schools"

Regs. Conn. State Agencies §§ 10-76b-5 through 10-76b-11, as amended July 1, 2013

***Other References:***

Restraint and Seclusion: Resource Document, United States Department of Education, available at <http://www2.ed.gov/policy/seclusion/restraints-and-seclusion-resources.pdf>.

"New Legislation for Public Act 15-141: An Act Concerning Seclusion and Restraint in Schools," Connecticut State Department of Education, October 5, 2015

Memorandum from Dr. Isabelina Rodriguez.

*Policy adopted: June 09, 2016*

## **5145 Civil and Legal Rights and Responsibilities**

### **5145.12 Search and Seizure**

#### **5145.123 Use of Metal Detectors**

In view of the escalating presence of weapons in our schools, the Board authorizes the use of hand-held or walk-through metal detectors to check a student's person or personal effects.

If a school official or a law enforcement officer has reasonable suspicion to believe that a particular student is in possession of an illegal or unauthorized metal-containing object or weapon, he or she may conduct a metal detector check of the student's person and personal effects.

A student's failure to permit a metal detector check as provided in this policy will be considered grounds for disciplinary action.

Upon enrollment and at the beginning of each school year, students and parents/guardians shall receive notice that the district uses metal detector checks as part of its program to promote safety and deter the presence of weapons. Signs shall be posted at all schools, where metal detectors are used, to explain that anyone may be scanned by a metal detector for illegal weapons when on campus or attending athletic or extracurricular events.

***Legal Reference: Connecticut General Statutes***

Sec. 10-221 Boards of education to prescribe rules; New Jersey v T.L.O., 53 U.S.L.W. 4083 (1985).

*Policy adopted: September 11, 2003.*

### **5145.14 On-Campus Recruitment**

Subject to the provisions of law, all recruiters, including commercial, military and nonmilitary concerns, recruiters representing institutions of higher education, and prospective employers shall be provided equal opportunities of access to students enrolled in the District's secondary schools. Access may be granted through programs conducted by the Guidance Department. Such programs may consist of career days, college fairs, individual school visitations, in-school recruiting.

Except as provided below, military recruiters and institutions of higher education shall, upon request, be given access to the names, addresses and telephone numbers of secondary school students.

On an annual basis, the school district will notify parents/guardians of secondary school students and students 18 years of age or older, of their right to object to the disclosure of the student's name, address and telephone number to military recruiters or to an institution of higher education. If a secondary school student, who is 18 years of age or older, or the parent of a

secondary school student objects in writing to the disclosure of a student's name, address or telephone number to a military recruiter or an institution of higher education, then the district shall not disclose the student's name, address or telephone number to a military recruiter or an institution of higher education without prior written consent. The objection shall remain in force until the district re-issues the annual notification referenced above, after which time the parents and/or secondary school student must inform the school district in writing again of their objection to the disclosure of the information described above.

***Legal Reference: Connecticut General Statutes***

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

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

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

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

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

*Policy adopted: June 06, 2017*

## **5145.14 Regulation On-Campus Recruitment**

The following regulations are established to ensure that on-campus recruitment of students is conducted in an orderly manner that is not disruptive to the high school program.

1. Organizations wishing to recruit at High School must make arrangements with the high school Principal or designee who will determine the schedule for the recruitment meeting.
2. Recruitment meetings will be limited to the same number for each organization for each academic year. The exact number will be determined by the Principal and will usually not exceed two recruitment meetings per year.
3. On campus follow up meetings with individual students will be permitted only upon the request of the student(s) and with the approval of the Principal or designee.
4. Scheduled visits by recruiters will be made known to the student body by school personnel.
5. The school administration reserves the right to deny a recruitment meeting or access request where the holding of such a meeting will materially and substantially interfere with the proper and orderly operation and discipline of the school; is likely to cause violence or disorder; or will constitute an invasion or violation of the rights of other students. Any person or entity denied access under this regulation shall have the right to request a review of the administrative decision by the Board of Education by filing an appropriate written request with the Superintendent of Schools.

In addition to the guidelines pertaining to on-campus recruitment, information relating to technical high schools, regional agricultural science and technology education centers,

interdistrict magnet schools, charter schools and interdistrict students' attendance programs will be posted on the Board's website.

***Legal Reference: Connecticut General Statutes***

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

10-221b Boards of education to establish written uniform policy re treatment of recruiters  
P.L. 106-398, 2000 H.R. 4205: The National Defense Authorization Act for Fiscal Year 2001

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

*Policy adopted: June 08, 2017*

Access to Student Information by Military and/or College Recruiters

Name of  
Student: \_\_\_\_\_ Date: \_\_\_\_\_

Name of  
Parent: \_\_\_\_\_ School: \_\_\_\_\_

Dear Parent/Guardian and Secondary Students:

Our District receives funds from the federal government under the Every Student Succeeds Act of 2015. These funds are used in a variety of ways to provide additional help to students in greatest academic need. The law also requires that districts receiving these funds must, upon request, provide to military recruiters, colleges and universities, access to the names, addresses and telephone listings of secondary students.

It is important for you to know that a secondary school student eighteen (18) years of age or older, or his/her parent or guardian may request that the student's name, address, and telephone number not be released by the District without prior written parental consent. If you would like to make such a request, please complete the following and return it to your child's school.

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Parent or Guardian: Please complete this section and return the entire form to your child's school. Use a separate form for each child.

I am aware the District must provide access to military recruiters and colleges or universities of student names, addresses and telephone listings. I am aware the District will provide this information upon request, unless I require that such information not be given to the following groups without prior written parental consent:

Military Recruiters (please check one)

Do not release my secondary student's information to military recruiters until you have first obtained my prior written parental consent before doing so.

I am a student eighteen years of age or older and do not want my information released to military recruiters until you have first obtained my prior written consent before doing so.

Colleges, Universities, or Institutions of Higher Learning (please check one)

\_\_\_ I am a student eighteen years of age or older and do not want my information released to colleges, universities or other institutions of higher learning until you have first obtained my prior written parental consent before doing so.

\_\_\_ Do not release my secondary student's information to colleges, universities or institutions of higher learning until you have first obtained my prior written parental consent before doing so.

Parent

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Adult Student

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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## **5145.15 Directory of Information**

Directory information means those items of personally identifiable information contained in a student education record which is not generally considered harmful or an invasion of privacy if released. The following categories are designated as directory information. The following directory information may be released to the public through appropriate procedures:

1. Student's name;
2. Student's address;
3. Student's telephone listing;
4. Student's electronic address;
5. Student's photograph;
6. Date and place of birth;
7. Major field of study;
8. Participation in officially recognized sports and activities;
9. Weight and height of athletic team members;
10. Dates of attendance;
11. Degrees or awards received;
12. Most recent previous school or program attended.

### **Public Notice**

The District will give annual public notice to parents of students in attendance and students eighteen years of age or emancipated. The notice shall identify the types of information considered to be directory information, the District's option to release such information and the requirement that the District must, by law, release secondary student's names, addresses and telephone numbers to military recruiters and/or institutions of high education, unless parents or eligible students request the District withhold this information and provide prior written consent to release such information. Such notice will be given prior to release of directory information.

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

### **Exclusions**

Exclusions from any or all directory categories named as directory information or release of information to military recruiters and/or institutions of higher education must be submitted in writing to the Principal by the parent/guardian, student of eighteen years of age or emancipated student with fifteen days of the annual public notice. A parent or student eighteen years of age or an emancipated student, may not opt out of directory information to prevent the District from disclosing or requiring a student to disclose their name [identifier, institutional email address in a class in which the student is enrolled] or from requiring a student to disclose a student ID card or badge that exhibits information that has been properly designated directory information by the District in this policy.

Directory information shall be released only with administrative direction.

Directory information considered by the District to be detrimental will not be released.

Information will not be given over the telephone except in health and safety emergencies.

At no point will a student's Social Security Number or student identification number be considered directory information.

(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. 93â€‘568, codified at 20 U.S.C. 1232g and Final Rule 34 CFR Part 99, December 9, 2008 and December 2, 2011)

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

P.L. 114-95 “The Every Student Succeeds Act” Section 8025

*Policy adopted: June 08, 2017*

## **5145.5 Sexual Harassment/Intimidation**

ACES is committed to preserving a positive and productive working and learning environment free of discrimination. ACES prohibits sexual harassment or intimidation of its employees or students whether by supervisory or non-supervisory personnel, by individuals under contract, or volunteers subject to the control of the board, or by students. Sexual harassment/intimidation in the workplace by employees will result in disciplinary action up to and including dismissal. Students engaged in sexual harassment/intimidation will also be subject to disciplinary action.

Sexual harassment/intimidation is defined as unwelcome conduct of a sexual nature, whether verbal or physical, including, but not limited to, insulting or degrading sexual remarks or conduct; threats or suggestions that an employee's or student's submission to or rejection of unwelcome conduct will in any way influence an employment or educational decision regarding that employee or student or conduct of a sexual nature which substantially interferes with an employee's work performance, or student's educational performance or creates an intimidating, hostile or offensive work or school environment, such as the display in the workplace or school of sexually suggestive objects or pictures.

***Legal Reference: Connecticut General Statutes***

10-15c Discrimination in public schools prohibited; 46a-60 Discriminatory employment practices prohibited.

*Policy adopted: September 10, 1992*