

Mansfield Board of Education Meeting

October 8, 2015

MANSFIELD MIDDLE SCHOOL 7:30 p.m.

Board Members: Randy Walikonis, Chair, Jay Rueckl, Vice-Chair; Martha Kelly, Secretary, Susannah Everett, John Fratiello, Sarah Lacombe, Katherine Paulhus, Carrie Silver-Bernstein, Kathy Ward

Agenda

CALL TO ORDER

APPROVAL OF MINUTES

September 23, 2015 Meeting (M) (P. 1)

RECOGNITION AND CELEBRATION

Mansfield Middle School Visitors from Gymnasium Sarstedt, Germany

HEARING FOR VISITORS

COMMUNICATIONS

ADDITIONS TO THE PRESENT AGENDA

BOARD REPORTS:

Policy Committee: MBOE Policy Recommended Updates 2015-2016 (P. 3)

INFORMATION, PRESENTATIONS, AND ACTIONS

- National Blue Ribbon School (P. 135)
- Smarter Balanced Assessment and Connecticut Mastery Test Results (Encl.)
- Transportation Update
- Class Size Report
- Professional Improvement (M) (P. 137)
- Draft 2016 Board of Education Meeting Calendar (P. 139)

NEW BUSINESS (If needed)

HEARING FOR VISITORS

SUGGESTIONS FOR FUTURE AGENDA ITEMS

EXECUTIVE SESSION to discuss the appointment of the superintendent.

Possible action to affirm contract entered in on June 23, 2015.

ADJOURNMENT

Robert's Rules of Order General Guidelines

As outlined in the MBOE By-Laws, Robert's Rules of Order shall govern the proceedings of the Board unless otherwise provided by the by-laws. Following are some general guidelines from Robert's Rules and the By-Laws that should be followed to ensure efficient meetings and the rights of all members, aid decision-making and allow all to be heard.

1. During any discussion, a member must be recognized by the Chair before speaking.
2. A member will not be allowed to speak a second time until all other members wishing to speak have been allowed to do so.
3. Members should refrain from speaking a second time unless they have a new point to make or need to respond to new information.
4. As a general rule during discussion, comments should be directed through the Chair to the whole Board, rather than to other or individual members. All discussion is with the Board as a whole. Questions of the Superintendent or other non-BOE members making presentations should be directed to that individual.
5. Private conversations can be distracting to those speaking and should be limited.
6. During discussion, the Chair should try to provide equal time to those in favor or against a given topic or motion.
7. A majority is more than half of the votes cast, not a majority of the Board. For example: if only 7 members choose to vote, and the result is 4-3 in favor, the motion is adopted. Members who abstain are "refraining from voting".
8. If discussion on a **motion** is lasting a long time, any member can "move the previous question" or "call the question". They must be recognized by the Chair in order to do so. This is not debatable, and a two-thirds vote is required to pass. If two-thirds vote in favor of ending debate, the Board ends all discussion on a motion and then moves to an immediate vote on that motion.
9. Committee reports that recommend action should be submitted in writing. This allows for clear understanding of recommendations.

Mansfield Public Schools: Board of Education Goals

- I. Engage, motivate and support each student to become confident and successful learners through differentiated instruction and holistic support. Monitor student progress to ensure growth.
 - A. Improve the mathematics, reading, science and writing skills of each student to support college and career readiness.
 - B. Align our current Language Arts/Reading, Science and Mathematics curriculum with the Common Core State Standards (CCSS).
 - C. Promote the cognitive, social, and emotional development of each student while cultivating character and fostering civic engagement.
 - D. Support the full breadth of the district's programs, foster environmental awareness and sustainability, systematically review program offerings, and explore other programs.
 - E. Provide a positive school climate through constructive behavior support systems to ensure student safety, health, physical and emotional well-being.
 - F. Promote the engagement and participation of parents/guardians in the education of their children.
 - G. Integrate relevant technology into the instructional program to enhance student learning of subject matter, technology and its use.
 - H. Help connect students and families with community support services.
 - I. Ensure student transitions are supportive and successful.
 - J. Acknowledge student achievements.
- II. Attract, support and retain qualified, motivated and diverse professional staff by fostering positive, professional learning communities.
 - A. Foster a climate of mutual respect and regularly recognize staff leadership, effort and success.
 - B. Maintain superior educational programs, adjusting staff levels and resources as required.
 - C. Support administrative leadership to maintain and surpass current levels of student achievement.
 - D. Implement, with input and collaboration from certified staff, an effective professional development and evaluation program that supports the growth and confidence of our students and promotes staff success.
 - E. Seek input from staff regarding important issues affecting the district.
- III. Monitor the district's quality of facilities, sufficiency of space, level of security, adequacy of maintenance and efficiency of student transportation.
 - A. Communicate quarterly with Town Council about ongoing needs for infrastructure, security and technology.
 - B. In collaboration with the Town Council, develop and implement a long-term plan, supported by voters, to address prek-8 building needs.
 - C. Implement school security and technology improvements as approved by the Board.
- IV. Increase the effectiveness of the Board of Education.
 - A. Provide Board members with appropriate professional development opportunities to promote effectiveness.
 - B. Encourage communication and collaboration between the Board and our community.
 - C. Collaborate with community members and organizations -- including E. O. Smith High School's Region 19 Board -- to support the district's students.
 - D. Review prekindergarten educational opportunities for Mansfield children.
 - E. Evaluate the Board's goal-setting process.
- V. Plan for long-term fiscal sustainability.
 - A. Meet periodically with our state legislators to advocate for continued Education Cost Sharing; develop a plan to address changes to current funding level.
 - B. Continue to explore partnerships with other groups to maximize program effectiveness while containing costs.
 - C. Investigate alternative revenue, including public and private funding sources and grant opportunities.
 - D. Continue to educate ourselves and the public about long-term financial ramifications of balancing Board goals and priorities.
 - E. Improve the readability of our budget.

DRAFT

Mansfield Board of Education

September 24, 2015

Minutes

Attendees:	Randy Walikonis, Chair, Martha Kelly, Secretary, Susannah Everett, John Fratiello, Sarah Lacombe, Katherine Paulhus, Carrie Silver-Bernstein, Kathy Ward
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Excused:	Jay Rueckl
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The meeting was called to order at 7:30pm by Mr. Walikonis

Mr. Rueckl arrived at 7:34

APPROVAL OF MINUTES:

- June 23, 2015 Special Meeting: Mr. Walikonis reported the recording of the meeting and the clerk's notes were reviewed. The motion was accurate. Motion by Mr. Fratiello, seconded by Mrs. Lacombe, to adopt the minutes of the June 23, 2015 meeting. Vote: Mr. Fratiello, Ms. Everett, Ms. Lacombe, Mr. Rueckl, Ms. Ward, and Ms. Silver-Bernstein in favor. Mrs. Kelly and Mrs. Paulhus opposed. Motion passed.
- September 10, 2015: Motion by Mr. Fratiello, seconded by Ms. Lacombe, to adopt the minutes of the September 10, 2015 meeting. Vote: Unanimous in favor.

RECOGNITION AND CELEBRATION:

Goodwin PTO: Alexia Smith, Treasurer, reported on activities the group participates in to support programs at Goodwin School.

Goodwin School 3rd graders, led by music teacher, Liz Whiteley, sang a song from Korea entitled "Ha'kyo Jong".

Mrs. Muirhead showed a presentation of the learning that happens in Goodwin School.

Goodwin School Ambassadors: Serena Liao, Rutger Wenzel, and Allen Lane talked about the ambassador program and how it helps students.

HEARING FOR VISITORS: The following residents spoke regarding school bus transportation: Alicia Amalgro, Beth DiRicco, Carol Atkinson-Palombo, and Kimberly Roy. Betty Wassmundt, Town Councilor, spoke regarding recording meetings not in Council Chambers. Ric Hossack spoke regarding day care subsidy.

COMMUNICATIONS: None

ADDITIONS TO THE PRESENT AGENDA: Motion by Mr. Walikonis, seconded by Mr. Fratiello, to add Executive Session to the end of meeting to discuss the appointment and employment of the superintendent. Possible action to approve and confirm contract entered in on June 23, 2015. Vote: Mr. Fratiello, Ms. Everett, Mrs. Lacombe, Mr. Rueckl, Mr. Walikonis, Ms. Ward, Mrs. Paulhus, and Ms. Silver-Bernstein in favor. Mrs. Kelly opposed. Motion passed.

BOARD REPORTS:

- EASTCONN Board of Directors: Mrs. Paulhus reported she will be sending material on an upcoming meeting for Board Members.

INFORMATION, PRESENTATIONS, AND ACTIONS:

- Transportation: Mrs. Lyman provided an update on the status of changes to the bus runs developed to address concerns from 2014-2015 and previous years. Investigation of complaints received have been conducted and changes made to several bus stops.
- Professional Development 2015-2016: Mrs. Lyman reviewed staff professional development on August 24th and 25th and the plans for October 13th Professional Development Day.
- Enriching Student Achievement: Mrs. Lyman reported the district will again offer afterschool enriching student achievement program which will provide extra support or enrichment to students.

NEW BUSINESS: None

HEARING FOR VISITORS: The following residents spoke regarding school bus transportation: Kimberly Roy, Beth DiRicco, and Carol Atkinson-Palombo

Mrs Paulhus left at 9:00.

SUGGESTIONS FOR FUTURE AGENDA: The Board would like a report on teacher evaluations. Mrs. Kelly would like information on how the new day care center will affect the district. Ms. Everett would like a discussion on transportation and safety on buses.

Mrs. Paulhus returned at 9:10pm.

Motion by Mr. Walikonis, seconded by Mr. Fratiello to move into Executive Session to discuss the appointment and employment of the superintendent at 9:04pm. Vote: Unanimous in favor.
The Board returned to regular session at 9:46pm.

Motion by Mrs. Paulhus, seconded by Ms. Ward to adjourn at 9:47pm. Vote: Unanimous in favor.

Respectfully submitted,
Celeste Griffin, Board Clerk



SHIPMAN & GOODWIN^{LLP}
COUNSELORS AT LAW

**MANSFIELD BOARD OF EDUCATION
POLICY RECOMMENDATIONS
SEPTEMBER 2015**

Introduction

This memorandum sets forth the suggested revisions to Board policies, regulations and accompanying documents we are recommending as a result of the 2015 legislative session, as well as changes based on legal trends or best practices. We include any changes that have been made since September 2014. The bases for our recommended changes to the Board's existing policies for each respective series are discussed below.

Section 1: By-Laws

We have no suggested changes.

Section 2: Fiscal Management

The changes to the fiscal management policies are included in a separate document.

Section 3: Instruction

CURRICULAR EXEMPTIONS

This policy has been updated to reflect that the curricular exemption for participation in the sexual abuse and assault awareness and prevention program that will be identified or developed by the state will be effective upon the implementation of that program. Section 415 of Special Session Public Act 15-5 extended by one year the deadlines for the state to identify or develop, and boards of education to subsequently implement, this program.

For the remainder of the Board's Policies in Section 3, we have no suggested changes.

Section 4: Personnel

ALCOHOL, TOBACCO AND DRUG-FREE WORKPLACE

This policy was revised to prohibit employee use of palliative marijuana on school property, or employees' being under the influence of same, consistent with Conn. Gen.

Stat. Section 21a-408a through 408q. The policy was also revised to include the definition of a “vapor product,” consistent with Public Act 15-206, “An Act Regulating Electronic Nicotine Delivery Systems and Vapor Products.”

CERTIFIED STAFF/DEVELOPMENT

Effective July 1, 2015, Public Act 15-97 requires in-service training programs to include training in the identification of, and evidence-based structured literacy interventions for, students with dyslexia, and Public Act 15-108 requires training in cultural competency. Section 11 of Public Act 15-215 now clarifies that each district’s professional development and evaluation committee must include at least one teacher selected by the teachers’ union, at least one administrator selected by the administrators’ union and such other school personnel as the board deems appropriate.

The district’s Certified Staff/Development policy has been updated accordingly.

CHILD ABUSE AND NEGLECT REPORTING

Public Act 15-205 makes substantial modifications to the General Statutes regarding the mandated reporting of child abuse and neglect by school employees, the training of school employees in identifying abuse and neglect, the definition of a victim of abuse and neglect under the statute, and the investigation and reporting of abuse and neglect in the public school setting. Currently, the law requires school employees to report to the Department of Children and Families (“DCF”) when, in the ordinary course of employment, a school employee has reasonable cause to suspect or believe that a child under age eighteen has been abused or neglected. In addition to those existing requirements, the new law, effective October 1, 2015, requires that a school employee also report to DCF, when, in the ordinary course of employment, the school employee has reasonable cause to suspect or believe that a person being educated by the technical high school system or a local or regional board of education requirement regarding the sexual assault of a student by a school employee applies based on the person’s status as a student, rather than his or her age.

Public Act 15-205 also sets forth factors for a mandated reporter to consider in determining whether there is reasonable cause to suspect abuse or neglect or the sexual assault of a student by a school employee. The law provides that the mandated reporter may base such suspicion on factors including, but not limited to, observations, allegations, facts or statements by a child, victim or third party. In addition, the law clarifies that such suspicion or belief does not require certainty or probable cause.

Furthermore, the law now prohibits a board of education from employing a person whose employment was terminated, or who resigned from employment following a suspension, if that person is convicted of a crime involving an act of child abuse, neglect or sexual assault against a student. Additionally, boards of education may not hire a person whose employment was previously terminated due to a violation of the mandatory reporting laws, regardless of whether an allegation of abuse or neglect or sexual assault was substantiated.

Importantly, the new law creates additional reporting requirements for local boards of education with regard to training programs and refresher training programs for school employees who are mandated reporters. Effective October 1, 2015, the principal for each school of a local board of education must annually certify to the superintendent that each school employee working at the school is in compliance with the requirements for training and refresher training. The superintendent of schools must then certify such compliance to the State Board of Education.

Finally, and significantly, by January 1, 2016, each board of education must establish a confidential rapid response team to coordinate with the Department of Children and Families to ensure prompt reporting of suspected abuse, neglect or sexual assault against a victim, and to provide immediate access to information and individuals relevant to the investigation of the Department of Children and Families. This confidential rapid response team must include a teacher, the superintendent, a local police officer and any other person the board of education deems appropriate

In addition, the requirement that a superintendent must suspend employees against whom abuse or neglect is substantiated is now limited to situations when the Commissioner of Children and Families recommends such school employee be placed on the child abuse and neglect registry.

The district's policy has been amended to reflect these new requirements.

COMPUTER SYSTEMS AND ELECTRONIC DEVICE USE BY EMPLOYEES

We have revised this policy and administrative regulations in accordance with Public Act 15-6, which concerns employee online privacy. The administrative regulations now provide that the Board may not require an employee to provide the login and/or password for a personal online account, which is defined in the regulations. The revisions further clarify the limited circumstances under which the Board may access a personal online account.

CONCUSSION TRAINING FOR ATHLETIC COACHES (ADMINISTRATIVE REGULATIONS)

Public Act 14-66, "An Act Concerning Youth Athletics and Concussions," included several provisions that became effective with the 2015-2016 school year. Notably, starting with the 2015-2016 school year, before a student may participate in any intramural or interscholastic athletic activity, the student athlete and the parent or legal guardian of such student athlete must review the concussion education plan implemented by the school district, either through review of written materials, or attendance at online or in-person training. Absent receipt of such training by both the student athlete and the student athlete's parent or legal guardian, the student athlete may not participate in any intramural or interscholastic athletic activity.

Public Act 14-66 also added another prerequisite for participation in intramural or interscholastic athletic activities. Prior to a student's participation in any intramural or interscholastic activity, the parent or legal guardian must sign and return an informed consent form, attesting to the fact that the parent or legal guardian has received the consent form and authorizing the student athlete to participate in the athletic activity.

The district's administrative regulations have been amended to reflect these new requirements.

EMPLOYMENT CHECKS (ADMINISTRATIVE REGULATIONS)

Public Act 15-6, effective October 1, 2015, protects the privacy of job applicants' personal online accounts from employers. The new law provides that no employer may request, or require that an applicant provide to the employer, the applicant's username and password or any other authentication means for accessing the applicant's personal online account. Similarly, under the new law, no employer may request or require that an applicant authenticate or access a personal online account in the presence of the employer, nor may the employer require that the applicant invite such employer, or accept an invitation from the employer, to join a group affiliated with any personal online account of the applicant. An employer is prohibited from failing, or refusing to hire, an applicant as a result of the applicant's refusal to provide any of the information described above.

The employment checks administrative regulations have been amended to reflect these new requirements.

SMOKING PROHIBITED

This policy was revised to include the new definition of a "vapor product," consistent with Public Act 15-206, "An Act Regulating Electronic Nicotine Delivery Systems and Vapor Products."

For the remainder of the Board's Policies in Section 4, we have no suggested changes.

Series 5: School, Community and Home Relations

SMOKING PROHIBITED

This policy was revised to include the new definition of a "vapor product," consistent with Public Act 15-206, "An Act Regulating Electronic Nicotine Delivery Systems and Vapor Products."

For the remainder of the Board's Policies in Section 5, we have no suggested changes.

Series 6: Students

ADMINISTRATION OF STUDENT MEDICATIONS IN THE SCHOOLS

Public Act 14-176 made a number of changes to Connecticut General Statute § 10-212a regarding the storage and use of emergency epinephrine in cartridge injectors (i.e. epipens) at school. Effective July 1, 2014, schools were required to maintain epipens for the purpose of providing emergency first aid to a student who experiences an allergic reaction even if the student does not have a prior written authorization for the administration of epinephrine. Under the revised law, a student's parent or guardian is permitted submit a written directive to the school nurse (and school medical advisor, if any) to prohibit the administration of epinephrine to such student.

Moreover, the law requires boards of education to designate and train "qualified school employees" to administer epinephrine in emergency circumstances to students having an allergic reaction who do not have the required written authorization for such medication (unless of course they are subject to a written directive prohibiting the administration of epinephrine). A "qualified school employee" is defined as a principal, teacher, licensed athletic trainer, licensed physical or occupational therapist employed by a school district, coach or school paraprofessional. The 2014 law required the State Department of Education to revise the applicable regulations concerning the administration of medications to students, and the applicable revised regulations were released in August 2014.

In addition, the General Assembly amended the law pertaining to the administration of student medication in 2015. Section 22 of Public Act 15-215, effective July 1, 2015, directs school nurses and a school medical advisor, if any, to select a qualified school employee to administer antiepileptic medication to students with medically diagnosed epileptic conditions that require prompt treatment, in accordance with each student's individual seizure action plan, with the written authorization of the student's parents or guardian and the written order by a physician. For this purpose, a qualified school employee for this purpose means a principal, teacher, licensed athletic trainer, licensed physical or occupational therapist employed by the school district, a coach or a school paraprofessional, and such qualified school employee must voluntarily agree to serve in such a role. The qualified school employee must receive annual training, developed by the Department of Education, in consultation with the School Nurse Advisory Council and the Association of School Nurses of Connecticut, and the school nurse or school medical advisory must attest that the qualified school employee completed the training. Additionally, qualified school employees may only administer the antiepileptic medication if the school nurse is absent or unavailable, and the school nurse must provide monthly reviews of the qualified school employee's competence to administer such medication.

The district's policy has been amended to reflect these changes.

COMPUTER SYSTEMS AND INTERNET SAFETY (ADMINISTRATIVE REGULATIONS)

This policy has been revised only in the legal references sections to reflect the new statutory requirement that boards of education prescribe rules regarding Internet access and content as part of their regulation of school library media centers under Section 17 of Public Act 15-215.

DRUG AND ALCOHOL USE BY STUDENTS

The drug and alcohol use by students policy has been revised to specifically reference the statutes pertaining to palliative use of marijuana.

HEALTH ASSESSMENTS/SCREENINGS (ADMINISTRATIVE REGULATIONS)

Section 4 of Public Act 15-215, effective July 1, 2015, changes the grades in which boards of education must conduct vision, audiometric and postural screenings of students. Now, both vision and audiometric screenings are required for students in kindergarten and grade one, and then also in grades three through five. Postural screenings are now required for female students in grades five and seven, and for male students in grades eight or nine. In addition to providing written notice to parents or guardians of any problems found in the screenings, superintendents must now also inform parents or guardians of students who did not receive such screenings and provide a brief explanation of why the student did not receive the screening.

The district's administrative regulations been amended to reflect these changes.

IMMUNIZATIONS OF STUDENTS (ADMINISTRATIVE REGULATIONS)

Public Acts 15-174 and 15-242, Section 68, both effective July 1, 2015, amend the current statutory provisions regarding the religious exemption from vaccination requirements for children prior to enrollment in public or nonpublic schools. The law now provides that parents or guardians may provide a statement asserting that required immunizations would be contrary to the religious beliefs of the child or the parents or guardian, but requires such a statement to be acknowledged by a judge, family support magistrate, a clerk or deputy clerk of a court having a seal, a town clerk, a notary public, a justice of the peace, a Connecticut attorney or a school nurse. The law requires that the parent or guardian must present such a statement, both prior to enrollment in school and before being permitted to enter seventh grade.

The district's administrative regulations been amended to reflect these changes.

RESTRAINT AND SECLUSION (ADMINISTRATIVE REGULATIONS)

The General Assembly made significant changes to the laws governing seclusion and physical restraint in Connecticut schools. Public Act 15-141, effective July 1, 2015, expands the regulation of seclusion and physical restraint to cover any student in

kindergarten through grade twelve in a public school under jurisdiction of a local or regional board of education. The previous seclusion and physical restraint laws applied only to special education students.

Public Act 15-141 provides that no school employee may place a student in seclusion or use a physical restraint on a student, except as an emergency intervention to prevent immediate or imminent injury to the student or to others, and prohibits the use of such measures for discipline or for convenience and is not used as a substitute for a less restrictive alternative intervention. Previously, the use of seclusion was expressly permitted if included in a student's individualized education program. Furthermore, a school employee must continually monitor any student who is physically restrained and frequently monitor any student involuntarily placed in seclusion. This monitoring of both physical restraint and seclusion must include regular evaluation for indications of physical distress, which must be recorded in the student's education record. Moreover, any area used for seclusion must also have a window or other fixture allowing the student a clear line of sight beyond the area used for seclusion. In addition, the Act continues to prohibit the use of "life-threatening physical restraint," which now includes prone restraints, in addition to any restraint that restricts the flow of air to a student's lungs. Whenever physical restraint or seclusion is used, the board of education must notify the student's parent or guardian not more than twenty-four hours later, and must make reasonable efforts to notify the parent or guardian immediately. Additionally, any injuries to students resulting from physical restraint or seclusion must be reported to the State Board of Education.

The Act further provides that, whenever an instance of physical restraint or seclusion lasts for more than fifteen minutes, an administrator or designee, school health or mental health personnel, or a board certified behavioral analyst trained in seclusion and physical restraint must determine whether continued physical restraint or seclusion is necessary and, if so, must make a new determination every thirty minutes. In addition, if physical restraint or seclusion is used on a regular education student four or more times within twenty school days, a team consisting of an administrator, at least one teacher, the parent or guardian, and, if any, a mental health professional must convene to conduct or revise a behavioral assessment and behavioral intervention plan, and consider whether the student may require special education. If physical restraint or seclusion is used on a student receiving special education and related services or who is being evaluated for special education four or more times within twenty school days, then the student's planning and placement team must convene to conduct or revise a behavioral assessment and behavioral intervention plan, including a student's individualized education program.

Furthermore, the Act also prohibits the use of a psychopharmacologic agent on a student without the student's consent, unless used as an emergency intervention to prevent immediate or imminent injury to the student or others, or unless it is an integral part of the student's established medical or behavioral support or educational plan, consistent with the laws governing medication and treatment for individuals with psychiatric disabilities or as part of a licensed practitioner's initial orders.

Public Act 15-141 also includes new requirements regarding documentation of physical restraint and seclusion. The Act requires all instances of physical restraint and seclusion to be documented in the student's education record, including the nature of the emergency, steps taken to deescalate the student and prevent an emergency, a description of the restraint or seclusion, the duration of the restraint or seclusion and the effect of the restraint or seclusion on the student's education plan. In addition, beginning July 1, 2016, boards of education must record specific information as set forth in the law about each instance of physical restraint or seclusion, and annually submit that information to the state, which will provide an annual report to the General Assembly.

Public Act 15-141 also contains a number of requirements for staff training. Importantly, as under the previous law, only school employees who have received appropriate training are permitted to physically restrain a student or to place a student in seclusion. The new Act also requires that boards of education provide training to all school professionals, paraprofessional staff and administrators, and such training shall be phased in over a three-year period. Specifically, this training must include an overview of laws and regulations governing physical restraint and seclusion provided by the Department of Education and the creation of plans by which boards of education will provide training and professional development to all school professionals, paraprofessional staff and administrators regarding the prevention of incidences requiring physical restraint or seclusion and the proper means of using physical restraint and seclusion. These training and professional development plans must be implemented by July 1, 2017 and boards must phase in the training of all school professionals, paraprofessional staff and administrators by July 1, 2019. In addition, by July 1, 2015, and in each subsequent year, boards of education must require each school to identify a crisis intervention team that includes school professionals, paraprofessional staff members and administrators who have been trained in the use of physical restraint and seclusion. The purpose of these crisis intervention teams is to respond to any incident in which the use of physical restraint or seclusion may be necessary. The members of the crisis intervention team must be recertified in the use of physical restraint and seclusion each year.

Boards of education must also develop policies and procedures that establish monitoring and internal reporting of the use of physical restraint and seclusion on students, and must make such policies and procedures available on the board website and in the board's procedures manual. In addition, Public Act 15-141 directs the State Board of Education to develop new regulations concerning the use of physical restraint and seclusion. Boards of education must subsequently update their own policies and procedures regarding restraint and seclusion within sixty days of the state's adoption of those new regulations.

A number of these legislative changes have been incorporated into the district's administrative regulations. However, we are awaiting guidance from the State Department of Education regarding some aspects of the law, and we will need to review and revise the administrative regulations again once such guidance is received.

SEX DISCRIMINATION AND SEXUAL HARASSMENT/STUDENTS

The district's policy and administrative regulations have been updated for clarity and consistency, as well as to reflect a definition for sexual violence.

SMOKING PROHIBITED

This policy was revised to include the new definition of a "vapor product," consistent with Public Act 15-206, "An Act Regulating Electronic Nicotine Delivery Systems and Vapor Products."

STUDENT DISCIPLINE

Public Act 15-96, effective July 1, 2015, puts a moratorium on out-of-school suspensions and expulsions for students in preschool through grade two, with only limited exceptions. Regarding suspensions, the current rules remain in effect for both in-school and out-of-school suspensions for students in grades three through twelve. Now, however, a student in preschool through grade two may only receive an in-school suspension unless, after an informal hearing, the administration determines that an out-of-school suspension is appropriate for the student, based on evidence that the student's conduct on school grounds is of a violent or sexual nature that endangers persons.

Regarding expulsions, the current rules also remain in effect for both discretionary and mandatory expulsions for students in grades three through twelve. In addition, students in kindergarten through second grade are still subject to mandatory expulsions whenever there is reason to believe the student: (1) possessed a firearm or deadly weapon, dangerous instrument or martial arts weapon on school grounds or at a school sponsored activity; (2) possessed and used a firearm, instrument, or weapon in the commission of a crime off school grounds; or (3) offered a controlled substance for sale or distribution on or off school grounds. However, discretionary expulsions are no longer permitted for students in kindergarten through grade two.

Public Act 15-96 also creates a separate provision for the mandatory expulsion of preschool students. In general, preschool students may not be expelled from a preschool program operated by local boards of education. Preschool students, however, must be expelled whenever there is reason to believe that the preschool student was in possession of a firearm on or off school grounds or at a preschool-sponsored event. Such students are entitled to an expulsion hearing, and if the student is found to have committed such an offense, the expulsion must be for one calendar year, subject to modification on a case-by-case basis.

The district's student discipline policy has been amended to reflect these changes.

TRUANCY/STUDENT ATTENDANCE, TRUANCY AND CHRONIC ABSENTEEISM

Public Act 15-225, effective July 1, 2015, adds new obligations for boards of education regarding students who are chronically absent. The new law defines a “chronically absent child” as a child who is enrolled in a school under the jurisdiction of a local or regional board of education and 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 the student has been enrolled at the school during the school year. In addition, the law also requires that an in-school suspension that is greater than or equal to one-half of a school day must be considered an absence, in addition to excused, unexcused and disciplinary absences. “Disciplinary” absences will be further defined by the Department of Education at a later date, which will necessitate further revisions to the district’s policy and administrative regulations at that time.

Where a district chronic absenteeism rate is determined to be ten percent or higher, under the new law, the district must establish a district-wide attendance review team. Where a school in a district has a school chronic absenteeism rate of fifteen percent or higher, the school must establish an attendance review team. If a district has more than one school with a school chronic absenteeism rate of fifteen percent or higher, the district may establish an attendance review team at the district-level or at each school with a high chronic absenteeism rate. Finally, if the district has a chronic absenteeism rate of ten percent or higher, and if one or more schools in the district has a school chronic absenteeism rate of fifteen percent or higher, the district may establish an attendance review committee for the district or at each affected school. A “district chronic absenteeism rate” is determined by dividing the number of chronically absent children in the district by the total number of enrolled children in the district in the previous school year.

Likewise, a “school chronic absenteeism rate” is determined by dividing the number of chronically absent children in a particular school by the total number of enrolled children in the school in the previous school year. The attendance review team, which must meet at least monthly, may consist of school administrators, guidance counselors, school social workers, teachers and representatives from community-based programs. Each attendance review team is responsible for reviewing cases of truants and chronically absent children, discussing school interventions and community referrals for truants and chronically absent children, and making any additional recommendations for such truants and chronically absent children and their parents or guardians.

In addition, Public Act 15-225 also requires boards of education to provide information regarding the number of truants and chronically absent children in the strategic school profile report for each school.

The district’s policy and administrative regulations have been amended to reflect these changes.

For the remainder of the Board’s policies in Section 6, we have no suggested changes.

Series 7: Support Services

PESTICIDE APPLICATION ON SCHOOL PROPERTY

The General Assembly made several changes to required notifications about the application of pesticides at schools. Under current law, parents or guardians and school staff may register to receive prior notice of pesticide application at a school that includes specific information about the application. Section 437 of the Act also requires that the notification provided by schools with integrated pest management plans must include information about the target pests.

The new law also provides for several other notification requirements for schools. As of October 1, 2015, in addition to the existing notification requirements for schools, boards of education must now also provide at least twenty-four hours' notice about the application of a pesticide on the applicable school's homepage (or the district's homepage if there is no school website). In addition, although the legislation is unclear, boards of education may also have a separate obligation to provide such notice through "the primary social media account" of the school or district. In addition, each board of education must indicate on its homepage how parents can register for prior notice of pesticide applications. Furthermore, by March 15 of each year, each board of education must send through the school's or district's email notification or alert system, specific information about each pesticide application since January 1 of that year and a listing of such notices for applications made between March 15 and December 31 of the preceding year. Specifically, this information must include the name of the active ingredient of the pesticide, the target pest, the location of the application on school property, the date of the application and the name of a school official who can be contacted for more information. Finally, each board of education must also print the required email notification in parent handbooks or manuals, although districts are not required to reprint any handbooks or manuals for this purpose.

Finally, Section 438 of the Act provides expanded definitions of pesticides and related materials.

The district's policy and administrative regulations have been updated to include these new requirements.

Please feel free to contact us if you have any questions regarding these revisions.

The following pages are the red-lined version of the recommended policy changes for 2015-2016.

**MANSFIELD BOARD OF EDUCATION
BOARD POLICIES**

Mansfield Board of Education Policy

Section: INSTRUCTION

CURRICULAR EXEMPTIONS

Mandatory Curricular Exemptions:

Upon the written request of a parent or guardian received by the school district prior to planned instruction in the areas set forth below, the Board shall permit curricular exemptions for instruction in the following areas:

1. Dissection;
2. Family life education; or
3. HIV/AIDS
4. Sexual abuse and assault awareness and prevention program (effective upon the implementation of the sexual abuse and assault awareness and prevention program identified or developed by the state).

Definitions:

“Dissection Instruction” is defined as instruction in which a student must participate in, or observe, the dissection of any animal.

“Family Life Education Instruction” is defined as instruction pertaining to family planning, human sexuality, parenting, nutrition and the emotional, physical, psychological, hygienic, economic and social aspects of family life.

“HIV/AIDS Instruction” is defined as ongoing and systematic instruction on Acquired Immune Deficiency Syndrome (AIDS) offered by the district pursuant to state law.

“Sexual abuse and assault awareness and prevention program” is defined as the state-wide program identified or developed by the Department of Children and Families, in collaboration with the Department of Education and Connecticut Sexual Assault Crisis Services, Inc. (or a similar entity) that includes age-appropriate educational materials designed for children in grades kindergarten to twelve, inclusive, regarding child sexual abuse and assault awareness and prevention that may include, but not be limited to, (A) the skills to recognize (i) child sexual abuse and assault, (ii) boundary violations and unwanted forms of touching and contact, and (iii) ways offenders groom or desensitize victims, and (B) strategies to (i) promote disclosure, (ii) reduce self-blame, and (iii) mobilize bystanders.

Written Request for Mandatory Exemption:

Parents who wish to exempt their child from instruction in one of the areas noted above must notify the school district in writing within the first two weeks of school.

Permissive Curricular Exemptions:

Except for the mandatory curricular exemptions noted above, or otherwise required by law, the Board does not require teachers to exempt students from any other aspect of the curriculum.

Alternative Assignments:

1. Any student excused from participating in, or observing, the dissection of any animal as part of classroom instruction shall be required to complete an alternate assignment to be determined by the teacher.
2. Any student excused from any other aspect of the curriculum may be required by the teacher to complete an alternative assignment as determined by the teacher.

Legal References:

Conn. Gen. Stat. § 10-16c.

Conn. Gen. Stat. § 10-16e.

Conn. Gen. Stat. § 10-18d.

Conn. Gen. Stat. § 10-19(b).

Conn. Gen. Stat. § 17a-101q, as amended by Special Session Public Act 15-5, § 415

ADOPTED: 6/22/89

REVISED: 1/27/05; 10/10/13; __/__/14

REVIEWED: 9/10/09; 9/10; 10/13/11; 9/13/12

Section: PERSONNEL

ALCOHOL, TOBACCO AND DRUG-FREE WORKPLACE

PURPOSE

The purpose of this policy is to establish a workplace which is free of the effects of alcohol and second-hand smoke, and free from drug abuse. By accomplishing this purpose, the Board also seeks to promote a safe, healthy working environment for all employees and to reduce absenteeism, tardiness and other job performance problems which may be caused by alcohol and/or drug abuse. This policy is adopted in accordance with state law and the federal Drug Free Workplace Act.

STATEMENT OF POLICY

Employees shall not be involved with the unlawful manufacture, distribution, possession, or use of an illegal drug, controlled substance or alcohol and shall not be under the influence of such substances while on school property or while conducting Board business on or off school property. Any employee who discovers illegal drugs or alcohol on school property shall notify the Superintendent or his/her designee who shall investigate the matter.

An employee must report any conviction under a criminal drug statute for violations occurring on or off school property while on Board business, to the Superintendent or his/her designee within five (5) days after the conviction. The Board will notify any agency awarding a grant to the Board of such conviction, within ten (10) days thereafter.

Employees shall only use prescription drugs on school property, or during the conduct of Board business ~~which, that~~ have been prescribed by a licensed medical practitioner, and such drugs shall be used only as prescribed. However, in accordance with Conn. Gen. Stat. § 21a-408a through 408q, the Board specifically prohibits the palliative use of marijuana on school property, at a school-sponsored activity, or during the conduct of Board business, and specifically prohibits employees from being under the influence of intoxicating substances, including marijuana used for palliative purposes, during work hours.

The Board prohibits smoking, including smoking using an electronic nicotine delivery system (e.g. e-cigarettes) or vapor product, and the use of tobacco products on school property or at any school-sponsored activity. For purposes of this policy, the term "electronic nicotine delivery system" shall mean an electronic device that may be used to simulate smoking in the delivery of nicotine or other substance to a person inhaling from the device and includes, but is not limited to, an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or electronic hookah and any related device and any cartridge or other component of such device, and the term "vapor product" shall mean any product that employs a heating element, power source, electronic circuit or other electronic, chemical or mechanical means, regardless of shape or size, to produce a vapor that may or may not contain nicotine, that is inhaled by the user of such product.

Violations of this policy may result in disciplinary action, up to and including possible termination of employment.

DEFINITIONS

"School property" means any land and all temporary and permanent structures comprising the district's elementary and secondary schools, and administrative office building and includes, but is not limited to, classrooms, hallways, storage facilities, theatres, gymnasiums, fields and parking lots.

“School-sponsored activity” means any activity sponsored, recognized or authorized by a board of education and includes activities conducted on or off school property.

EMPLOYEE ASSISTANCE

In appropriate circumstances, the Board shall provide an employee with an opportunity for rehabilitation in overcoming addiction to, dependence upon or other problem with alcohol or drugs.

An employee who feels he or she has developed an addiction to, dependence upon or other problem with alcohol or drugs, is encouraged to seek assistance. Certain benefits for alcoholism or drug addiction are provided under the Board's group medical insurance plan. An employee may be given an opportunity to participate in a rehabilitation program which requires absence from work for bona fide treatment. Such absence may be charged to the employee's accrued and unused sick leave, subject to the provisions of the employee's collective bargaining agreement and/or any applicable Board policies and regulations.

Any request for assistance with a drug or alcohol problem will be treated as confidential and only those persons "needing to know" will be made aware of such request.

Legal References:

Connecticut General Statutes:

Conn. Gen. Stat. § 10-233a(h) (definition of school-sponsored activity)

Conn. Gen. Stat. § 21a-408a through 408q (palliative use of marijuana)

Public Act 14-76, “An Act Concerning The Governor’s Recommendations Regarding Electronic Nicotine Delivery Systems And Youth Smoking Prevention”

Public Act 15-206, “An Act Regulating Electronic Nicotine Delivery Systems and Vapor Products”

United States Code:

Safe and Drug-Free Schools and Community Act, 41 U.S.C. Section 7101 et seq.

Pro-Children Act of 2001, Pub. L. 107-110, 115 Stat. 1174, 20 U.S.C. § 7183

~~Public Act 14-76, “An Act Concerning The Governor’s Recommendations Regarding Electronic Nicotine Delivery Systems And Youth Smoking Prevention”~~

ADOPTED: 10/10/91
REVISED: 6/24/99; Reclassified from Policy GBO to Policy GBEC on 1/27/05; Revised 06/14/07; 9/10; __/__/14
REVIEWED: 9/10/09; 10/13/11; 9/13/12; 10/10/13

Mansfield Board of Education Policy

Section: PERSONNEL

CERTIFIED STAFF/DEVELOPMENT
Mansfield Board of Education Policy

Section: PERSONNEL

CERTIFIED STAFF/DEVELOPMENT

Statement of Purpose:

“Professional staff development” is viewed by the Board of Education as a continuous systematic effort to improve educational programs in this school system through:

1. professional staff involvement in organized program planning, development, implementation and evaluation efforts.
2. activities to upgrade the knowledge and ability of the total professional staff.

In our rapidly changing society teachers must constantly review curriculum content, teaching methods and materials, educational philosophy and goals, social change and other topics related to education. The Board of Education recognizes that it shares with its certified staff responsibility for the upgrading and updating of teacher professional development. The Board of Education supports the principle of continuing training of teachers and the improvement of instruction.

All certified staff shall be provided opportunities for the development of increased competence beyond that which they may attain through the performance of their assigned duties.

Subjects for Professional Development:

The Board’s professional development plan shall provide teachers, administrators and pupil personnel with information on:

1. The nature and the relationship of drugs and alcohol to health and personality development, and procedures for discouraging their abuse;
2. Health and mental health risk reduction education which includes, but need not be limited to, the prevention of risk-taking behavior by children and the relationship of such behavior to substance abuse, pregnancy, sexually transmitted diseases, including HIV-infection and AIDS, violence, teen dating violence, domestic violence, child abuse and youth suicide;
3. The growth and development of exceptional children, including handicapped and gifted and talented children and children who may require special education, including, but not limited to, children with attention-deficit hyperactivity disorder or learning disabilities, and methods for identifying, planning for and working effectively with special needs children in a regular classroom;
4. School violence prevention, conflict resolution, the prevention of and response to youth suicide and the identification and prevention of and response to bullying;

5. Cardiopulmonary resuscitation and other emergency lifesaving procedures;
6. Computer and other information technology as applied to student learning and classroom instruction, communications and data management;
7. The teaching of the language arts, reading and reading readiness for teachers including the teaching of the reading and assessment of reading competency for teachers in grades kindergarten to three, inclusive;
8. The requirements and obligations of a mandated reporter;
9. Training in the teacher evaluation and support program developed pursuant to subsection (b) of the Connecticut General Statute 10-151b, as amended;
10. Mental health first aid training; and
11. Cultural competency, consistent with the training in cultural competency described in subsection (i) of section 10-145a;
12. The detection and recognition of, and evidence-based structured literacy interventions for, students with dyslexia, as defined by law; and
13. Such other topics as the professional development committee and/or the Board may find appropriate.

Additional Trainings for Selected Personnel:

1. Superintendents and other administrators must complete at least fifteen hours of training in the evaluation of teachers every five years.
2. The Board shall provide physical management training to staff members who will be required to utilize restraint and seclusion techniques.
3. The Board shall provide training for any teacher, administrator or other staff member regarding administration of medications to students, if such staff members will be required to do so.
4. All new school employees must take a training course concerning reporting of child abuse and neglect, and they must take a refresher course every three years thereafter.
5. All persons collecting or using personally identifiable student information must receive training regarding the State's policies and procedures around preserving the confidentiality of such information.
6. All school employees are to be trained annually by the school district at on bloodborne pathogens.
7. For certified employees with an endorsement in special education who hold a position requiring such an endorsement, training in the implementation of student individualized education programs and the communication of individualized education program procedures to parents or guardians of students who require special education and related services.

Standards for Professional Development:

The program of professional development shall be not fewer than eighteen hours in length, of which a preponderance is in a small group or individual instructional setting. The professional development program must:

1. be a comprehensive, sustained and intensive approach to improving teacher and administrator effectiveness in increasing student knowledge achievement;
2. focus on refining and improving various effective teaching methods that are shared between and among educators;
3. foster collective responsibility for improved student performance;
4. be comprised of professional learning that is aligned with state student academic achievement standards, is conducted at the school among educators and facilitated by principals, coaches, mentors and distinguished educators or other appropriate teachers, occurs frequently on an individual basis or among groups of teachers in a job-embedded process of continuous improvement and includes a repository or best practices for teaching methods developed by educators within each school that is continuously available to such educators for comment and updating.

The professional development program shall:

1. improve the integration of reading instruction, literacy and numeracy enhancement, and cultural awareness into instructional practice;
2. include strategies to improve English language learner instruction into instructional practice;
3. be determined by each board of education with the advice and assistance of the teachers employed by such board, in full consideration of priorities and needs related to student outcomes as determined by the State Board of Education;
4. use the results and findings of teacher and administrator performance evaluations, to improve teacher and administrator practice and provide professional growth;
5. Professional development completed by superintendents of schools and administrators, as defined in section 10-144e, shall include at least fifteen hours of training in the evaluation and support of teachers under the teacher and administrator evaluation and support program, pursuant to subdivision (2) of subsection (b) of section 10-151b, during each five-year period. The time and location for the provision of such activities shall be in accordance with either an agreement between the board of education and the exclusive bargaining unit pursuant to section 10-153b or, in the absence of such agreement or to the extent such agreement does not provide for the time and location of all such activities, in accordance with a determination by the board of education.

Professional Development Committee:

The Board shall establish and maintain a professional development committee consisting of ~~certified employees~~ at least one teacher selected by the teachers' union, at least one administrator selected by the administrators' union, and such other school personnel as the Board deems appropriate and compliant with the law, ~~including representatives of the exclusive bargaining representative for teachers and administrators.~~ The duties of such committee shall include, but not be limited to, the development, evaluation and annual updating of a comprehensive local professional development plan for certified employees of the district. Such plan shall:

1. Be directly related to the educational goals prepared by the Board,
2. Be developed with full consideration of the priorities and needs related to student outcomes as determined by the State Board of Education,
3. Provide for the ongoing and systematic assessment and improvement of both teacher evaluation and professional development of the professional staff members, including personnel management and evaluation training or experience for administrators,
4. Be related to regular and special student needs, and
5. May include provisions concerning career incentives and parent involvement.

The Board shall review and, if necessary, revise this policy every three years.

Legal References:

Conn. Gen. Stat. § 10-148a

Conn. Gen. Stat. § 10-220a

ADOPTED: 3/20/86
REVISED: 10/10/91; Reclassified as Policy GCI on 1/27/05; 10/13/11; 9/13/12; 10/10/13; __/__/14
REVIEWED: 9/10/09; 9/10; 10/13/11

Section: PERSONNEL

CHILDREPORTS OF SUSPECTED ABUSE OR NEGLECT REPORTINGOF CHILDREN OR SEXUAL ASSAULT OF STUDENTS BY SCHOOL EMPLOYEES

Conn. Gen. Stat. Section 17a-101 et seq. requires school employees who have reasonable cause to suspect or believe (1) that any child under eighteen has been abused or neglected, or has had a nonaccidental physical injury, or injury which is at variance with the history given of such injury, or has been placed at imminent risk of serious harm, or (2) that any person who is being educated by the technical high school system or a local or regional board of education, other than as part of an adult education program, is a victim of sexual assault, and the perpetrator is a school employee, to report such suspicions to the appropriate authority. In furtherance of this statute and its purpose, it is the policy of the Board of Education to require ALL EMPLOYEES of the Board of Education to report suspected abuse and/or neglect, or nonaccidental physical injury, imminent risk of serious harm or sexual assault of a student by a school employee, in accordance with the procedures set forth below.

1. Scope of Policy

This policy applies not only to school employees who are required by law to report suspected child abuse and/or neglect, nonaccidental physical injury, imminent risk of serious harm or sexual assault of a student by a school employee, but to ALL EMPLOYEES of the Board of Education.

2. Definitions

For the purposes of this policy:

"Abused" means that a child (a) has had physical injury or injuries inflicted upon him or her other than by accidental means, or (b) has injuries which are at variance with the history given of them, or (c) is in a condition which is the result of maltreatment, such as, but not limited to, malnutrition, sexual molestation or exploitation, deprivation of necessities, emotional maltreatment or cruel punishment.

"Neglected" means that a child (a) has been abandoned, or (b) is being denied proper care and attention, physically, educationally, emotionally or morally, or (c) is being permitted to live under conditions, circumstances or associations injurious to his well-being, or (d) has been abused.

"School employee" means (A) Aa teacher, substitute teacher, school administrator, school superintendent, guidance counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by the Board in its schools or who is working in a Board elementary, middle or high school; or (B) any other person who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in the Mansfield Public Schools, pursuant to a contract with the Board.

"Sexual assault" means, for the purposes of the mandatory reporting laws and this policy, a violation of Sections 53a-70, 53a-70a, 53a-71, 53a-72a, 53a-72b or 53a-73a of the Connecticut General Statutes. Please see Appendix A of this policy for the relevant statutory definitions of sexual assault laws and related terms covered by the mandatory reporting laws and this policy.

"Statutory mandated reporter" means an individual required by Conn. Gen. Stat. Section 17a-101 et seq. to report suspected abuse and/or neglect of children or the sexual assault of a student by a school employee. The term "statutory mandated reporter" includes all school employees, as defined above, and any person who holds or is issued a coaching permit by the State Board of Education, is a coach of intramural or interscholastic athletics and is eighteen years of age or older.;

3. What Must Be Reported

a) A report must be made when any employee of the Board of Education in the ordinary course of such person's employment or profession has reasonable cause to suspect or believe that any child under the age of eighteen years:

- a) has been abused or neglected;
- b) has had nonaccidental physical injury, or injury which is at variance with the history given for such injury, inflicted upon him/her; or
- c) is placed at imminent risk of serious harm-iii) is placed at imminent risk of serious harm; or

b) A report must be made when any employee of the Board of Education in the ordinary course of such person's employment or profession has reasonable cause to suspect or believe that any person, regardless of age, who is being educated by the technical high school system or a local or regional board of education, other than as part of an adult education program, is a victim of the following sexual assault crimes, and the perpetrator is a school employee:

- i) sexual assault in first degree;
- ii) aggravated sexual assault in the first degree;
- iii) sexual assault in the second degree;
- iv) sexual assault in the third degree;
- v) sexual assault in the third degree with a firearm; or
- vi) sexual assault in the fourth degree.

Please see Appendix A of this policy for the relevant statutory definitions of sexual assault laws and related terms covered by the mandatory reporting laws and this policy.

c) The suspicion or belief of a Board employee may be based on factors including, but not limited to, observations, allegations, facts or statements by a child or victim, as described above, or a third party. Such suspicion or belief does not require certainty or probable cause.

4. Reporting Procedures for Statutory Mandated Reporters

The following procedures apply only to statutory mandated reporters, as defined above.

When an employee of the Board of Education who is a statutory mandated reporter and who, in the ordinary course of the person's employment, has reasonable cause to suspect or believe that a child has been abused or neglected or placed at imminent risk of serious harm, or is a victim of sexual

assault by a school employee, as described in Paragraph 3, above, the following steps shall be taken.

- (1) The employee shall make an oral report as soon as practicable, but not later than twelve hours after having reasonable cause to suspect or believe that a child has been abused or neglected or placed at imminent risk of serious harm, or is a victim of sexual assault by a school employee. Such oral report shall be made by telephone or in person to the Commissioner of Children and Families or the local law enforcement agency. The Department of ~~children~~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.
- (2) The employee shall also make an oral report as soon as practicable to the Building Principal or his/her designee, and/or the Superintendent or his-~~er~~/her designee. If the Building Principal is the alleged perpetrator of the abuse/neglect or sexual assault of a student, then the employee shall notify the Superintendent or ~~the Superintendent's~~his/her designee directly.
- (3) In cases involving suspected or believed abuse-~~er,~~ neglect or sexual assault of a student by a school employee, the Superintendent or his/her designee shall immediately notify the child's parent or guardian that such a report has been made.
- (4) Not later than forty-eight hours after making an oral report, the employee shall submit a written report to the Commissioner of Children and Families or the Commissioner's designee containing all of the required information. The written report should be submitted on the DCF-136 form or any other form designated for that purpose.
- (5) The employee shall immediately submit a copy of the written report to the Building Principal or his/her designee and to the Superintendent or the Superintendent's designee.
- (6) If the report concerns suspected abuse-~~er,~~ neglect or sexual assault of a student by a school employee holding a certificate, authorization or permit issued by the State Department of Education, the Commissioner of Children and Families (or his/her designee) shall submit a copy of the written report to the Commissioner of Education (or his/her designee).

5. Reporting Procedures for Employees Other Than Statutory Mandated Reporters

The following procedures apply only to employees who are not statutory mandated reporters, as defined above.

- a) When an employee who is not a statutory mandated reporter and who, in the ordinary course of the person's employment or profession, has reasonable cause to suspect or believe that a child has been abused or neglected or placed at imminent risk of serious harm, or is a victim of sexual assault by a school employee, as described in Paragraph 3, above, the following steps shall be taken.
 - (1) The employee shall make an oral report as soon as practicable, but not later than twelve hours after the employee has reasonable cause to suspect or believe that a child has been abused or neglected-~~er,~~ placed at imminent risk of serious harm or is a victim of sexual assault by a school employee. Such oral report shall be made by telephone or in person to the Superintendent of Schools or his/her designee, to be followed by an immediate written report to the Superintendent or his/her designee.

(2) If the Superintendent or his/her designee determines that there is reasonable cause to suspect or believe that a child has been abused or neglected or placed at imminent risk of serious harm or is a victim of sexual assault by school employee, he/she shall cause reports to be made in accordance with the procedures set forth for statutory mandated reporters, set forth above.

b) Nothing in this policy shall be construed to preclude an employee reporting suspected child abuse ~~and/or, neglect or sexual assault by a school employee~~ from reporting the same directly to the Commissioner of Children and Families.

6. Contents of Reports

Any oral or written report made pursuant to this policy shall contain the following information, if known:

- a) The names and addresses of the child* and his/her parents or other person responsible for his/her care;
- b) the age of the child;
- c) the gender of the child;
- d) the nature and extent of the child's injury or injuries, maltreatment or neglect;
- e) the approximate date and time the injury or injuries, maltreatment or neglect occurred;
- f) information concerning any previous injury or injuries to, or maltreatment or neglect of the child or his/her siblings;
- g) the circumstances in which the injury or injuries, maltreatment or neglect came to be known to the reporter;
- h) the name of the person or persons suspected to be responsible for causing such injury or injuries, maltreatment or neglect; and
- i) the reasons such person or persons are suspected of causing such injury or injuries, maltreatment or neglect;
- j) 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
- k) whatever action, if any, was taken to treat, provide shelter or otherwise assist the child.

*For purposes of this Paragraph, the term "child" includes any victim of sexual assault by a school employee, as described in Paragraph 3, above.

7. Investigation of the Report

- a) The Superintendent or his/her designee shall thoroughly investigate reports of suspected abuse ~~and, neglect or sexual assault~~ if/when such report involves an employee of the Board of Education or other individual under the control of the Board, provided such investigation does

not impede an investigation by the Department of Children and Families (“DCF”). In all other cases, DCF shall be responsible for conducting the investigation with the cooperation and collaboration of the Board, as appropriate.

- b) Recognizing that DCF is the lead agency for the investigation of child abuse and neglect reports and reports of a student’s sexual assault by school employees, the Superintendent's investigation shall permit and give priority to any investigation conducted by the Commissioner of Children and Families or the appropriate local law enforcement agency. The Superintendent shall conduct the district’s investigation and take any disciplinary action, consistent with state law, upon notice from the Commissioner of Children and Families or the appropriate local law enforcement agency that the district’s investigation will not interfere with the investigation of the Commissioner of Children and Families or the local law enforcement agency.
- c) The Superintendent shall coordinate investigatory activities in order to minimize the number of interviews of any child or student victim of sexual assault and share information with other persons authorized to conduct an investigation of child abuse or neglect, as appropriate.
- d) Any person reporting child abuse or neglect or the sexual assault of a student by a school employee, or having any information relevant to alleged abuse or neglect or of the sexual assault of a student by a school employee, shall provide the Superintendent with all information related to the investigation that is in the possession or control of such person, except as expressly prohibited by state or federal law.
- e) When the school district is conducting an investigation involving suspected abuse or neglect or sexual assault of a student by an employee of the Board or other individual under the control of the Board, the Superintendent’s investigation shall include an opportunity for the individual suspected of abuse ~~or~~ neglect or sexual assault to be heard with respect to the allegations contained within the report. During the course of such investigation, the Superintendent may suspend a Board employee with pay or may place the employee on administrative leave with pay, pending the outcome of the investigation. If the individual is one who provides services to or on behalf of students enrolled in the Mansfield Public Schools, pursuant to a contract with the Board of Education, the Superintendent may suspend the provision of such services, and direct the individual to refrain from any contact with students enrolled in the Mansfield Public Schools, pending the outcome of the investigation.

8. Evidence of Abuse ~~or~~, Neglect or Sexual Assault by a School Employee

- a) If, upon completion of the investigation by the Commissioner of Children and Families (“Commissioner”), the Superintendent has received a report from the Commissioner that he or she has reasonable cause to believe that (1) a child has been abused or neglected by a school employee, as defined above, and the Commissioner has recommended that such employee be placed on the Department of Children and Families child abuse and neglect registry, or (2) a student is a victim of sexual assault by a school employee, the Superintendent shall request (and the law provides) that DCF notify the Superintendent not later than five (5) working days after such finding, and provide the Superintendent with records, whether or not created by DCF, concerning such investigation. The Superintendent shall suspend such school employee. Such suspension shall be with pay and shall not result in the diminution or termination of benefits to such employee.
- b) Not later than seventy-two (72) hours after such suspension, the Superintendent shall notify the Board of Education and the Commissioner of Education, or the Commissioner of Education's representative, of the reasons for and the conditions of the suspension. The Superintendent shall

disclose such records to the Commissioner of Education and the Board of Education or its attorney for purposes of review of employment status or the status of such employee's certificate, permit or authorization, if any.

- c) The suspension of a school employee employed in a position requiring a certificate shall remain in effect until the Superintendent and/or Board of Education acts pursuant to the provisions of Conn. Gen. Stat. §10-151. If the contract of employment of such certified school employee is terminated, or such certified school employee resigns such employment, the Superintendent shall notify the Commissioner of Education, or the Commissioner of Education's representative, within seventy-two (72) hours after such termination or resignation.
- d) The suspension of a school employee employed in a position requiring an authorization or permit shall remain in effect until the Superintendent and/or Board of Education acts pursuant to any applicable termination provisions. If the contract of employment of a school employee holding an authorization or permit from the State Department of Education is terminated, or such school employee resigns such employment, the Superintendent shall notify the Commissioner of Education, or the Commissioner of Education's representative, within seventy-two hours after such termination or resignation.
- e) Regardless of the outcome of any investigation by the Commissioner of Children and Families and/or the police, the Superintendent and/or the Board, as appropriate, may take disciplinary action, up to and including termination of employment, in accordance with the provisions of any applicable statute, if the Superintendent's investigation produces evidence that a child has been abused or neglected by a school employee or that a student has been a victim of sexual assault by a school employee.
- f) The Mansfield Public Schools shall not employ a person whose employment contract is terminated or who resigned from employment following a suspension pursuant to Paragraph 8(a) of this policy and Conn. Gen. Stat. § 17a-101i, if such person is convicted of a crime involving an act of child abuse or neglect or an act of sexual assault of a student, as described in Paragraph 3 of this policy.

9. Evidence of Abuse or Neglect or Sexual Assault by An Independent Contractor of the Board of Education

If the investigation by the Superintendent and/or the Commissioner of Children and Families produces evidence that a child has been abused or neglected, or a student has been sexually assaulted, by any individual who provides services to or on behalf of students enrolled in the Mansfield Public Schools, pursuant to a contract with the Board of Education, the Superintendent shall permanently suspend the provision of such services, and direct the individual to refrain from any contact with students enrolled in the Mansfield Public Schools.

10. Delegation of Authority by Superintendent

The Superintendent may appoint a designee for the purposes of receiving and making reports, notifying and receiving notification, or investigating reports pursuant to this policy.

11. Confidential Rapid Response Team

No later than January 1, 2016, the Superintendent shall establish a confidential rapid response team to coordinate with DCF to (1) ensure prompt reporting of suspected abuse or neglect or sexual assault of a

student by a school employee, as described in Paragraph 3, above, and (2) provide immediate access to information and individuals relevant to the department's investigation. The confidential rapid response team shall consist of a teacher and the Superintendent, a local police officer and any other person the Board of Education, acting through its Superintendent, deems appropriate.

12. Disciplinary Action for Failure to Follow Policy

Except as provided in Section 12 below, any employee who fails to comply with the requirements of this policy shall be subject to discipline, up to and including termination of employment.

13. The Mansfield Public Schools shall not hire any person whose employment contract was previously terminated by a board of education or who resigned from such employment, if such person has been convicted of a violation of Section 17a-101a of the Connecticut General Statutes, as amended, relating to mandatory reporting, regardless of whether an allegation of abuse or neglect or sexual assault was substantiated.

12.14. ~~Non-discrimination~~Discrimination Policy/Prohibition Against Retaliation

The Board of Education expressly prohibits retaliation against individuals reporting child abuse or neglect or the sexual assault of a student by a school employee and shall not discharge or in any manner discriminate or retaliate against any employee who, in good faith makes, or in good faith does not make, a report pursuant to this policy, or testifies or is about to testify in any proceeding involving abuse or neglect or sexual assault by a school employee. The Board of Education also prohibits any employee from hindering or preventing or attempting to hinder or prevent any employee from making a report pursuant to this policy or state law concerning suspected child abuse or neglect or the sexual assault of a student by a school employee or testifying in any proceeding involving child abuse or neglect or the sexual assault of a student by a school employee.

13.15. Distribution of Policy

This policy shall be distributed annually to all school employees employed by the Board. The Board shall document that all such school employees have received this written policy and completed the training and refresher training programs required by in Section 14, below.

14.16. Training

- a) All new school employees, as defined above, shall be required to complete an educational training program for the accurate and prompt identification and reporting of child abuse and neglect. Such training program shall be developed and approved by the Commissioner of Children and Families.
- b) All school employees, as defined above, shall retake a refresher training course developed and approved by the Commissioner of Children and Families at least once every three years.
- c) The principal for each school shall annually certify to the Superintendent that each school employee, as defined above, working at such school, is in compliance with the training provisions in this policy and as required by state law. The Superintendent shall certify such compliance to the State Board of Education.

15.17. Records

- a) The Board shall maintain in a central location all records of allegations, investigations and reports that a child has been abused or neglected by a school employee, ~~as defined above,~~ employed by the Board, ~~or that a student has been a victim of sexual assault by a school employee employed by the Board, as defined above,~~ and conducted in accordance with this policy. Such records shall include any reports made to the Department of Children and Families. The State Department of Education shall have access to such records upon request. ~~The Board shall maintain the confidentiality of such records in accordance with state and federal law.~~
- b) Notwithstanding the provisions of Conn. Gen. Stat. §10-151c, the Board shall provide the Commissioner of Children and Families, upon request and for the purposes of an investigation by the Commissioner of Children and Families of suspected child abuse or neglect by a teacher employed by the Board, any records maintained or kept on file by the Board. Such records shall include, but not be limited to, supervisory records, reports of competence, personal character and efficiency maintained in such teacher's personnel file with reference to evaluation of performance as a professional employee of the Board, and records of the personal misconduct of such teacher. For purposes of this section, "teacher" includes each certified professional employee below the rank of superintendent employed by the Board in a position requiring a certificate issued by the State Board of Education.

Legal References:

Connecticut General Statutes:

Section 10-151

Section 17a-101 et seq.

Section 17a-103

Section 53a-65

~~Public Act 14-186 "An Act Concerning The Department Of Children And Families And The Protection Of~~ 15-205, "An Act Protecting School Children"

ADOPTED: 5/28/98

REVISED: Revised and Reclassified from Policy JHF to Policy GBEB/JLF on 1/27/05; 12/14/06; 9/10/09; 9/10; 10/13/11; 9/13/12; 10/10/13; __/__/14

Mansfield Board of Education Policy

Section: PERSONNEL

COMPUTER SYSTEMS AND ELECTRONIC DEVICE USE BY EMPLOYEES

Computers, computer networks, electronic devices, Internet access, and e-mail are effective and important technological resources. The Board of Education provides computers, a computer network, including Internet access and an e-mail system, and other electronic devices that access the network such as wireless and/or portable electronic hand-held equipment that can be used for word processing, wireless Internet access, image capture and recording, sound recording, information transmitting and/or receiving, storing, etc. (including, but not limited to, personal laptops, Smartphones, network access devices, Kindles, Nooks, cellular telephones, radios, walkmen, CD players, I-Pads or other tablet computers, walkie-talkies, Blackberries, personal data assistants, I-Phones, Androids and other electronic signaling devices), (referred to collectively as "the computer systems"), in order to enhance both the educational opportunities for our students and the business operations of the district.

These computer systems are business and educational tools. As such, they are made available to Board employees for business and education related uses. The Administration shall develop regulations setting forth procedures to be used by the Administration in an effort to ensure that such computer systems are used for appropriate business and education related purposes.

The In accordance with applicable laws and the Administrative Regulations associated with this Policy, the system administrator and others managing the computer systems may access email or monitor activity on the computer system or electronic devices accessing the computer systems at any time and for any reason or no reason. Typical examples include when there is reason to suspect inappropriate conduct or there is a problem with the computer systems needing correction. Further, the system administrator and others managing the computer systems can access or monitor activity on the systems despite the use of passwords by individual users, and can bypass such passwords. In addition, review of emails, messages or information stored on the computer systems, which can be forensically retrieved, includes those messages and/or electronic data sent, posted and/or retrieved using social networking sites, including, but not limited to, Twitter, Facebook, LinkedIn, YouTube, and MySpace.

Incidental personal use of the computer systems may be permitted solely for the purpose of e-mail transmissions and access to the Internet on a limited, occasional basis. Such incidental personal use of the computer systems, however, is subject to all rules, including monitoring of all such use, as the Superintendent may establish through regulation. Moreover, any such incidental personal use shall not interfere in any manner with work responsibilities.

Users should not have any expectation of personal privacy in the use of the computer system or other electronic devices that access the computer system. Use of the computer system represents an employee's acknowledgement that the employee has read and understands this policy and any applicable regulations in their entirety, including the provisions regarding monitoring and review of computer activity.

Legal References:

Conn. Gen. Stat. § 31-48d

Conn. Gen. Stat. §§ 53a-182; 53a-183; 53a-250

Public Act 15-6, "An Act Concerning Employee Online Privacy"

Electronic Communication Privacy Act, 28 U.S.C. §§ 2510 through 2520

ADOPTED: 6/24/99

REVISED: Revised and Reclassified from Policy FECCA to Policy EDC on 1/27/05; 9/10; 10/13/11; 9/13/12

REVIEWED: 10/10/13; __/__/14

**COMPUTER SYSTEMS AND ELECTRONIC DEVICE USE BY EMPLOYEES
(ADMINISTRATIVE REGULATIONS)**

Introduction.

Computers, computer networks, electronic devices, Internet access, and electronic mail are effective and important technological resources. The Board of Education has installed computers, a computer network, including Internet access and an e-mail system, and may provide electronic devices that access the system, such as personal laptops, Smartphones, I-Pads or other tablet computers, I-Phones, Androids or other mobile or handheld electronic devices, to enhance the educational and business operations of the district. In these regulations, the computers, computer network, electronic devices, Internet access and e-mail system are referred to collectively as "the computer systems."

These computer systems are business and educational tools. As such, they are being made available to employees of the district for district-related educational and business purposes. *All users of the computer systems must restrict themselves to appropriate district-related educational and business purposes.* Incidental personal use of the computer systems may be permitted solely for the purpose of e-mail transmissions and similar communications, including access to the Internet on a limited, occasional basis. Such incidental personal use of the computer systems is subject to all rules, including monitoring of all such use, set out in these regulations. Moreover, any such incidental personal use shall not interfere in any manner with work responsibilities.

These computer systems are expensive to install, own and maintain. Unfortunately, these computer systems can be misused in a variety of ways, some of which are innocent and others deliberate. Therefore, in order to maximize the benefits of these technologies to the district, our employees and all our students, this regulation shall govern *all* use of these computer systems.

Monitoring

It is important for all users of these computer systems to understand that the Board of Education, as the owner of the computer systems, reserves the right to monitor the use of the computer systems to ensure that they are being used in accordance with ~~these regulations~~ federal and state law and these Administrative Regulations. The Board of Education intends to monitor in a limited fashion, but will do so as needed to ensure that the systems are being used appropriately for district-related educational and business purposes and to maximize utilization of the systems for such business and educational purposes. The Superintendent reserves the right to eliminate personal use of the district's computer systems by any or all employees at any time.

The system administrator and others managing the computer systems may access email or monitor activity on the computer system or electronic devices accessing the computer systems at any time and for any reason or no reason, in accordance with federal and state law. Typical examples include when there is reason to suspect inappropriate conduct or there is a problem with the computer systems needing correction. Further, the system administrator and others managing the computer systems can access or monitor activity on the systems despite the use of passwords by individual users, and can bypass such passwords. In addition, review of emails, messages or information stored on the computer systems, which can be forensically retrieved, includes those messages and/or electronic data sent, posted and/or retrieved using social networking sites, including, but not limited to, Twitter, Facebook, LinkedIn, YouTube, and MySpace.

Notwithstanding the above and in accordance with state law, the Board may not: (1) request or require that an employee provide the Board with a user name and password, password or any other authentication means for accessing a personal online account; (2) request or require that an employee authenticate or access a personal online account in the presence of the Board; or (3) require that an employee invite a supervisor employed by the Board or accept an invitation from a supervisor employed by the Board to join a group affiliated with any personal online account of the employee. However, the Board may request or require that an employee provide the Board with a user name and password, password or any other authentication means for accessing (1) any account or service provided by Board or by virtue of the employee's employment relationship with the Board or that the employee uses for the Board's business purposes, or (2) any electronic communications device supplied or paid for, in whole or in part, by the Board.

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

- (A) Conducting an investigation for the purpose of ensuring compliance with applicable state or federal laws, regulatory requirements or prohibitions against work-related employee misconduct based on the receipt of specific information about activity on an employee's personal online account; or
- (B) Conducting an investigation based on the receipt of specific information about an employee's unauthorized transfer of the Board's proprietary information, confidential information or financial data to or from a personal online account operated by an employee or other source.

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

Why Monitor?

The computer systems are expensive for the Board to install, operate and maintain. For that reason alone it is necessary to prevent misuse of the computer systems. However, there are other equally important reasons why the Board intends to monitor the use of these computer systems, reasons that support its efforts to maintain a comfortable and pleasant work environment for all employees.

These computer systems can be used for improper, and even illegal, purposes. Experience by other operators of such computer systems has shown that they can be used for such wrongful purposes as sexual harassment, intimidation of co-workers, threatening of co-workers, breaches of confidentiality, copyright infringement and the like.

Monitoring will also allow the Board to continually reassess the utility of the computer systems, and whenever appropriate, make such changes to the computer systems as it deems fit. Thus, the Board monitoring should serve to increase the value of the system to the district on an ongoing basis.

Privacy Issues.

Employees must understand that the Board has reserved the right to conduct monitoring of these computer systems and can do so *despite* the assignment to individual employees of passwords for system security. Any password systems implemented by the district are designed solely to provide system security from unauthorized users, not to provide privacy to the individual system user.

The system's security aspects, message delete function and personal passwords can be bypassed for monitoring purposes.

Therefore, employees must be aware that they should not have any expectation of personal privacy in the use of these computer systems. This provision applies to any and all uses of the district's computer systems, including any incidental personal use permitted in accordance with these regulations.

Use of the computer system represents an employee's acknowledgement that the employee has read and understands these regulations and any applicable policy in their entirety, including the provisions regarding monitoring and review of computer activity.

Prohibited Uses.

Inappropriate use of district computer systems is expressly prohibited, including, but not limited to, the following:

- Sending any form of solicitation not directly related to the business of the Board of Education;
- Sending any form of slanderous, harassing, threatening, or intimidating message, at any time, to any person (such communications *may* also be a *crime*);
-
- Gaining or seeking to gain unauthorized access to computer systems;
- Downloading or modifying computer software of the district in violation of the district's licensure agreement(s) and/or without authorization from supervisory personnel;
- Sending any message that breaches the Board of Education's confidentiality requirements, including the confidentiality rights of students;
- Sending any copyrighted material over the system;
- Sending messages for any purpose prohibited by law;
- Transmission or receipt of inappropriate e-mail communications or accessing inappropriate information on the Internet, including vulgar, lewd or obscene words or pictures;
- Using computer systems for any purposes, or in any manner, other than those permitted under these regulations.
- Using social networking sites such as Facebook, Twitter, MySpace and LinkedIn in a manner that violates the Board's Social Media policy.

In addition, if a particular behavior or activity is generally prohibited by law and/or Board of Education policy, use of these computer systems for the purpose of carrying out such activity and/or behavior is also prohibited.

Electronic Communications

The Board expects that all employees will comply with all applicable Board policies and standards of professional conduct when engaging in any form of electronic communication, including texting, using the district's computer system, or through using of any electronic device or mobile device owned, leased, or used by the Board. As with any form of communication, the Board expects district personnel to exercise caution and

appropriate judgment when using electronic communications with students, colleagues and other individuals in the context of fulfilling an employee's job-related responsibilities.

Disciplinary Action.

Misuse of these computer systems will not be tolerated and will result in disciplinary action up to and including termination of employment. Because no two situations are identical, the Board reserves the right to determine the appropriate discipline for any particular set of circumstances.

Complaints of Problems or Misuse.

Anyone who is aware of problems with, or misuse of these computer systems, or has a question regarding the appropriate use of the computer systems, should report this to his or her supervisor or to the Superintendent of Schools.

Most importantly, the Board urges *any* employee who receives *any* harassing, threatening, intimidating or other improper message through the computer systems to report this immediately. It is the Board's policy that no employee should be required to tolerate such treatment, regardless of the identity of the sender of the message. *Please report these events!*

Notification Regarding Electronic Monitoring

In accordance with the provisions of Connecticut General Statutes Section 31-48d, the Board of Education hereby gives notice to all its employees of the potential use of electronic monitoring in its workplace. While the Board may not actually engage in the use of electronic monitoring, it reserves the right to do so as the Board and/or the Administration deem appropriate in their discretion, consistent with the provisions set forth in this Notice.

"Electronic monitoring," as defined by Connecticut General Statutes Section § 31-48d, means the collection of information on the Board's premises concerning employees' activities or communications, by any means other than direct observation of the employees. Electronic monitoring includes the use of a computer, telephone, wire, radio, camera, electromagnetic, photoelectronic or photo-optical systems. The law does not cover the collection of information (A) for security purposes in any common areas of the Board's premises which are open to the public, or (B) which is prohibited under other state or federal law.

The following specific types of electronic monitoring may be used by the Board in its workplaces:

- Monitoring of e-mail and other components of the Board's computer systems for compliance with the Board's policies and regulations concerning use of such systems, including monitoring of electronic devices such as PDAs, Smartphones, mobile or handheld devices that access the computer systems, for compliance with the Board's policies and regulations concerning use of such systems.
- Video and/or audio surveillance within school buildings (other than in restrooms, locker rooms, lounges and other areas designed for the health or personal comfort of employees or for the safeguarding of their possessions), on school grounds and on school buses and other vehicles providing transportation to students and/or employees of the school system.
- Monitoring of employee usage of the school district's telephone systems.

The law also provides that, where electronic monitoring may produce evidence of misconduct, the Board may use electronic monitoring without any prior notice when the Board has reasonable grounds to believe employees

are engaged in conduct that (i) violates the law, (ii) violates the legal rights of the Board or other employees, or (iii) creates a hostile work environment.

Questions about electronic monitoring in the workplace should be directed to the Superintendent.

REVISED: 9/10; 10/13/11; 9/13/12

REVIEWED: 10/10/13; __/__/14

**CONCUSSION TRAINING FOR ATHLETIC COACHES
(ADMINISTRATIVE REGULATIONS)**

For purposes of these administrative regulations concerning training regarding concussions and head injuries, the term “coach” means any person who holds or is issued a coaching permit by the Connecticut State Department of Education and who is hired by the Mansfield Board of Education to coach intramural or interscholastic athletics.

Mandatory Training Concerning Concussions

1. Any coach of intramural or interscholastic athletics, who holds or is issued a coaching permit, must, before commencing his/her coaching assignment for the season, complete an initial training course concerning concussions, which are a type of brain injury. --This training course must be approved by the State Department of Education.
2. Coaches must provide proof of initial course completion to the Athletic Director or his/her designee prior to commencing their coaching assignments for the season in which they coach.
3. One year after receiving an initial training, and every year thereafter, coaches must review current and relevant information regarding concussions prior to commencing their coaching assignments for the season. This current and relevant information shall be that approved by the State Department of Education. Coaches need not review this information in the year they are required to take a refresher course, as discussed below.
4. Coaches must complete a refresher course concerning concussions and head injuries not later than five (5) years after receiving their initial training course, and once every five (5) years thereafter. Coaches must provide proof of refresher course completion to the Athletic Director or his/her designee prior to commencing their coaching assignments for the season in which they coach.
5. The Board shall consider a coach as having successfully completed the initial training course regarding concussions and head injuries if such coach completes a course that is offered by the governing authority for intramural and interscholastic athletics and is substantially similar, as determined by the Department of Education, to the training course required by subsection 1 of these administrative regulations, provided such substantially similar course is completed on or after January 1, 2010, but prior to the date the State Board of Education approves the training course discussed in subsection 1 of these administrative regulations.

Concussion Management

1. Any coach of any intramural or interscholastic athletics shall immediately remove a student athlete from participating in any intramural or interscholastic athletic activity who:
 - a. is observed to exhibit signs, symptoms or behaviors consistent with a concussion following an observed or suspected blow to the head or body; or
 - b. is diagnosed with a concussion, regardless of when such concussion may have occurred.

2. Upon removal from participation, a school principal, teacher, licensed athletic trainer, licensed physical or occupational therapist employed by a school district, or coach shall notify the student athlete's parent or legal guardian that the student athlete has exhibited such, signs, symptoms or behaviors consistent with a concussion or has been diagnosed with a concussion. Such principal, teacher, licensed athletic trainer, licensed physical or occupational therapist employed by a school district, or coach shall provide such notification not later than twenty-four (24) hours after such removal and shall make a reasonable effort to provide such notification immediately after such removal.
3. The coach shall not permit such student athlete to participate in any supervised team 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 team activities involving physical exertion from a licensed health care professional trained in the evaluation and management of concussions.
4. Following receipt of clearance, the coach shall not permit such student athlete to participate in any full, unrestricted supervised team activities without limitations on contact or physical exertion, including, but not limited to, practices, games or competitions, until such student athlete:
 - a. no longer exhibits signs, symptoms or behaviors consistent with a concussion at rest or with exertion; and
 - b. receives written clearance to participate in such full, unrestricted supervised team activities from a licensed health care professional trained in the evaluation and management of concussions.
5. The Board shall prohibit a student athlete from participating in any intramural or interscholastic athletic activity unless the student athlete, and a parent or guardian of such athlete receives training regarding the concussion education plan developed or approved by the State Board of Education by:
 - a. reading written materials;
 - b. viewing online training videos; or
 - c. attending in-person training regarding the concussion education plan developed or approved by the State Board of Education.
6. The Board shall annually provide each participating student athlete's parent or legal guardian with a copy of an informed consent form approved by the State Board of Education and obtain the parent or guardian's signature, attesting to the fact that such parent or guardian has received a copy of such form and authorizes the student athlete to participate in the athletic activity.

Reporting Requirements

1. The school principal, teacher, licensed athletic trainer, licensed physical or occupational therapist employed by a school district, or coach who informs a student athlete's parent or guardian of the possible occurrence of a concussion shall also report such incident to the nurse supervisor, or designee.
2. The nurse supervisor, or designee, shall follow-up on the incident with the student and/or the student's parent or guardian and maintain a record of all incidents of diagnosed concussions. Such record shall include, if know:
 - a. The nature and extent of the concussion; and

- b. The circumstances in which the student sustained the concussion.
- 3. The nurse supervisor, or designee, shall annually provide such record to the State Board of Education.

Miscellaneous

- 1. For purposes of these administrative regulations, “licensed health care professional” means a physician licensed pursuant to Chapter 370 of the Connecticut General Statutes, a physician assistant licensed pursuant to Chapter 370 of the Connecticut General Statutes, an advanced practice registered nurse licensed pursuant to Chapter 378 of the Connecticut General Statutes, or an athletic trainer licensed pursuant to Chapter 375a of the Connecticut General Statutes.
- 2. Should a coach fail to adhere to the requirements of these administrative regulations, the coach may be subject to discipline up to and including termination, as well as permit revocation by the State Board of Education.

Legal References

Conn. Gen. Stat. § 10-149b. Training courses for coaches re concussions and head injuries.

Conn. Gen. Stat. § 10-149c. Student athletes and concussions. Removal from athletic activities.

Public Act 14-66, “An Act Concerning Youth Athletics And Concussions”

ADOPTED: 9/10
REVISED: 10/13/11; 9/13/12; __/__/14
REVIEWED: 10/10/13

Section: PERSONNEL

EMPLOYMENT CHECKS (ADMINISTRATIVE REGULATIONS)

Each applicant for a position with the district shall be asked whether he/she has ever been convicted of a crime, whether there are any criminal charges pending against him/her at the time of application, and whether the applicant is included on the Abuse and Neglect Registry of the Connecticut Department of Children and Families ("DCF") (the "Registry") or an equivalent database maintained in another state if the applicant's current or most recent employment occurred out of state. Applicants shall not be required to disclose any arrest, criminal charge or conviction that has been erased.

A. Reference Checking Procedures

Prior to hiring any person, the district shall make a documented good faith effort to contact previous employers of the person in order to obtain information and recommendations that may be relevant to the person's fitness for employment.

B. DCF Registry Checks

Prior to hiring any person for a position requiring a certificate, authorization or permit issued by the State Board of Education, the district shall require such applicant to submit to a records check of information maintained on the Registry concerning the applicant.

Prior to hiring any person for any position, including one that does not require a certificate, authorization or permit issued by the State Board of Education, the district shall also require such applicant to submit to a records check of information maintained on the Registry concerning the applicant.

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

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

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

its out of state equivalent within such ten-day period, without good cause, will be grounds for the withdrawal of the offer of employment.

- 3) Upon receipt of Registry or out of state registry information indicating previously undisclosed information concerning abuse or neglect investigations concerning the successful job applicant/employee, the Superintendent or his/her designee will notify the affected applicant/employee in writing of the results of the Registry check and will provide an opportunity for the affected applicant/employee to respond to the results of the Registry check.
- 4) If notification is received by the Superintendent or designee that that the applicant is listed as a perpetrator of abuse or neglect on the Registry, the Superintendent or designee shall provide the applicant with an opportunity to be heard regarding the results of the Registry check. If warranted by the results of the Registry check and any additional information provided by the applicant, the Superintendent or designee shall revoke the offer of employment and/or terminate the applicant's employment if he or she has already commenced working for the district.

C. Criminal Records Check Procedure

Each person hired by the district shall be required to submit to state and national criminal record checks within thirty (30) days from the date of employment. Each worker placed within a school under a public assistance employment program, or employed by a provider of supplemental services pursuant to the No Child Left Behind Act, or in a nonpaid, noncertified position completing preparation requirements for the issuance of an educator certificate, who performs a service involving direct student contact shall also be required to submit to state and national criminal record checks within thirty (30) days from the date such worker begins to perform such service. Record checks will be processed according to the following procedure:*

- 1) No later than ten (10) calendar days after the Superintendent or his/her designee has notified a job applicant of a decision to hire the applicant, or as soon thereafter as practicable, the Superintendent will supply the applicant with a packet containing all documents and materials necessary for the applicant to be fingerprinted by EastConn or other appropriate agency. This packet shall also contain all documents and materials necessary for the police department to submit the completed fingerprints to the State Police Bureau of Identification for the processing of state and national criminal record checks.
- 2) No later than ten (10) calendar days after the Superintendent has provided the successful job applicant with the fingerprinting packet, the applicant must arrange to be fingerprinted by EastConn or other appropriate agency. Failure of the applicant to have his/her fingerprints taken within such ten-day period, without good cause, will be grounds for the withdrawal of the offer of employment.
- 3) Any person for whom criminal records checks are required to be performed pursuant to these administrative regulations must pay all fees and costs associated with the fingerprinting process and/or the submission or processing of the requests for criminal record checks.
- 4) Upon receipt of a criminal record check indicating a previously undisclosed conviction, the Superintendent or his/her designee will notify the affected applicant/employee in writing of the results of the record check and will provide an opportunity for the affected applicant/employee to respond to the results of the criminal record check.
- 5) Decisions regarding the effect of a conviction upon an applicant/employee, whether disclosed or undisclosed by the applicant/employee, will be made on a case-by-case basis.

D. Sex Offender Registry Checks

School district personnel shall cross-reference the Connecticut Department of Public Safety's sexual offender registry prior to hiring any new employee. Registration as a sexual offender constitutes grounds for denial of employment opportunities.

E. Credit Checks

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

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

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

F. Notice of Conviction

If, at any time, the Board of Education receives notice of a conviction of a crime by 1) a person holding a certificate, authorization or permit issued by the State Board of Education, or 2) a person employed by a provider of supplemental services, the Board shall send such notice to the State Board of Education.

G. School Nurses

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

H. Substitute Teachers

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

- 1) If the state and national criminal history record checks for a substitute teacher have been completed within one year prior to the date the district hired the substitute teacher, and if the substitute teacher arranged for such prior criminal history record checks to be forwarded to the Superintendent, then the substitute teacher will not be required to submit to another criminal history record check at the time of such hire.
- 2) If a substitute teacher submitted to state and national criminal history record checks upon being hired by the district, then the substitute teacher will not be required to submit to another criminal history record check so long as the substitute teacher is continuously employed by the district, that is, employed for at least one day of each school year, by the district.

I. Personal Online Accounts

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

- 1) During the course of an employment check, the Board may not:
 - (a) request or require that an applicant provide the Board with a user name and password, password or any other authentication means for accessing a personal online account;
 - (b) request or require that an applicant authenticate or access a personal online account in the presence of the Board; or
 - (c) require that an applicant invite a supervisor employed by the Board or accept an invitation from a supervisor employed by the Board to join a group affiliated with any personal online account of the applicant.
- 2) The Board may request or require that an applicant provide the Board with a user name and password, password or any other authentication means for accessing:
 - (a) any account or service provided by Board or by virtue of the applicant's employment relationship with the Board or that the applicant uses for the Board's business purposes, or
 - (b) any electronic communications device supplied or paid for, in whole or in part, by the Board.
- 3) In accordance with applicable law, the Board maintains the right to require an applicant to allow the Board to access his or her personal online account, without disclosing the user name and password, password or other authentication means for accessing such personal online account, for the purpose of:
 - (a) conducting an investigation for the purpose of ensuring compliance with applicable state or federal laws, regulatory requirements or prohibitions against work-related employee misconduct based on the receipt of specific information about activity on an applicant's personal online account; or

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

J. Policy Inapplicable to Operators of School Transportation Vehicles and Students Employed by the School District

- 1) This policy shall not apply to an operator of a school transportation vehicle who is already required to submit to a criminal history records check pursuant to Connecticut General Statutes § 14-44 (d).
- 2) This policy shall also not apply to a student employed by the local or regional school district in which the student attends school.

JK. Falsification of Records

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

Legal References:

Conn. Gen. Stat. § 10-221d. Criminal history records checks of school personnel. Fingerprinting. Termination or dismissal.

Conn. Gen. Stat. § 10-212. School nurses and nurse practitioners

Conn. Gen. Stat. § 31-51tt

Public Act 15-6, "An Act Concerning Employee Online Privacy"

No Child Left Behind Act of 2001, Public Law 107-110

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

REVISED: 9/10; 10/13/11; 9/13/12; 10/10/13; __/__/14

Mansfield Board of Education Policy

Section: PERSONNEL

SMOKING PROHIBITED

The Mansfield Board of Education prohibits smoking, including smoking using an electronic nicotine delivery system (e.g. e-cigarettes) or vapor product, on the real property of any school or administrative office building or at any school-sponsored activity. Real property means the land and all temporary and permanent structures comprising the district's elementary and secondary schools, and administrative office building, and includes, but is not limited to, classrooms, hallways, storage facilities, theatres, gymnasiums, fields and parking lots. ~~As defined by Conn. Gen. Stat. § 10-233a(h), a school-sponsored activity "means any activity sponsored, recognized or authorized by a board of education and includes activities conducted on or off school property."~~ For purposes of this policy, the term "electronic nicotine delivery system" shall mean an electronic device that may be used to simulate smoking in the delivery of nicotine or other substance to a person inhaling from the device and includes, but is not limited to, an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or electronic hookah and any related device and any cartridge or other component of such device, ~~and the term "vapor product" shall mean any product that employs a heating element, power source, electronic circuit or other electronic, chemical or mechanical means, regardless of shape or size, to produce a vapor that may or may not contain nicotine, that is inhaled by the user of such product.~~ As defined by Conn. Gen. Stat. § 10-233a(h), a school-sponsored activity "means any activity sponsored, recognized or authorized by a board of education and includes activities conducted on or off school property."

Legal References:

~~Connecticut General Statutes:~~

Conn. Gen. Stat. § 10-233a(h) Pro-Children Act of 2001, Pub. L. 107-110, 115 Stat. 1174, 20 U.S.C. § 7183

Public Act 14-76, "An Act Concerning The Governor's Recommendations Regarding Electronic Nicotine Delivery Systems And Youth Smoking Prevention"

Public Act 15-206, "An Act Regulating Electronic Nicotine Delivery Systems and Vapor Products"

~~United States Code:~~

~~Pro-Children Act of 2001, 20 U.S.C. § 7183~~

Conn. Gen. Stat. § 10-233a(h)

ADOPTED: 10/14/93

REVISED: Revised and Reclassified from Policy GBK/KGC to Policy GBED/JICG/KF on 1/27/05; __/__/14

REVIEWED: 9/10/09; 9/10; 10/13/11; 9/13/12; 10/10/13

Mansfield Board of Education Policy

Section: SCHOOL, COMMUNITY AND HOME RELATIONS

SMOKING PROHIBITED

The Mansfield Board of Education prohibits smoking, including smoking using an electronic nicotine delivery system (e.g. e-cigarettes) or vapor product, on the real property of any school or administrative office building or at any school-sponsored activity. Real property means the land and all temporary and permanent structures comprising the district's elementary and secondary schools, and administrative office building and includes, but is not limited to, classrooms, hallways, storage facilities, theatres, gymnasiums, fields and parking lots. As defined by Conn. Gen. Stat. § 10-233a(h), a school-sponsored activity "means any activity sponsored, recognized or authorized by a board of education and includes activities conducted on or off school property." For purposes of this policy, the term "electronic nicotine delivery system" shall mean an electronic device that may be used to simulate smoking in the delivery of nicotine or other substance to a person inhaling from the device and includes, but is not limited to, an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or electronic hookah and any related device and any cartridge or other component of such device—, and the term "vapor product" shall mean any product that employs a heating element, power source, electronic circuit or other electronic, chemical or mechanical means, regardless of shape or size, to produce a vapor that may or may not contain nicotine, that is inhaled by the user of such product. As defined by Conn. Gen. Stat. § 10-233a(h), a school-sponsored activity "means any activity sponsored, recognized or authorized by a board of education and includes activities conducted on or off school property."

Legal References:

Connecticut General Statutes:

Conn. Gen. Stat. § 10-233a(h) Pro-Children Act of 2001, Pub. L. 107-110, 115 Stat. 1174, 20 U.S.C. § 7183

Public Act 14-76, "An Act Concerning The Governor's Recommendations Regarding Electronic Nicotine Delivery Systems And Youth Smoking Prevention"

United States Code:

Public Act 15-206, "An Act Regulating Electronic Nicotine Delivery Systems and Vapor Products"

Pro-Children Act of 2001, 20 U.S.C. § 7183

Conn. Gen. Stat. § 10-233a(h)

ADOPTED: 10/14/93
REVISED: 5/23/02; 1/27/05; __/__/14
REVIEWED: 9/10/09; 9/10; 10/13/11; 9/13/12; 10/10/13

Mansfield Board of Education Regulation

Section: STUDENTS

ADMINISTRATION OF STUDENT MEDICATIONS IN THE SCHOOLS (ADMINISTRATIVE REGULATIONS)

A. Definitions

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

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

Before or After School Program means any child care program operated and administered by a local or regional board of education exempt from licensure by the ~~Department~~Office of Public Health~~Early Childhood~~ pursuant to subdivision (1) of subsection (b) of Section 19a-77 of the Connecticut General Statutes. Such programs do not include public or private entities licensed by the ~~Department of Public Health~~Office of Early Childhood or board of education enhancement programs and extra-curricular activities.

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

Coach means any person holding a coaching permit who is hired by a local or regional board of education to coach for a sport season.

Controlled drugs means those drugs as defined in Conn. Gen. Stat. Section 21a-240.

Cumulative health record means the cumulative health record of a pupil mandated by Conn. Gen. Stat. Section 10-206.

Director means the person responsible for the day-to-day operations of any school readiness program or before-and-after school program.

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

Error means:

- (1) the failure to do any of the following as ordered:
 - (a) administer a medication to a student;

- (b) administer medication within the time designated by the prescribing physician;
 - (c) administer the specific medication prescribed for a student;
 - (d) administer the correct dosage of medication;
 - (e) administer medication by the proper route;
 - (f) administer the medication according to generally accepted standards of practice; or
- (2) the administration of medication to a student which is not ordered, or which is not authorized in writing by the parent or guardian of such student, except for the administration of epinephrine for the purpose of emergency first aid as permitted by state law and regulations and Section D below.

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

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

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

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

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

Medication means any medicinal preparation, both prescription and non-prescription, including controlled drugs, as defined in Conn. Gen. Stat. Section 21a-240. This definition includes Aspirin, Ibuprofen or Aspirin substitutes containing Acetaminophen.

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

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

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

Nurse means an advanced practice registered nurse, a registered nurse or a practical nurse licensed in Connecticut in accordance with Chapter 378, Conn. Gen. Stat.

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

Optometrist means an optometrist licensed to provide optometry pursuant to Chapter 380 of the Connecticut General Statutes.

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

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

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

Podiatrist means an individual licensed to practice podiatry in Connecticut pursuant to Chapter 375 of the Connecticut General Statutes.

Principal means the administrator in the school.

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

School means any educational facility or program which is under the jurisdiction of the Board excluding extracurricular activities.

School nurse means a nurse appointed in accordance with Conn. Gen. Stat. Section 10-212.

School nurse supervisor means the nurse designated by the local or regional board of education as the supervisor or, if no designation has been made by the board, the lead or coordinating nurse assigned by the board.

School readiness program means a program that receives funds from the State Department of Education for a school readiness program pursuant to subsection (b) of Section 10-16p of the Connecticut General Statutes and exempt from licensure by the ~~Department~~Office of ~~Public Health~~Early Childhood pursuant to subdivision (1) of subsection (b) of Section 19a-77 of the Connecticut General Statutes.

Self-administration of medication means the control of the medication by the student at all times and is self-managed by the student according to the individual medication plan.

Teacher means a person employed full time by Board who has met the minimum standards as established by Board for performance as a teacher and has been approved by the school medical advisor

and school nurse to be designated to administer medications pursuant to the Regulations of Connecticut State Agencies Sections 10-212a-1 through 10-212a-7.

B. General Policies On Administration of Medications

- (1) Except as provided ~~in subsection D below~~ in Section D, no medication, including non-prescription drugs, may be administered by any school personnel without:
 - (a) the written medication order of an authorized prescriber;
 - (b) the written authorization of the student's parent or guardian or eligible student; and
 - (c) the written permission of a parent for the exchange of information between the prescriber and the school nurse necessary to ensure safe administration of such medication.
- (2) Prescribed medications shall be administered to and taken by only the person for whom the prescription has been written.
- (3) ~~Medications~~ Except as provided in Section D, medications may be administered only by a licensed nurse; or, in the absence of a licensed nurse, by:
 - (a) a full-time principal, a full-time teacher, or a full-time licensed physical or occupational therapist employed by the school district. A full-time principal, teacher, licensed physical or occupational therapist employed by the school district may administer oral, topical, intranasal or inhalant medications. Such individuals may administer injectable medications only to a student with a medically diagnosed allergic condition that may require prompt treatment to protect the student against serious harm or death.
 - (b) students with chronic medical conditions who are able to self-administer medication, provided all of the following conditions are met:
 - (i) an authorized prescriber provides a written medication order, including the recommendation for such self-administration;
 - (ii) there is a written authorization for self-administration from the student's parent or guardian or eligible student;
 - (iii) the school nurse has developed a plan for self-administration and general supervision, and has documented the plan in the student's cumulative health record;
 - (iv) the school nurse has assessed the student's competency for self-administration and deemed it safe and appropriate, including that the student: is capable of identifying and selecting the appropriate medication by size, color, amount or other label identification; knows the frequency and time of day for which the medication is ordered; can identify the presenting symptoms that require medication; administers the medication appropriately; maintains safe control of the medication at all times; seeks adult supervision whenever warranted; and cooperates with the established medication plan.
 - (v) the principal, appropriate teachers, coaches and other appropriate school personnel are informed the student is self-administering prescribed medication;

- (vi) such medication is transported to school and maintained under the student's control in accordance with this policy;
 - (vii) controlled drugs, as defined in this policy, may not be self-administered by students, except in extraordinary situations, such as international field trips, with approval of the school nurse supervisor and the school medical advisor in advance and development of an appropriate plan.
- (c) a student diagnosed with asthma who is able to self-administer medication shall be permitted to retain possession of an asthmatic inhaler at all times while attending school, in order to provide for prompt treatment to protect such child against serious harm or death, provided all of the following conditions are met:
- (i) an authorized prescriber provides a written order requiring the possession of an inhaler by the student at all times in order to provide for prompt treatment in order to protect the child against serious harm or death and authorizing the student's self-administration of medication, and such written order is provided to the school nurse;
 - (ii) there is a written authorization from the student's parent or guardian regarding the possession of an inhaler by the student at all times in order to protect the child against serious harm or death and authorizing the student's self-administration of medication, and such written authorization is provided to the school nurse;
 - (iii) the conditions set forth in subsection (b) above have been met, except that the school nurse's review of a student's competency to self-administer an inhaler for asthma in the school setting shall not be used to prevent a student from retaining and self-administering an inhaler for asthma. Students may self-administer medication with only the written authorization of an authorized prescriber and written authorization from the student's parent or guardian or eligible student;
 - (iv) the conditions for self-administration meet any regulations as may be imposed by the State Board of Education in consultation with the Commissioner of Public Health.
- (d) a student diagnosed with an allergic condition who is able to self-administer medication shall be permitted to retain possession of an automatic prefilled injection cartridge or similar automatic injectable equipment at all times while attending school, in order to provide for prompt treatment to protect such child against serious harm or death, provided all of the following conditions are met:
- (i) an authorized prescriber provides a written order requiring the possession of an automatic prefilled injection cartridge or similar automatic injectable equipment by the student at all times in order to provide for prompt treatment in order to protect the child against serious harm or death and authorizing the student's self-administration of medication, and such written order is provided to the school nurse;
 - (ii) there is a written authorization from the student's parent or guardian regarding the possession of an automatic prefilled injection cartridge or similar automatic injectable equipment by the student at all times in order to protect the child

against serious harm or death and authorizing the student's self-administration of medication, and such written authorization is provided to the school nurse;

- (iii) the conditions set forth in subsection (b) above have been met, except that the school nurse's review of a student's competency to self-administer cartridge injectors for medically-diagnosed allergies in the school setting shall not be used to prevent a student from retaining and self-administering a cartridge injector for medically-diagnosed allergies. Students may self-administer medication with only the written authorization of an authorized prescriber and written authorization from the student's parent or guardian or eligible student;
 - (iv) the conditions for self-administration meet any regulations as may be imposed by the State Board of Education in consultation with the Commissioner of Public Health.
- (e) a coach of intramural or interscholastic athletic events or licensed athletic trainer, who has been trained in the administration of medication, during intramural or interscholastic athletic events, may administer inhalant medications prescribed to treat respiratory conditions and/or medication administered with a cartridge injector for students with medically diagnosed allergic conditions which may require prompt treatment to protect the student against serious harm or death, provided all of the following conditions are met:
- (i) the school nurse has determined that a self-administration plan is not viable;
 - (ii) the school nurse has provided to the coach a copy of the authorized prescriber's order and parental permission form;
 - (iii) the parent/guardian has provided the coach or licensed athletic trainer with the medication in accordance with Section H of this policy, and such medication is separate from the medication stored in the school health office for use during the school day; and
 - (iv) the coach or licensed athletic trainer agrees to the administration of emergency medication and implements the emergency care plan, identified in Section E of this policy, when appropriate.
- (f) an identified school paraprofessional who has been trained in the administration of medication, provided medication is administered only to a specific student in order to protect that student from harm or death due to a medically diagnosed allergic condition, except as provided in Section D below, and the following additional conditions are met:
- (i) there is written authorization from the student's parents/guardian to administer the medication in school;
 - (ii) medication is administered pursuant to the written order of (A) a physician licensed under chapter 370, ~~370~~, (B) an optometrist licensed to practice optometry under chapter 380, (C) an advanced practice registered nurse licensed to prescribe in accordance with section 20-94a of the Connecticut General Statutes, or (D) a physician assistant licensed to prescribe in accordance with section 20-12d of the Connecticut General Statutes; and

- (iii) medication is administered only with approval by the school nurse and school medical advisor, if any, in conjunction with the school nurse supervisor, and under the supervision of the school nurse; and
 - (iv) the medication to be administered is limited to medications necessary for prompt treatment of an allergic reaction, including, but not limited to, a cartridge injector; and
 - (v) the paraprofessional shall have received proper training and supervision from the school nurse in accordance with this policy and state regulations
- (g) a principal, teacher, licensed athletic trainer, licensed physical or occupational therapist employed by the Board, coach or school paraprofessional, provided medication is antiepileptic medication, including by rectal syringe, administered only to a specific student with a medically diagnosed epileptic condition that requires prompt treatment in accordance with the student's individual seizure action plan, and the following additional conditions are met:
- (i) there is written authorization from the student's parents/guardians to administer the medication; and
 - (ii) a written order for such administration has been received from the student's physician licensed under Chapter 370 of the Connecticut General Statutes; and
 - (iii) the principal, teacher, licensed athletic trainer, licensed physical or occupational therapist employed by the Board, coach or school paraprofessional is selected by the school nurse and school medical advisor, if any, and voluntarily agrees to administer the medication; and
 - (iv) the principal, teacher, licensed athletic trainer, licensed physical or occupational therapist employed by the Board, coach or school paraprofessional annually completes the training program established by the Connecticut State Department of Education and the Association of School Nurses of Connecticut, and the school nurse and medical advisor, if any, have attested, in writing, that such training has been completed; and
 - (v) the principal, teacher, licensed athletic trainer, licensed physical or occupational therapist employed by the Board, coach or school paraprofessional receives monthly reviews by the school nurse to confirm competency to administer antiepileptic medication.
- (h) a director of a school readiness program or a before or after school program, or the director's designee, provided that the medication is administered:
- (i) only to a child enrolled in such program; and
 - (ii) in accordance with Section JK of this policy.
- (hi) a licensed practical nurse, after the school nurse has established the medication plan, provided that the licensed practical nurse may not train or delegate the administration of

medication to another individual, and provided that the licensed practical nurse can demonstrate one of the following:

- (i) training in administration of medications as part of their basic nursing program;
 - (ii) successful completion of a pharmacology course and subsequent supervised experience; or
 - (iii) supervised experience in the administration of medication while employed in a health care facility.
- (4) Medications may also be administered by a parent or guardian to his/her own child on school grounds.
- (5) Investigational drugs or research or study medications may be administered only by a licensed nurse. For FDA-approved medications being administered according to a study protocol, a copy of the study protocol shall be provided to the school nurse along with the name of the medication to be administered and the acceptable range of dose of such medication to be administered.

C. Diabetic Students

- (1) The Mansfield Board of Education permits blood glucose testing by students who have a written order from a physician stating the need and capability of such student to conduct self-testing.
- (2) The Board will not restrict the time or location of blood glucose testing by a student with diabetes on school grounds who has written authorization from a parent or guardian and a written order from a physician stating that such child is capable of conducting self-testing on school grounds.
- (3) In the absence or unavailability of the school nurse, select school employees may administer medication with injectable equipment used to administer glucagon to a student with diabetes that may require prompt treatment in order to protect the student against serious harm or death, under the following conditions:
 - (a) The student's parent or guardian has provided written authorization.
 - (b) A written order for such administration has been received from the student's physician licensed under Chapter 370 of the Connecticut General Statutes.
 - (c) The school employee is selected by either the school nurse or principal and is a principal, teacher, licensed athletic trainer, licensed physical or occupational therapist employed by a school district, coach or school paraprofessional.
 - (d) The school nurse shall provide general supervision to the selected school employee.
 - (e) The selected school employee annually completes any training required by the school nurse and school medical advisor in the administration of medication with injectable equipment used to administer glucagon.
 - (f) The school nurse and school medical advisor have attested in writing that selected school employee completed the required training.

- (g) The selected school employee voluntarily agrees to serve as one who may administer medication with injectable equipment used to administer glucagon to a student with diabetes that may require prompt treatment in order to protect the student against serious harm or death.

D. Epinephrine for Purposes of Emergency First Aid Without Prior Authorization

- (1) For purposes of this Section D, "regular school hours" means the posted hours during which students are required to be in attendance at the individual school on any given day.
- (2) The school nurse shall maintain epinephrine in cartridge injectors for the purpose of emergency first aid to students who experience allergic reactions and do not have prior written authorization of a parent or guardian or a prior written order of a qualified medical professional for the administration of epinephrine.
- (2a) The school nurse, in consultation with the school nurse supervisor, shall determine the supply of epinephrine in cartridge injectors that shall be available in the individual school.
- (b) In determining the appropriate supply of epinephrine in cartridge injectors, the nurse may consider, among other things, the number of students regularly in the school building during the regular school day and the size of the physical building.
- (3) The school nurse or school principal shall select principal(s), teacher(s), licensed athletic trainer(s), licensed physical or occupational therapist(s) employed by the Board, coach(es) and/or school paraprofessional(s) to maintain and administer the epinephrine in cartridge injectors for the purpose of emergency first aid as described in Paragraph (1) above, in the absence of the school nurse.
- (a) More than one individual must be selected by the school nurse or school principal for such maintenance and administration in the absence of the school nurse.
- (3b) The selected personnel, as described in Paragraph (2) above before conducting such administration, must annually complete the training made available by the Department of Education for the administration of epinephrine in cartridge injectors for the purpose of emergency first aid before conducting such administration.
- (c) The selected personnel must voluntarily agree to complete the training and administer epinephrine in cartridge injectors for the purpose of emergency first aid.
- (4) Either the school nurse or, in the absence of the school nurse, at least one of the selected and trained personnel as described in Paragraph (2) above shall be on the grounds of ~~the~~each school during regular school hours.
- (a) The school principal, in consultation with the school nurse supervisor, shall determine the level of nursing services and number of selected and trained personnel necessary to ensure that a nurse or selected and trained personnel is present on the grounds of each school during regular school hours;
- (b) If the school nurse, or a substitute school nurse, is absent or must leave school grounds during regular school hours, the school nurse, school administrator or designee shall send an email to all staff indicating that the selected and trained personnel identified in

Paragraph (2) above shall be responsible for the emergency administration of epinephrine;

- (5) The administration of epinephrine pursuant to this section must be done in accordance with ~~these Administrative Regulations~~this policy, including but not limited to the requirements for documentation and record keeping, errors in medication, emergency medical procedures, and the handling, storage and disposal of medication; and the Regulations adopted by the Department of Education.
- (6) The parent or guardian of any student may submit, in writing, to the school nurse ~~and/or~~ school medical advisor, ~~in~~if any, that epinephrine shall not be administered to such student pursuant to this section.

(a) The school nurse shall notify selected and trained personnel of the students whose parents or guardians have refused emergency administration of epinephrine;

(b) The Board shall annually notify parents or guardians of the need to provide such written notice.

(7) Following the emergency administration of epinephrine by selected and trained personnel as identified in this section:

(a) Such emergency administration shall be reported immediately to:

(i) The school nurse or school medical advisor, if any, by the personnel who administered the epinephrine; and

(ii) The student's parent or guardian, by the school nurse or personnel who administered the epinephrine.

(b) A medication administration record shall be:

(i) Submitted to the school nurse by the personnel who administered the epinephrine as soon as possible, but no later than the next school day; and

(ii) filed in or summarized on the student's cumulative health record, in accordance with Section E of this policy.

E. Documentation and Record Keeping

(1) Each school or before-and-after school program and school readiness program where medications are administered shall maintain an individual medication administration record for each student who receives medication during school or program hours. This record shall include the following information:

- (a) the name of the student;
- (b) the student's state-assigned student identifier (SASID);
- (c) the name of the medication;
- (~~ed~~) the dosage of the medication;
- (~~ed~~) the route of the administration, (i.e., oral, topical, inhalant, etc.);
- (~~ef~~) the frequency of administration;

- (fg) the name of the authorized prescriber;
 - (gh) the dates for initiating and terminating the administration of medication, including extended year programs;
 - (hi) the quantity received at school and verification by the adult delivering the medication of the quantity received;
 - (ij) the date the medication is to be reordered (if any);
 - (jk) any student allergies to food and/or medication(s);
 - (kl) the date and time of each administration or omission, including the reason for any omission;
 - (lm) the dose or amount of each medication administered; and,
 - (mn) the full written or electronic legal signature of the nurse or other authorized school personnel administering the medication;
 - (no) for controlled medications, a medication count which should be conducted and documented at least once a week and co-signed by the assigned nurse and a witness.
- (2) All records are either to be made in ink and shall not be altered, or recorded electronically in a record that cannot be altered.
 - (3) Written orders of authorized prescribers, written authorizations of parent or guardian, the written parental permission for the exchange of information by the prescriber and school nurse to ensure safe administration of such medication, and the completed medication administration record for each student shall be filed in the student's cumulative health record or, for before-and-after school programs and school readiness programs, in the child's program record.
 - (4) Authorized prescribers may make verbal orders, including telephone orders, for a *change* in medication order. Such verbal orders may be received only by a school nurse and must be followed by a written order, which may be faxed, and must be received within three (3) school days.
 - (5) Medication administration records will be made available to the Department of Education for review until destroyed pursuant to Section 11-8a and Section 10-212a(b) of the Connecticut General Statutes.
 - (a) The completed medication administration record for non-controlled medications may, at the discretion of the school district, be destroyed in accordance with Section M8 of the Connecticut Record Retention Schedules for Municipalities, so long as it is superseded by a summary on the student health record.
 - (b) The completed medication administration record for controlled medications shall be maintained in the same manner as the non-controlled medications. In addition, a separate medication administration record needs to be maintained in the school for three (3) years pursuant to Section 10-212a(b) of the Connecticut General Statutes.
 - (6) Documentation of any administration of medication by a coach or licensed athletic trainer shall be completed on forms provided by the school and the following procedures shall be followed:
 - (a) a medication administration record for each student shall be maintained in the athletic offices;
 - (b) administration of a cartridge injector medication shall be reported to the school nurse at the earliest possible time, but no later than the next school day;

- (c) all instances of medication administration, except for the administration of cartridge injector medication, shall be reported to the school nurse at least monthly, or as frequently as required by the individual student plan; and
- (d) the administration of medication record must be submitted to the school nurse at the end of each sport season and filed in the student's cumulative health record.

F. Errors In Medication Administration

- (1) Whenever any error in medication administration occurs, the following procedures shall apply:
 - (a) the person making the error in medication administration shall immediately implement the medication emergency procedures in this Policy if necessary;
 - (b) the person making the error in medication administration shall in all cases immediately notify the school nurse, principal, school nurse supervisor, and authorized prescriber. The person making the error, in conjunction with the principal, shall also immediately notify the parent or guardian, advising of the nature of the error and all steps taken or being taken to rectify the error, including contact with the authorized prescriber and/or any other medical action(s).
 - (c) the principal shall notify the Superintendent or the Superintendent's designee.
- (2) The school nurse, along with the person making the error, shall complete a report using the authorized medication error report form. The report shall include any corrective action taken.
- (3) Any error in the administration of medication shall be documented in the student's cumulative health record or, for before-and-after school programs and school readiness programs, in the child's program record.
- (4) These same procedures shall apply to coaches and licensed athletic trainers during intramural and interscholastic events, except that if the school nurse is not available, a report must be submitted by the coach or licensed athletic trainer to the school nurse the next school day.

G. Medication Emergency Procedures

- (1) Whenever a student has a life-threatening reaction to administration of a medication, resolution of the reaction to protect the student's health and safety shall be the foremost priority. The school nurse and the authorized prescriber shall be notified immediately, or as soon as possible in light of any emergency medical care that must be given to the student.
- (2) Emergency medical care to resolve a medication emergency includes but is not limited to the following, as appropriate under the circumstances:
 - (a) use of the 911 emergency response system;
 - (b) application by properly trained and/or certified personnel of appropriate emergency medical care techniques, such as cardio-pulmonary resuscitation;
 - (c) administration of emergency medication in accordance with this policy;
 - (d) contact with a poison control center; and
 - (e) transporting the student to the nearest available emergency medical care facility that is capable of responding to a medication emergency.

- (3) As soon as possible, in light of the circumstances, the principal shall be notified of the medication emergency. The principal shall immediately thereafter contact the Superintendent or the Superintendent's designee, who shall thereafter notify the parent or guardian, advising of the existence and nature of the medication emergency and all steps taken or being taken to resolve the emergency and protect the health and safety of the student, including contact with the authorized prescriber and/or any other medical action(s) that are being or have been taken.

H. Supervision

- (1) The school nurse is responsible for general supervision of administration of medications in the school(s) to which that nurse is assigned.
- (2) The school nurse's duty of general supervision includes, but is not limited to the following:
 - (a) availability on a regularly scheduled basis to:
 - (i) review orders or changes in orders, and communicate these to personnel designated to give medication for appropriate follow-up;
 - (ii) set up a plan and schedule to ensure medications are given properly;
 - (iii) provide training to licensed nursing personnel, full-time principals, full-time teachers, full-time licensed physical or occupational therapists employed by the school district, coaches of intramural and interscholastic athletics, licensed athletic trainers and to identified paraprofessionals designated in accordance with Section B(3)(ef), above, which training shall pertain to the administration of medications to students, and assess the competency of these individuals to administer medication;
 - (iv) support and assist other licensed nursing personnel, full-time principals, full-time teachers, full-time licensed physical or occupational therapists employed by the school district, coaches of intramural and/or interscholastic athletics, licensed athletic trainers and identified paraprofessionals designated in accordance with Section B(3)(ef), above, to prepare for and implement their responsibilities related to the administration of specific medications during school hours and during intramural and interscholastic athletics as provided by this policy;
 - (v) provide appropriate follow-up to ensure the administration of medication plan results in desired student outcomes; and
 - (vi) provide consultation by telephone or other means of telecommunications, which consultation may be provided by an authorized prescriber or other nurse in the absence of the school nurse.
 - (b) In addition, the school nurse shall be responsible for:
 - (i) implementing policies and procedures regarding the receipt, storage, and administration of medications;
 - (ii) reviewing, on a periodic basis, all documentation pertaining to the administration of medications for students;

- (iii) perform observations of the competency of medication administration by full-time principals, full-time teachers, full-time licensed physical or occupational therapists employed by the school district, coaches of intramural and/or interscholastic athletics and licensed athletic trainers in accordance with Section B(3)(e), above, and identified paraprofessionals designated in accordance with Section B(3)(f), above, who have been newly trained to administer medications; and,
- (iv) conducting periodic reviews, as needed, with licensed nursing personnel, full-time principals, full-time teachers, full-time licensed physical or occupational therapists employed by the school district, coaches of intramural and/or interscholastic athletics and licensed athletic trainers in accordance with Section B(3)(e), above, and identified paraprofessionals designated in accordance with Section B(3)(f), above, regarding the needs of any student receiving medication.

I. Training of School Personnel

- (1) Full-time principals, full-time teachers, full-time licensed physical or occupational therapists employed by the school district, coaches of intramural and/or interscholastic athletics and licensed athletic trainers in accordance with Section B(3)(e), above, and identified paraprofessionals designated in accordance with Section B(3)(f), above, who are designated to administer medications shall at least annually receive training in their safe administration; and only trained full-time principals, full-time teachers, full-time licensed physical or occupational therapist employed by the school district, coaches of intramural and/or interscholastic athletics and licensed athletic trainers in accordance with Section B(3)(e), above, and identified paraprofessionals designated in accordance with Section B(3)(f), above, shall be allowed to administer medications.
- (2) Training for full-time principals, full-time teachers, full-time licensed physical or occupational therapists employed by the school district, coaches of intramural and/or interscholastic athletics and licensed athletic trainers in accordance with Section B(3)(e), above, and identified paraprofessionals designated in accordance with Section B(3)(f), above, shall include, but is not necessarily limited to the following:
 - (a) the general principles of safe administration of medication;
 - (b) the procedures for administration of medications, including the safe handling and storage of medications, and the required record-keeping;
 - (c) specific information related to each student's medication plan, including the name and generic name of the medication, indications for medication dosage, routes, time and frequency of administration, therapeutic effects of the medication, potential side effects, overdose or missed doses of the medication, and when to implement emergency interventions.
- (3) The principal(s), teacher(s), licensed athletic trainer(s), licensed physical or occupational therapist(s) employed by the Board, coach(es) and/or school paraprofessional(s) who administer epinephrine as emergency first aid, pursuant to Section D above, shall annually completed the training program developed by the Departments of Education and Public Health and training in cardiopulmonary resuscitation and first aid.

(4) The Board shall maintain documentation of medication administration training as follows:

- (a) dates of general and student-specific trainings;
- (b) content of the trainings;
- (c) individuals who have successfully completed general and student-specific administration of medication training for the current school year; and
- (d) names and credentials of the nurse or school medical advisor, (if any), trainer or trainers.

(45) Licensed practical nurses may not conduct training in the administration of medication to another individual.

J. Handling, Storage and Disposal of Medications

- (1) All medications, except those approved for transporting by students for self-medication and those administered by coaches of intramural or interscholastic athletics or licensed athletic trainers in accordance with Section B(3)(e) above, and epinephrine to be used for emergency first aid in accordance with Section D above, must be delivered by the parent, guardian, or other responsible adult to the nurse assigned to the student's school or, in the absence of such nurse, the school principal who has been trained in the appropriate administration of medication. Medications administered by coaches of intramural or interscholastic athletics or licensed athletic trainers must be delivered by the parent or guardian directly to the coach or licensed athletic trainer in accordance with Section B(3)(e) above.
- (2) The nurse shall examine on-site any new medication, medication order and the required authorization to administer form, and, except for epinephrine to be used as emergency first aid in accordance with Section D above, shall develop a medication administration plan for the student before any medication is given to the student by any school personnel. No medication shall be stored at a school without a current written order from an authorized prescriber.
- (3) The school nurse shall review all medication refills with the medication order and parent authorization prior to the administration of medication, except for epinephrine intended for emergency first aid in accordance with Section D above.
- (4) Emergency Medications
 - (a) Except as otherwise determined by a student's emergency care plan, emergency medications shall be stored in an unlocked, clearly labeled and readily accessible cabinet or container in the health room during school hours under the general supervision of the school nurse, or in the absence of the school nurse, the principal or the principal's designee who has been trained in the administration of medication;
 - (b) Emergency medication shall be locked beyond the regular school day or program hours, except as otherwise determined by a student's emergency care plan.
- (5) All medications, except those approved for keeping by students for self-medication, shall be kept in a designated and locked location, used exclusively for the storage of medication. Controlled substances shall be stored separately from other drugs and substances in a separate, secure, substantially constructed, locked metal or wood cabinet.

- (6) Access to stored medications shall be limited to persons authorized to administer medications. Each school or before-and-after school program and school readiness program shall maintain a current list of such authorized persons.
- (7) All medications, prescription and non-prescription, shall be delivered and stored in their original containers and in such a manner that renders them safe and effective.
- (8) At least two sets of keys for the medication containers or cabinets shall be maintained for each school building or before-and-after school program and school readiness program. One set of keys shall be maintained under the direct control of the school nurse or nurses and an additional set shall be under the direct control of the principal and, if necessary, the program director or lead teacher who has been trained in the general principles of the administration of medication shall also have a set of keys.
- (9) Medications that must be refrigerated shall be stored in a refrigerator, at no less than 36 degrees Fahrenheit and no more than 46 degrees Fahrenheit. The refrigerator must be located in the health office that is maintained for health services with limited access. Non-controlled medication may be stored directly on the refrigerator shelf with no further protection needed. Controlled medication shall be stored in a locked box which is affixed to the refrigerator shelf.
- (10) All unused, discontinued or obsolete medications shall be removed from storage areas and either returned to the parent or guardian or, if the medication cannot be returned to the parent or guardian, the medication shall be destroyed in collaboration with the school nurse:
 - (a) non controlled drugs shall be destroyed in the presence of at least one witness;
 - (b) controlled drugs shall be destroyed in pursuant to Section 21a-262-3 of the Regulations of Connecticut State Agencies;
 - (c) accidental destruction or loss of controlled drugs must be verified in the presence of a second person, including confirmation of the presence or absence of residue and jointly documented on the student medication administration record and on a medication error form pursuant to Section 10-212a(b) of the Connecticut General Statutes. If no residue is present, notification must be made to the Department of Consumer Protection pursuant to Section 21a-262-3 of the Regulations of Connecticut State Agencies.
- (11) Medications to be administered by coaches of intramural or interscholastic athletic events or licensed athletic trainers shall be stored:
 - (a) in containers for the exclusive use of holding medications;
 - (b) in locations that preserve the integrity of the medication;
 - (c) under the general supervision of the coach or licensed athletic trainer trained in the administration of medication; and
 - (d) in a locked secured cabinet when not under the general supervision of the coach or licensed athletic trainer during intramural or interscholastic athletic events.
- (12) In no event shall a school store more than a three (3) month supply of a medication for a student.

K. School Readiness Programs and Before-and-After School Programs

- (1) As determined by the school medical advisor, (if any), and school nurse supervisor, the following procedures shall apply to the administration of medication during school readiness programs and before-and-after school programs run by the Board, which are exempt from licensure by the Department of Public Health Office of Early Childhood:
 - (a) Administration of medication at these programs shall be provided only when it is medically necessary for participants to access the program and maintain their health status while attending the program.
 - (b) ~~No~~ Except as provided by Section D above, no medication shall be administered in these programs without:
 - (i) the written order of an authorized prescriber; and
 - (ii) the written authorization of a parent or guardian or an eligible student.
 - (c) A school nurse shall provide consultation to the program director, lead teacher or school administrator who has been trained in the administration of medication regarding the safe administration of medication within these programs. The school medical advisor (if any) and school nurse supervisor shall determine whether, based on the population of the school readiness program and/or before-and-after school program, additional nursing services are required for these programs.
 - (d) Only school nurses, directors or directors' designees, 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 or other registered nurse. Properly trained directors or directors' designees, lead teachers or school administrators may administer oral, topical, intranasal or inhalant medications. Investigational drugs or research or study medications may not be administered in these programs.
 - (e) Students attending these programs may be permitted to self-medicate only in accordance with the provisions of Section B(3) of this policy. In such a case, the school nurse must provide the program director, lead teacher or school administrator running the program with the medication order and parent permission for self-administration.
 - (f) In the absence of the school nurse during program administration, the program director, lead teacher or school administrator is responsible for decision making regarding medication administration.
 - (g) Cartridge injector medications may be administered by a director, lead teacher or school administrator only to a student with a medically-diagnosed allergic condition which may require prompt treatment to protect the student against serious harm or death.
- (2) Local poison control center information shall be readily available at these programs.
- (3) Procedures for medication emergencies or medication errors, as outlined in this policy, must be followed, except that in the event of a medication error a report must be submitted by the program director, lead teacher or school administrator to the school nurse the next school day.

- (4) Training for directors or directors' designees, lead teachers or school administrators in the administration of medication shall be provided in accordance with Section HI of this policy.
- (5) All medications must be handled and stored in accordance with Section H of this policy. Where possible, a separate supply of medication shall be stored at the site of the before-and-after or school readiness program. In the event that it is not possible for the parent or guardian to provide a separate supply of medication, then a plan shall be in place to ensure the timely transfer of the medication from the school to the program and back on a daily basis.
- (6) Documentation of any administration of medication shall be completed on forms provided by the school and the following procedures shall be followed:
 - (a) a medication administration record for each student shall be maintained by the program;
 - (b) administration of a cartridge injector medication shall be reported to the school nurse at the earliest possible time, but no later than the next school day;
 - (c) all instances of medication administration, except for the administration of cartridge injector medication, shall be reported to the school nurse at least monthly, or as frequently as required by the individual student plan; and
 - (d) the administration of medication record must be submitted to the school nurse at the end of each school year and filed in the student's cumulative health record.
- (7) The procedures for the administration of medication at school readiness programs and before-and-after school programs shall be reviewed annually by the school medical advisor, if any, and school nurse supervisor.

L. Review and Revision of Policy

In accordance with the provisions of Section 10-212a-2(a), the Board shall review this policy periodically, and at least biennially, with the advice and approval of the school medical advisor, ~~(if any), the school nurse supervisor,~~ or other qualified licensed physician, and the school nurse supervisor. Any proposed revisions to the policy must be made with the advice and approval of the school medical advisor, school nurse supervisor or other qualified licensed physician.

Legal References:

Connecticut General Statutes:

Section 10-206
 Section 10-212
 Section 10-212a
 Section 19a-900
 Section 21a-240
 Section 52-557b

Public Act 15-215, An Act Concerning Various Additions to the Education Statutes

Regulations of Conn. State Agencies:

Sections 10-212a-1 through 10-212a-10, inclusive

Memorandum of Decision, In Re: Declaratory Ruling/Delegation by Licensed Nurses to Unlicensed Assistive Personnel, Connecticut State Board of Examiners for Nursing (April 5, 1995)

Code of Federal Regulations:
Title 21 Part 1307.21

~~Public Act 14-176, "An Act Concerning The Storage And Administration Of Epinephrine At Public Schools."~~

ADOPTED: 4/24/90

REVISED: 3/30/92; 3/1/94; 12/20/95; 1/27/05, 12/14/06, 06/14/07; __/__/08; 9/10; 10/13/11; 9/13/12;
10/10/13; __/__/14

REVIEWED: 9/10/09

REFUSAL TO PERMIT ADMINISTRATION
OF EPINEPHRINE FOR EMERGENCY FIRST AID

REFUSAL TO PERMIT ADMINISTRATION
OF EPINEPHRINE FOR EMERGENCY FIRST AID

Name of Child: _____ Date of Birth: _____

Address of Child: _____

Name of Parent(s): _____

Address of Parent(s): _____
(if different from child)

Connecticut law requires the school nurse and other qualified school personnel in all public schools to maintain epinephrine in cartridge injectors (EpiPens) for the purpose of administering emergency first aid to students who experience allergic reactions and do not have a prior written authorization of a parent or guardian or a prior written order of a qualified medical professional for the administration of epinephrine. State law permits the parent or guardian of a student to submit a written directive to the school nurse or school medical advisor that epinephrine shall not be administered to such student in emergency situations. This form is provided for those parents who refuse to have epinephrine administered to their child. The refusal is valid for only for the 20 -20 school year.

I, _____, the parent/guardian of _____,
Print name of parent/guardian Print name of student

refuse to permit the administration of epinephrine to the above named student for purposes of emergency first aid in the case of an allergic reaction.

Signature of Parent/Guardian Date

Please return the completed original form to your child's school nurse or school medical advisor,
[Insert name of medical advisor] at
[Insert address of medical advisor].

Mansfield Board of Education Regulation

Section: STUDENTS

COMPUTER SYSTEMS AND INTERNET SAFETY (ADMINISTRATIVE REGULATIONS)

Introduction

We are pleased to offer students access to the district's computers and computer networks, including access to electronic mail (e-mail) and the Internet, as well as electronic devices, (all of which will be referred to collectively as "computer systems".) Access to the school's computer systems will enable students to explore libraries, databases, and bulletin boards while exchanging messages with others. Such access is provided solely for education-related purposes. Use of the district's computer systems will be allowed only for students who act in a considerate and responsible manner in using such systems.

The Board of Education and the Administration believe in the educational value of such computer systems and recognize their potential to support our curriculum by expanding resources available for staff and student use. Our goal in providing this service is to promote educational excellence by facilitating resource sharing, innovation and communication.

These computer systems are expensive to purchase, install and maintain. As the property of the district these computer systems must be carefully handled and their integrity preserved for the benefit of all. Therefore, *access to the computer systems is a privilege, and not a right*. Students will be required to adhere to a set of policies and procedures, as set forth in detail below. Violations may lead to withdrawal of the access privilege and/or disciplinary measures in accordance with the Board's student discipline policy.

Definitions

Obscene – means any material or performance if, a) taken as a whole, it predominantly appeals to the prurient interest, b) it depicts or describes in a patently offensive way a prohibited sex act and c) taken as a whole, does not have serious literary, artistic, political or scientific value. For the purposes of this section, "prohibited sex act" means erotic fondling, nude performance, sexual excitement, sado-masochistic abuse, masturbation or sexual intercourse.

Child pornography – means any visual depiction, including any photograph, film, video, picture, cartoon, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where -

- (a) the production of such visual depiction involves the use of a minor engaging in sexually explicit conduct;
- (b) such visual depiction is, or appears to be, of a minor engaging in sexually explicit conduct;
- (c) such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct.

Harmful to minors – any picture, image, graphic image file, or other visual depiction that:

- (a) taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;
- (b) depicts, describes or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
- (c) taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

Monitoring

Students are responsible for good behavior on school computer systems just as they are in a classroom or a school hallway. Communications on the computer systems are often public in nature and general school rules for behavior and communications apply. It is expected that users will comply with district standards and will act in a responsible and legal manner, at all times in accordance with district standards, as well as with state and federal laws.

It is important that students and parents understand that the district, *as the owner of the computer systems, reserves the right to monitor and review* the use of these computer systems. The district intends to monitor and review in a limited fashion, but will do so as needed to ensure that the systems are being used for district-related educational purposes.

As part of the monitoring and reviewing process, the district will retain the capacity to bypass any individual password of a student or other user. *The system's security aspects, such as personal passwords and the message delete function for e-mail, can be bypassed for these purposes.* The district's ability to monitor and review is not restricted or neutralized by these devices. The monitoring and reviewing process also includes, but is not limited to; oversight of Internet site access, the right to review emails sent and received, the right to track students' access to blogs, electronic bulletin boards and chat rooms, and the right to review a student's document downloading and printing.

Therefore, all users must be aware that *they should not have any expectation of personal privacy in the use of these computer systems.*

Student Conduct

Students are permitted to use the district's computer systems for legitimate educational purposes. Personal use of district computer systems is expressly prohibited. Conduct which constitutes inappropriate use includes, but is not limited to the following:

- ◆ Sending any form of harassing, threatening, or intimidating message, at any time, to any person (such communications may also be a crime);
- ◆ Gaining or seeking to gain unauthorized access to computer systems;
- ◆ Damaging computers, computer files, computer systems or computer networks;
- ◆ Downloading or modifying computer software of the district in violation of the district's licensure agreement(s) and/or without authorization from a teacher or administrator;
- ◆ Using another person's password under any circumstances;
- ◆ Trespassing in or tampering with any other person's folders, work or files;

- ◆ Sending any message that breaches the district's confidentiality requirements, or the confidentiality of students;
- ◆ Sending any copyrighted material over the system;
- ◆ Using computer systems for any personal purpose, or in a manner that interferes with the district's educational programs;
- ◆ Accessing or attempting to access any material that is obscene, contains child pornography, or is harmful to minors, as defined above;
- ◆ Transmitting or receiving e-mail communications or accessing information on the Internet for non-educational purposes;
- ◆ Cyberbullying;
- ◆ Accessing or attempting to access social networking sites (e.g. Facebook, Twitter, MySpace, etc.) without a legitimate educational purpose.

In addition, as noted above, if a particular behavior or activity is generally prohibited by law, by Board policy or by school rules or regulations, use of these computer systems for the purpose of carrying out such behavior or activity is also prohibited.

Misuse of the computer systems, or violations of these policies and regulations, may result in loss of access to such computer systems as well as other disciplinary action, including suspension and/or expulsion, depending on the specific conduct.

Anyone who is aware of problems with, or misuse of these computer systems, or has a question regarding the proper use of these computer systems, should report this to his or her teacher or principal immediately. Most importantly, the Board and the Administration urge *any* student who receives *any* harassing, threatening, intimidating or other improper message through the computer system to report this immediately. It is the Board's policy that no student should be required to tolerate such treatment, regardless of the identity of the sender of the message. *Please report these events!*

Internet Safety

The Administration will take measures: to assure the safety and security of students when using e-mail, chat rooms, and other forms of direct electronic communications; to prohibit unauthorized access, including "hacking" and other unlawful activities by minors online; to prohibit unauthorized disclosure, use, and dissemination of personally identifiable information regarding students; to educate minor students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyber-bullying awareness and response; and to restrict students' access to online materials harmful to minors, including obscene materials and child pornography.

Legal References:

Children's Internet Protection Act, Pub. Law 106-554, codified at 47 U.S.C. § 254(h)
 Electronic Communication Privacy Act, 18 U.S.C. §§ 2510 through 2520
 No Child Left Behind Act of 2001, Pub. L. 107-110, codified at 20 U.S.C. § 6777

Protecting Children in the 21st Century Act, Pub. Law 110-385, codified at 47 U.S.C. § 254(h)(5)(B)(iii)
18 U.S.C. § 2256 (definition of child pornography)
Miller v. California, 413 U.S. 15 (1973) (definition of obscene)
Conn. Gen. Stat. § 10-221, as amended by Public Act 15-215, § 17, “An Act Concerning Various Revisions and Additions to the Education Statutes”
Conn. Gen. Stat. §§ 53a-182b; 53a-183; 53a-250 (computer-related offenses)
Conn. Gen. Stat. § 53a-193 (definition of obscene)

REVISED: 9/10; 10/13/11; 9/13/12

REVIEWED: 10/10/13; __/__/14

Mansfield Board of Education Policy

Section: STUDENTS

DRUG AND ALCOHOL USE BY STUDENTS

Policy Statement

The Board is required by Connecticut law to prescribe rules for the management and discipline of its schools. In keeping with this mandate, the unlawful use, sale, distribution or possession of controlled drugs, controlled substances, drug paraphernalia, as defined in C.G.S. Section 21a-240, or alcohol, on or off school property or during any school sponsored activity is prohibited. It shall be the policy of the Board to take positive action through education, counseling, discipline, parental involvement, medical referral, and law enforcement referral, as appropriate, in the handling of incidents in the schools involving the unlawful possession, distribution, sale or use of substances that affect behavior.

Definitions

- (1) Controlled Drugs: means those drugs which contain any quantity of a substance which has been designated as subject to the federal Controlled Substances Act, or which has been designated as a depressant or stimulant drug pursuant to federal food and drug laws, or which has been designated by the Commissioner of Consumer Protection pursuant to C.G.S. Section 21a-243, as having a stimulant, depressant or hallucinogenic effect upon the higher functions of the central nervous system and as having a tendency to promote abuse or psychological or physiological dependence, or both. Such controlled drugs are classifiable as amphetamine-type, barbiturate-type, cannabis-type, cocaine-type, hallucinogenic, morphine-type and other stimulant and depressant drugs. C.G.S. Section 21a-240(8).
- (2) Controlled Substances: means a drug, substance or immediate precursor in schedules I to V, inclusive, of the Connecticut controlled substance scheduling regulations adopted pursuant to C.G.S. Section 21a-243. C.G.S. Section 21a-240(9).
- (3) Professional Communication: any communication made privately and in confidence by a student to a professional employee of such student's school in the course of the professional employee's employment. C.G.S. Section 10-154a(a)(4).
- (4) Professional Employee: means a person employed by a school who "(A) holds a certificate from the State Board of Education, (B) is a member of a faculty where certification is not required, (C) is an administration officer of a school, or (D) is a registered nurse employed by or assigned to a school." C.G.S. Section 10-154a(a)(2).
- (5) Drug Paraphernalia: means any equipment, products and materials of any kind which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing or concealing, or injecting, ingesting, inhaling or otherwise introducing controlled drugs or controlled substances into the human body, including but not limited to all items specified in C.G.S. Section 21a-240(20)(A), such as "bongs," pipes, "roach clips," miniature cocaine spoons, crack cocaine vials, tobacco rolling papers, and any object or container used, intended or designed for use in storing, concealing, possessing, distributing or selling controlled drugs or controlled substances. C.G.S. Section 21a-240(20)(A).

Procedures

(1) Emergencies.

If an emergency situation results from drug or alcohol use, the student shall be sent to the school nurse or medical advisor immediately. The parent or designated responsible person will be notified.

(2) Prescribed Medications.

The parent or guardian of any student who is required to take any prescribed medication during the school day shall so inform the school nurse or the person designated to act in the absence of a nurse. Such prescribed medication will then be administered to the student under the supervision of the school nurse or designee in accordance with C.G.S. Section 10-212a and the applicable regulations and in accordance with any Board policies and regulations concerning medication administration.

Students taking improper amounts of a prescribed medication, or taking a prescribed medication without proper notification and supervision of the school nurse or designee will be subject to the procedures for improper drug or alcohol use outlined in this policy.

(3) Voluntary Disclosure of Drug/Alcohol Problem (Self-Referral).

The following procedures will be followed when a student privately, and in confidence, discloses to a professional employee in a professional communication information concerning the student's use, possession, distribution or sale of a controlled drug, controlled substance or alcohol.

- (a) Professional employees are permitted, in their professional judgment, to disclose any information acquired through a professional communication with a student, when such information concerns alcohol or drug abuse or any alcohol or drug problem of such student. In no event, however, will they be required to do so. C.G.S. Section 10-154a(b).
- (b) Any physical evidence obtained from such student through a professional communication indicating that a crime has been or is being committed by the student **must** be turned over to school administrators or law enforcement officials as soon as possible, but no later than two calendar days after receipt of such physical evidence, excluding Saturdays, Sundays and holidays. Employees are encouraged to contact the school administrator immediately upon obtaining physical evidence. In no case, however, will such employee be required to disclose the name of the student from whom the evidence was obtained. C.G.S. Section 10-154a(b).
- (c) Any professional employee who has received a professional communication from a student may obtain advice and information concerning appropriate resources and refer the student accordingly, subject to the rights of the professional employee as described in paragraph (a) above.
- (d) If a student consents to disclosure of a professional communication concerning the student's alcohol or drug problem, or if the professional employee deems disclosure to be appropriate, the professional employee should report the student's name and problem to the school's building administrator or designee who shall refer the student to appropriate school staff members for intervention and counseling.

(4) Involuntary Disclosure or Discovery of Drug/Alcohol Problems.

When a professional employee obtains information related to a student *from a source other than the student's confidential disclosure*, that the student, on or off school grounds or at a school sponsored activity, is under the influence of, or possesses, uses, dispenses, distributes, administers, sells or aids in the procurement of a controlled drug, controlled substance, drug paraphernalia or alcohol, that information is considered to be involuntarily disclosed. In this event, the following procedures will apply.

- (a) The professional employee will immediately report the information to the building administrator or designee. The building administrator or designee will then refer the student to appropriate school staff members for intervention and counseling.
- (b) Any physical evidence (for example, alcohol, drugs or drug paraphernalia) obtained from a student indicating that a crime has been or is being committed by the student must be turned over to the building administrator or designee or to law enforcement officials as soon as possible, but no later than within two calendar days after receipt of such physical evidence, excluding Saturdays, Sundays and holidays. C.G.S. Section 10-154a(b). Because such evidence was **not** obtained through a professional communication, the name of the student must be disclosed to the building administrator or designee.
- (c) Search and Seizure of Students and/or Possessions: A professional employee who reasonably suspects that a student is violating a state/federal law or a school substance abuse policy must **immediately** report his/her suspicion to the building administrator or designee. The building administrator or designee may then search a student's person or possessions connected to that person, in accordance with the Board's policies and regulations if he/she has reasonable suspicion from the inception of the search that the student has violated or is violating either the law or a school substance abuse policy.

Any physical evidence obtained in the search of a student, or a student's possessions, indicating that the student is violating or has violated a state or federal law **must** be turned over to law enforcement officials as soon as possible, but not later than within three calendar days after receipt of such physical evidence, excluding Saturdays, Sundays and holidays. C.G.S. Section 10-154a(c). All school employees are encouraged to contact the school administration immediately upon obtaining physical evidence.

(5) Consequences for the Unlawful Use, Sale, Distribution or Possession of Controlled Drugs, Controlled Substances, Drug Paraphernalia or Alcohol.

- (a) Any student in the Mansfield Public Schools using, consuming, possessing, being under the influence of, manufacturing, distributing, selling or aiding in the procurement of controlled drugs, controlled substances, drug paraphernalia or alcohol, either on or off school property, or at a school-sponsored activity, except as such use or possession is in accordance with Connecticut General Statutes § 21a-408a through 408g, is subject to discipline up to and including expulsion pursuant to the Board's ~~Student Discipline, Suspension and Expulsion~~ student discipline policy.
- (b) In conformity with the Board's student discipline policy, students may be suspended or expelled for ~~unlawful~~ drug or alcohol use off school grounds if such drug or alcohol use is considered seriously disruptive of the educational process. In determining whether the conduct is seriously disruptive of the educational process, the Administration and the Board may consider, among other factors: 1) whether the drug or alcohol use occurred within close proximity of a school; 2) whether other students from the school were involved; and 3) whether any injuries occurred.

- (c) If a school administrator has reason to believe that any student was engaged, on or off school grounds, in offering for sale or distribution a controlled substance (as defined by Conn. Gen. Stat. § 21a-240(9), whose manufacturing, distribution, sale, prescription, dispensing, transporting, or possessing with intent to sell or dispense, offering or administering is subject to criminal penalties under Conn. Gen. Stats. §§ 21a-277 and 21a-278, the administrator will recommend such student for expulsion, in accordance with the Board's student discipline policy.
- (d) Students found to be in violation of this policy may be referred by the building administrator to an appropriate agency licensed to assess and treat drug and alcohol involved individuals. In such event, assessment and treatment costs will be the responsibility of the parent or guardian.
- (e) A meeting may be scheduled with appropriate school staff members for the purpose of discussing the school's drug and alcohol policy with the student and parent or guardian.
- (f) Law enforcement officials may be contacted by the building administrator in the case of suspected involvement in the use, sale or distribution of controlled drugs, controlled substances, drug paraphernalia or alcohol.

Legal References:

Connecticut General Statutes:

Section 10-154a	Section 10-212a	
Section 10-221		Sections 10-
233a through 10-233f		
<u>Section 10-212a</u>	Section 21a-240	
<u>Section 10-221</u>	Section 21a-243	
	<u>Section 21a-408a through 408q</u>	

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Section: STUDENTS

**HEALTH ASSESSMENTS/SCREENINGS
(ADMINISTRATIVE REGULATIONS)**

I. Assessments

The Mansfield Board of Education requires each student enrolled in the Mansfield Public Schools to have health assessments as mandated by state law. The purpose of such health assessments shall be to ascertain whether a student has any physical disability tending to prevent him/her from receiving the full benefit of school work and to ascertain whether school work should be modified in order to prevent injury to the student or to secure a suitable program of education for him/her. Such health assessments must be conducted by a legally qualified practitioner of medicine, an advanced practice registered nurse or registered nurse, who is licensed under state statute, a physician assistant, who is licensed under state statute, the school medical advisor, or a legally qualified practitioner of medicine, an advanced practice registered nurse or a physician assistant stationed at any military base. The Board of Education will provide written prior notice of the health assessments required under these administrative regulations to the parent or guardian of each student subject to assessment. The parent or guardian shall be provided a reasonable opportunity to be present during such assessment or he/she may provide for such assessment him/herself. No health assessment shall be made of any public school student unless it is made in the presence of the parent or guardian or in the presence of another school employee. Any student who fails to obtain the health assessments required by these administrative regulations may be denied continued attendance in the Mansfield Public Schools.

II. Assessments Required:

Prior to enrollment in the Mansfield Public Schools, each student must undergo a health assessment, which shall include:

- (a) a physical examination which includes hematocrit or hemoglobin tests, height, weight, blood pressure, and a chronic disease assessment which shall include; but not be limited to, asthma as defined by the Commissioner of Public Health pursuant to subsection (c) of section 19a-62a of the Connecticut General Statutes. The assessment form shall include (A) a check box for the provider conducting the assessment, to indicate an asthma diagnosis, (B) screening questions relating to appropriate public health concerns to be answered by the parent or guardian, and (C) screening questions to be answered by such provider;
- (b) an updating of immunizations as required by state law;
- (c) vision, hearing, speech and gross dental screenings;
- (d) such other information, including health and developmental history, as the physician feels is necessary and appropriate.

The ~~pre-enrollment~~ enrollment assessment shall also include tests for tuberculosis, sickle cell anemia or Cooley's anemia, and tests for lead levels in the blood if, after consultation with the school medical advisor and the local health department, the Board determines that such tests are necessary. Such tests must be conducted

by a registered nurse acting pursuant to the written order of a physician, or physician's assistant, licensed under state law, or an advanced practice registered nurse, licensed under state law.

Each student enrolled in the Mansfield Public Schools in grade six or seven and in grade nine or ten must undergo a health assessment, which shall include:

- (a) a physical examination which includes hematocrit or hemoglobin tests, height, weight, blood pressure, and a chronic disease assessment which shall include; but not be limited to, asthma as defined by the Commissioner of Public Health pursuant to subsection (c) of section 19a-62a of the Connecticut General Statutes. The assessment form shall include (A) a check box for the provider conducting the assessment, to indicate an asthma diagnosis, (B) screening questions relating to appropriate public health concerns to be answered by the parent or guardian, and (C) screening questions to be answered by such provider;
- (b) an updating of immunizations as required by state law;
- (c) vision, hearing, postural and gross dental screenings;
- (d) such other information, including health and developmental history, as the physician feels is necessary and appropriate.

The grade six/seven and grade nine/ten assessments shall also include tests for tuberculosis, and sickle cell anemia or Cooley's anemia, if, after consultation with the school medical advisor and the local health department, the Board determines that such tests are necessary. Such tests must be conducted by a registered nurse acting pursuant to the written order of a physician, or physician's assistant, licensed under state law, or of an advanced practice registered nurse, licensed under state law.

The Board of Education shall provide such assessments free of charge to students whose parents or guardians meet the eligibility requirements for free and reduced price meals under the National School Lunch Program or for free milk under the special milk program.

III. Screenings Required:

The Board of Education will provide annually to each student enrolled in kindergarten, and grades one and three to six five, inclusive, and grade nine, a vision screening using a Snellen chart or equivalent screening. The Superintendent shall give written notice to the parent or guardian of each student (1) who is found to have any defect of vision or disease of the eyes, with a brief statement describing the defect or disease, and (2) who did not receive such vision screening, with a brief statement explaining why such pupil did not receive such vision screening.

The Board of Education will provide annually to each student enrolled in kindergarten to grade and grades one and three through five, inclusive, grade five and grade eight, audiometric screening for hearing. The Superintendent shall give written notice to the parent or guardian of each student (1) who is found to have any impairment or defect of hearing, with a brief statement describing the impairment or defect, and (2) who did not receive an audiometric screening for hearing, with a brief statement explaining why such student did not receive an audiometric screening for hearing.

The Board of Education will provide ~~annual~~ postural screenings for (1) each female student in grades five to and seven, and (2) each male student in grade eight and nine. The Superintendent shall give written notice to the parent or guardian of each student (A) who evidences any postural problem, with a brief statement

describing such evidence, and (B) who did not receive a postural screening, with a brief statement explaining why such student did not receive such postural screening.

All of the screenings required under these administrative regulations will be performed in accordance with regulations applicable to such screenings as adopted by the State Board of Education.

IV. Assessment/Screening Results:

The results of each assessment and screening required by these administrative regulations shall be recorded on forms supplied by the State Board of Education. Each physician, advanced practice registered nurse, registered nurse, or physician assistant performing health assessments under these administrative regulations shall sign each form and any recommendations concerning a student shall be in writing. Assessment/screening forms shall be included in the cumulative health record of each student and they shall be kept on file in the school attended by the student. If a student transfers to another school district in Connecticut, his/her original cumulative health record shall be sent to the chief administrative officer of the new school district and a true copy retained by the Mansfield Board of Education. For a student leaving Connecticut, a copy of the records, if requested, should be sent and the original maintained.

Appropriate school health personnel shall review the results of each assessment and screening. If the reviewing school health personnel judge that a student is in need of further testing or treatment, the Superintendent shall give written notice to the parent or guardian of such student and shall make reasonable efforts to ensure that such further testing or treatment is provided. Reasonable efforts shall include determination of whether the parent or guardian has obtained the necessary testing or treatment for the student, and, if not, advising the parent or guardian how such testing or treatment may be obtained. The results of such further testing or treatment shall be recorded, kept on file and reviewed by appropriate school health personnel in the same manner as the results of the health assessments and screenings required under these administrative regulations.

V. Exemption

Nothing in these administrative regulations shall be construed to require any student to undergo a physical or medical examination or treatment, or be compelled to receive medical instruction, if the parent or legal guardian of such student or the student, if he/she is an emancipated minor or is eighteen (18) years of age or older, notifies the teacher or principal or other person in charge of such student in writing that he/she objects on religious grounds to such physical or medical examination or treatment or medical instruction.

VI. Other Non-Emergency Invasive Physical Examinations and Screenings:

(a) ~~(a)~~—In addition to the screenings listed above, the district may, from time to time, require students to undergo additional non-emergency, invasive physical examination(s)/screening(s).

(b) ~~(b)~~—A non-emergency, invasive physical examination or screening is defined as:

1. 1.—any medical examination that involves the exposure of private body parts; or
2. 2.—any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening; and
3. 3.—is required as a condition of attendance, administered by the school and scheduled by the school in advance; and

4. 4. —is not necessary to protect the immediate health and safety of the students.

(c) If the district elects to conduct any such examinations, then, at the beginning of the school year, the administration shall give direct notice to parents of affected students of the district's intent to conduct the non-emergency invasive physical examination(s) and/or screening(s) described in this subsection. Such notice shall include the specific or approximate dates during the school year of the administration of such non-emergency invasive physical examination(s)/screening(s).

(c) Upon request, the administration shall permit parents or students over the age of eighteen (18) (or emancipated minors) to opt out of participation in the non-emergency invasive physical examination(s)/screening(s) described in this subparagraph.

VII. School Representative to Receive Information Concerning Health Assessments:

The Board of Education designates ~~the school nurse at each building~~ [insert name of responsible staff member] as the representative for receipt of reports from health care providers concerning student health assessments.

Legal References:

Connecticut General Statutes

§ 10-206 Health assessments

§ 10-206a Free health assessments

§ 10-208 Exemption from examination or treatment

§ 10-214 Vision, audiometric and postural

screenings: When required; notification of parents re defects; record of results

Public Act 15-215, "An Act Concerning Various Revisions and Additions to the Education Statutes."

Federal Law:

Elementary and Secondary Education Act of 1965, as amended by the No Child Left Behind Act of 2001, Public Law 107-110, § 1061, codified at 20 U.S.C. § 1232h.

State of Connecticut Department of Education, Bureau of School, Family, Community Partnerships, Cumulative Health Records Guidelines (2003).

OPTED: 6/14/07

VISED: ___/___/08; 10/13/11; 9/13/12

VIEWED: 9/10/09; 9/10; 10/10/13; ___/___/14

Mansfield Board of Education Regulation

Section: STUDENTS

IMMUNIZATIONS OF STUDENTS (ADMINISTRATIVE REGULATIONS)

In accordance with state law and accompanying regulations, the Mansfield Board of Education requires each child to be protected by adequate immunization against diphtheria, pertussis, tetanus, poliomyelitis, measles, mumps, rubella, hemophilus influenzae type B, hepatitis A, hepatitis B, varicella, pneumococcal diseases, meningococcal disease and any other vaccine required by the schedule for active immunization as determined by the Commissioner of Public Health pursuant to Conn. Gen. Stat. § 19a-7f, prior to enrolling in any program or school under its jurisdiction.

Among other requirements, before being permitted to enter seventh grade, the Board requires each child to be vaccinated against meningococcal disease. The Board further requires each child to receive a second immunization against measles and tetanus, diphtheria and pertussis (Tdap) before being permitted to enter seventh grade.

~~Each school year~~ Further, each child must have received two doses of immunization against varicella before being permitted to enter kindergarten and seventh grade. ~~Each school year, and~~ each child must have received two doses of immunization against rubella and mumps before being permitted to enter grades kindergarten through twelve.

~~Each~~ By January 1st, of each year, children aged 24-59 months enrolled in the Board's preschool program must show proof of receipt of at least one dose of influenza vaccine between August 1 and December 31 of the preceding year. All children aged 24-59 months who have not received vaccination against influenza previously must show proof of receipt of two doses of the vaccine the first influenza season that they are vaccinated. Children seeking to enroll in the Board's preschool program between January 1 and March 31 are required to receive the influenza vaccine prior to being permitted to enter the program. Children who enroll in the preschool program after March 31 of any given year are not required to meet the influenza vaccine requirement until the following January.

Exemption from the pertinent requirements of these administrative regulations shall be granted to any child who, prior to enrollment:

- (1) ~~(1)~~—presents a certificate from a physician, physician assistant, advanced practice registered nurse or local health agency stating that initial immunizations have been given to such child and additional immunizations are in process under guidelines and schedules specified by the Commissioner of Health; or
- (2) ~~(2)~~—presents a certificate from a physician, physician assistant, or advance practice registered nurse stating that in the opinion of a such physician, such immunization is medically contraindicated because of the physical condition of such child; or
- (3) ~~(3)~~—presents a statement from the parents or guardian of such child that such immunization would be contrary to the religious beliefs of such child; or the parents or guardian of such child, which statement shall be acknowledged by

(A) a judge of a court of record or a family support magistrate,

- (B) a clerk or deputy clerk of a court having a seal,
- (C) a town clerk,
- (D) a notary public,
- (E) a justice of the peace,
- (F) an attorney admitted to the bar of the State of Connecticut, or
- (G) a school nurse; or

- (4) (4)—in the case of measles, mumps or rubella, presents a certificate from a physician, physician assistant or advanced practice registered nurse or from the Director of Health in such child’s present or previous town of residence, stating that the child has had a confirmed case of such disease; or
- (5) (5)—in the case of hemophilus influenzae type B, has passed his/her fifth birthday; or
- (6) in the case of pertussis, has passed his/her sixth birthday.

Before being permitted to enter the seventh grade, the parents or guardian of any child who is exempt on religious grounds from the immunization requirements, pursuant to subsection (3) above, shall present to the Board a statement that such immunization requirements are contrary to the religious beliefs of such child or the parents or guardian of such child, which statement shall be acknowledged in the same manner as required by subsection (3) above.

In accordance with state law, the Mansfield Board of Education shall not be liable for civil damages resulting from an adverse reaction to a nondefective vaccine required to be administered by state law.

The Board of Education designates the school nurse at each building as the representative for receipt of reports from health care providers concerning student immunizations.

The regulations concerning required immunizations for elementary (including preschool), middle and high school students can be found at: http://www.ct.gov/dph/lib/dph/school_regulations_2010.pdf

Legal Reference: Connecticut General Statutes
 § 10-204a Required immunizations
 § 10-204c Immunity from liability

Public Act 15-174, “An Act Concerning Childhood Vaccinations.”

Public Act 15-242, “An Act Concerning Various Revisions to the

Public Health Statutes.”

Connecticut Agencies Regulations
 § 10-204a-2a Adequate Immunization

Letter to Superintendents of Schools et al. from Connecticut State Department of Education, *Reinstatement of Prekindergarten and Kindergarten School Immunization Entry Requirement for Haemophilus Influenza Type B (Hib) Vaccine*, June 25, 2010.

Letter to Superintendents of Schools et al. from Connecticut State Department of Education, *Changes in the Immunization Requirements for School Entry*, March 15, 2011.

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 REVIEWED: 9/10/09; 10/13/11; __/__/14

Mansfield Board of Education Regulation

Section: STUDENTS

RESTRAINT AND SECLUSION (ADMINISTRATIVE REGULATIONS)

The Board of Education seeks to foster a safe and positive learning environment for all students. In compliance with law, Board of Education employees will avoid the use of physical restraint or seclusion of students. However, physical restraint or seclusion of a student 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 Connecticut General Statutes and Regulations concerning the physical restraint and seclusion of persons at risk in the Mansfield Public Schools. The Board of Education mandates compliance with this regulation at all times. Violations of this regulation 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, or to supersede the justifiable use of reasonable physical force permitted under Connecticut General Statutes § 53a-18(6).

I. Definitions:

Provider: A person who provides direct care, education or supervision of a person at risk.

Assistant Provider or Assistant: A person assigned to provide, or who may be called upon in an emergency to provide, assistance or security to a provider.

Person at Risk: A child who meets the eligibility criteria for special education services under the Individuals with Disabilities Education Act, 20 U.S.C. § 1400 *et seq.* ("IDEA"), and who is receiving special education from the Board of Education, or a child who is being evaluated for eligibility for special education pursuant to statute and awaiting a determination.

Life Threatening Physical Restraint: Any physical restraint or hold of a person that restricts the flow of air into a person's lungs, whether by chest compression or any other means.

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:** (A) Briefly holding a person in order to calm or comfort the person; (B) restraint involving the minimum contact necessary to safely escort a person from one area to another; (C) medical devices, including, but not limited to, supports prescribed by a health care provider to achieve proper body position or balance; (D) 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 part of an Individualized Education Program ("IEP").

Seclusion: The confinement of a person in a room, whether alone or with supervision by a provider or assistant, in a manner that prevents the person from leaving that room. Seclusion **does not include**

any confinement of a person at risk in which the person is physically able to leave the area of confinement including, but not limited to, in-school suspension and time-out.

Behavior Intervention: Supports and other strategies developed by the planning and placement team (“PPT”) to address the behavior of a person at risk that impedes the learning of the person at risk or the learning of others.

Licensed Health Care Provider: (1) A legally qualified practitioner of medicine; (2) an advanced practice registered nurse; (3) a registered nurse licensed pursuant to Chapter 378 of the Connecticut General Statutes; or (4) a physician assistant licensed pursuant to Chapter 370 of the Connecticut General Statutes.

II. Procedures for Physical Restraint of Persons at Risk

- A. Life-Threatening Physical Restraint: No provider or assistant shall under any circumstance use a life-threatening physical restraint on a person at risk.
- B. No provider or assistant shall use involuntary physical restraint on a person at risk EXCEPT as an emergency intervention to prevent immediate or imminent injury to the person at risk or to others.
- C. Physical restraint of a person at risk shall never be used as a disciplinary measure or as a convenience.
- D. Providers and assistants must explore all less restrictive alternatives prior to using physical restraint for a person at risk.
- E. Any period of physical restraint (1) shall be limited to that time necessary to allow the person at risk to compose him or herself and return to the educational environment and (2) shall not exceed fifteen minutes. If physical restraint exceeds fifteen (15) minutes, there must be a determination by (a) an administrator, (b) a school health or mental health personnel, or (c) a board certified behavior analyst, as to whether continued physical restraint is necessary to prevent immediate or imminent injury to the student or to others. Upon a determination that such continued physical restraint is necessary, such individual shall make a new determination every thirty (30) minutes thereafter regarding whether such seclusion is necessary to prevent immediate or imminent injury to the student or to others.
- F. Providers and assistants must comply with all regulations promulgated by the Connecticut State Board of Education in their use of physical restraint with a person at risk.
- FG. Monitoring
 - 1. A provider or an assistant must continually monitor any person at risk who is physically restrained. The monitoring must be conducted by direct observation of the person at risk.
 - 2. A provider or an assistant must regularly evaluate the person being restrained for signs of physical distress. The provider or assistant must record each evaluation in the educational record of the person being restrained.

III. Procedures for Seclusion of Persons at Risk

- A. No provider or assistant shall use involuntary seclusion on a person at risk EXCEPT as follows: 1. —as an emergency intervention to prevent immediate or imminent injury to the

person at risk or to others; OR2. — as specifically provided for in the IEP of the person at risk, if other less restrictive, positive behavior interventions appropriate to the behavior exhibited by the person at risk have been implemented but were ineffective.

B. Seclusion as a Behavior Intervention in an IEP of a person at risk shall never be used as a disciplinary measure or as a convenience.

1. — Prior to including seclusion in the IEP of a person at risk, the PPT must review the results of a functional behavioral assessment and other information determined to be relevant by the PPT. If, based on this information, the PPT determines that the use of seclusion is an appropriate behavior intervention for the person at risk, the PPT shall include the assessment data and other relevant information in the IEP of the person at risk as the basis upon which a decision was made to include the use of seclusion as a behavior intervention. The use of seclusion in the IEP must be reviewed at least annually by the PPT. The PPT must include the following information in the IEP of the person at risk:
 - a. — the location of seclusion for the person at risk, which may be multiple locations within a school building;
 - b. — the maximum length of any period of seclusion, in accordance with Section III(D) of this regulation;
 - c. — the number of times during a single day that the person at risk may be placed in seclusion;
 - d. — the frequency of monitoring required for the person at risk while in seclusion;
 - e. — the timeframe and manner of notification of each incident of seclusion, as determined by the PPT and the parents of the person at risk; and
 - f. — any other relevant information agreed to by the PPT taking into consideration the age, disability and behaviors of the person at risk that might subject the person at risk to the use of seclusion.
2. — Prior to including seclusion in an IEP of a person at risk, 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 person at risk may not be placed in seclusion if such person 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 person at risk.

C. Seclusion of a person at risk shall never be used as a disciplinary measure or as a convenience. Any period of seclusion (1) shall be limited to that time necessary to allow the person at risk to compose him or herself and return to the educational environment and (2) shall not exceed fifteen minutes. If seclusion exceeds fifteen (15) minutes, there must be a determination by (a) an administrator, (b) a school health or mental health personnel, or (c) a

board certified behavior analyst, as to whether continued seclusion is necessary to prevent immediate or imminent injury to the student or to others. Upon a determination that such continued seclusion is necessary, such individual shall make a new determination every thirty (30) minutes thereafter regarding whether such seclusion is necessary to prevent immediate or imminent injury to the student or to others.

~~D.~~ Any period of seclusion (1) shall be limited to that time necessary to allow the person at risk to compose him or herself and return to the educational environment and (2) shall not exceed one hour. The use of seclusion may be continued with written authorization from the building principal or designee to prevent immediate or imminent injury to the person at risk or to others. ~~Where transportation of the person at risk is necessary, the written authorization to continue the use of seclusion is not required if immediate or imminent injury to the person at risk or to others is a concern.~~ E. Providers and assistants must explore all less restrictive alternatives prior to using seclusion for a person at risk, unless seclusion is being used pursuant to the IEP of the person at risk.

~~FE.~~ When the use of seclusion as an emergency intervention to prevent immediate or imminent injury to the person at risk or to others is repeated more than two times in any marking period, the PPT (1) shall convene to review the IEP of the person at risk, (2) may consider additional evaluations or assessments to address the child's behaviors, and (3) may revise the child's IEP, as appropriate. The PPT may agree to waive this meeting.

~~GF.~~ Any room used for seclusion must:

1. be of a size that is appropriate to the chronological and developmental age, size and behavior of the person at risk;
2. 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;
3. 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;
4. be free of any object that poses a danger to the person at risk who is being placed in the seclusion room;
5. 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 person at risk 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:

- a. the need to provide direct and immediate medical attention to the person at risk;

- b. fire;
 - c. the need to remove the person at risk to a safe location during a building lockdown; or
 - d. other critical situations that may require immediate removal of the person at risk from seclusion to a safe location; and
6. have an unbreakable observation window located in a wall or door to permit frequent visual monitoring of the person at risk and any provider or assistant in such room. The requirement for an unbreakable observation window does not apply if it is necessary to clear and use a classroom or other room in the school building as a seclusion room for a person at risk.

H. Providers and assistants must comply with all regulations promulgated by the Connecticut State Board of Education in their use of seclusion for a person at risk.

I. Monitoring

- 1. If seclusion is included in the IEP of the person at risk, the IEP must describe the frequency of monitoring of the person at risk while in seclusion. The monitoring must be conducted by direct observation of the person at risk.
- 2. If a person at risk has been secluded as an emergency intervention to prevent immediate or imminent injury to the person at risk or others, a provider or an assistant must frequently monitor the person at risk. The monitoring must be conducted by direct observation of the person at risk.
- 3. A provider or an assistant must regularly evaluate the person at risk in seclusion for signs of physical distress. The provider or assistant must record each evaluation in the educational record of the person who is in seclusion.

IV. Training of Providers and Assistant Providers

- A. The Board of Education shall provide physical management training for all Board of Education employees who engage in the physical restraint and seclusion of persons at risk pursuant to this regulation. Prior to engaging in physical restraint and/or seclusion practices pursuant to this regulation, Board of Education employees must successfully complete the Board of Education's physical management training program.
- B. The Board shall provide training in physical management, physical restraint and seclusion procedures including, but not limited to, training to recognize health and safety issues for children placed in seclusion to ensure the safe use of seclusion as a behavior intervention.
- C. The Board shall also provide training in verbal defusing or deescalation; prevention strategies; types of physical restraint; the differences between life-threatening physical restraint and other varying levels of physical restraint; the differences between permissible physical restraint and pain compliance techniques; monitoring to prevent harm to a person physically restrained or in seclusion and recording and reporting procedures on the use of restraints and seclusion.

V. Documentation and Communication

A. After each incident of physical restraint or seclusion, and no later than the school day following the incident, a provider must complete the form provided by the Mansfield Public Schools for reporting incidents of physical restraint and seclusion. The incident form must be included in the educational file of the person at risk who was physically restrained or secluded. The information 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 person's established behavioral support or educational plan; AND
5. whether the seclusion of a person at risk was conducted pursuant to an IEP.

B. A provider must notify the parent or guardian of a person at risk of each incident that the person at risk is physically restrained or placed in seclusion.

1. An attempt shall be made to notify the parent or guardian of the person at risk on the day of, or within twenty-four (24) hours after, physical restraint or seclusion is used with the person at risk as an emergency intervention to prevent immediate or imminent injury to the person or others.
2. Notification may be made by telephone, e-mail, or other method which may include, but is not limited to, sending a note home with the person at risk.
3. The parent or guardian of a person at risk who has been physically restrained or placed in seclusion shall be sent a copy of the completed standardized incident report of such action no later than two (2) business days after the emergency use of physical restraint or seclusion, regardless of whether the parent received the notification described in subsections 1 and 2 above.
4. Where seclusion has been included in the IEP of a person at risk, notification shall be made in accordance with Section III(B)(1)(e) above.

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

1. The Director of Special Education, or his or her designee, shall provide to the child's parent, guardian, or surrogate parent, or the pupil if such pupil is an emancipated minor or eighteen years of age or older, at the first PPT meeting following the child's referral to special education the plain language notice of rights regarding physical restraint and seclusion developed by the Connecticut State Department of Education.

2. The plain language notice developed by the Connecticut State Department of Education shall also be provided to the child's parent, guardian, or surrogate parent, or the pupil if such pupil is an emancipated minor or eighteen years of age or older at the first PPT meeting at which the use of seclusion as a behavior intervention is included in the child's IEP.

D. The Director of Special Education, or his or her designee, must be notified of the following:

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

VI. Responsibilities of the Director of Special Education

- A. The Director of Special Education, or his or her designee, must compile annually the instances of physical restraint and seclusion within the District, the nature of each instance of physical restraint and seclusion and whether instances of seclusion were conducted pursuant to IEPs.
- B. The Director of Special Education, or his or her designee, must report to the Connecticut State Department of Education any instance of physical restraint or seclusion that resulted in physical injury to the person at risk.

Legal References:

Conn. Gen. Stat. §§ 46a-150 through 46a-154

Conn. Gen. Stat. § 10-76b

Conn. Gen. Stat. § 10-76d

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 Reference:

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

REVIEWED: 9/10; ___ / ___ /14

REVISED: 10/13/11; 9/13/12; 10/10/13

Mansfield Board of Education Policy

Section: STUDENTS

SEX DISCRIMINATION AND SEXUAL HARASSMENT/STUDENTS

It is the policy of the Board of Education that any form of sex discrimination or sexual harassment is prohibited, whether by students, Board employees or third parties subject to the control of the Board. Students, Board employees and third parties are expected to adhere to a standard of conduct that is respectful of the rights of students. Any student or employee who engages in conduct prohibited by this policy shall be subject to disciplinary action.

The Superintendent of Schools shall develop Administrative Regulations implementing this Policy.

Definitions

Sex discrimination occurs when a person, because of his or her sex, is denied participation in or the benefits of any education program receiving federal financial assistance.

Sexual harassment: In a school setting, sexual harassment is conduct that 1) is sexual in nature; 2) is unwelcome; and 3) denies or limits a student's ability to participate in or benefit from a school's educational program. Sexual harassment can be verbal, nonverbal or physical. Sexual violence is a form of sexual harassment. Sexual harassment creates a hostile environment if the conduct is sufficiently severe or pervasive such that it interferes with or limits a student's ability to participate in or benefit from the school's program. Although not an exhaustive list, the following are examples of sexual conduct prohibited by this policy:

1. Statements or other conduct indicating that a student's submission to, or rejection of, sexual overtures or advances will affect the student's grades and/or other academic progress.
2. Unwelcome attention and/or advances of a sexual nature, including verbal comments, sexual invitations, leering and physical touching.
3. Display of sexually suggestive objects, or use of sexually suggestive or obscene remarks, invitations, letters, emails, text messages, notes, slurs, jokes, pictures, cartoons, epithets or gestures.
4. Touching of a sexual nature or telling sexual or dirty jokes.
5. Transmitting or displaying emails or websites of a sexual nature.
6. Using computer systems, including email, instant messaging, text messaging, blogging or the use of social networking websites, or other forms of electronic communications, to engage in any conduct prohibited by this policy.

Sexual Violence: Sexual violence is a form of sexual harassment. For the purposes of this policy, sexual violence refers to physical acts that are sexual in nature, perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol.

Procedure

It is the express policy of the ~~board~~Board of ~~education~~Education to encourage victims of sex discrimination or sexual harassment to report such claims. Students are encouraged to promptly report complaints of sex discrimination or sexual harassment to the appropriate personnel, as set forth in the Administrative Regulations implementing this Policy. The district will investigate such complaints promptly, take interim measures, and will take corrective action where appropriate. The district will maintain confidentiality to the extent appropriate. The district will not tolerate any reprisals or retaliation that occur as a result of the good faith reporting of charges of sexual harassment or sex discrimination. Any such reprisals or retaliation will result in disciplinary action against the retaliator.

The school district will periodically provide staff development for district administrators, and periodically distribute this Policy and the implementing Administrative Regulations to staff and students in an effort to maintain an environment free of sexual harassment ~~and sex discrimination~~ and sex harassment.

Sex discrimination and/or sexual harassment may also constitute bullying behavior under the Board's Bullying Behavior in the Schools Policy.

Legal References: United ~~States~~States Constitution, Article XIV-

Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681, *et seq.*

Title IX of the Education Amendments of 1972, 34 C.F.R § 106.1, *et seq.*

Gebser v. Lago Vista Independent School District, 524 U.S. 274 (1998)-

Davis v. Monroe County Board of Education, 526 U.S. 629 (1999)

Office for Civil Rights, U.S. Department of Education, Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, 66 Fed. Reg. 5512 (Jan. 19, 2001).

Office of Civil Rights, U.S. Department of Education Dear Colleague Letter: Sexual Violence (April 4, 2011).

Constitution of the State of Connecticut, Article I, Section 20.

ADOPTED: 3/12/03

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Mansfield Board of Education Policy

Section: STUDENTS

SMOKING PROHIBITED

The Mansfield Board of Education prohibits smoking, including smoking using an electronic nicotine delivery system (e.g. e-cigarettes) or vapor product, on the real property of any school or administrative office building or at any school-sponsored activity. Real property means the land and all temporary and permanent structures comprising the district's elementary and secondary schools, and administrative office building and includes, but is not limited to, classrooms, hallways, storage facilities, theatres, gymnasiums, fields and parking lots. ~~As defined by Conn. Gen. Stat. § 10-233a(h), a school-sponsored activity "means any activity sponsored, recognized or authorized by a board of education and includes activities conducted on or off school property."~~ For purposes of this policy, the term "electronic nicotine delivery system" shall mean an electronic device that may be used to simulate smoking in the delivery of nicotine or other substance to a person inhaling from the device and includes, but is not limited to, an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or electronic hookah and any related device and any cartridge or other component of such device, and the term "vapor product" shall mean any product that employs a heating element, power source, electronic circuit or other electronic, chemical or mechanical means, regardless of shape or size, to produce a vapor that may or may not contain nicotine, that is inhaled by the user of such product. As defined by Conn. Gen. Stat. § 10-233a(h), a school-sponsored activity "means any activity sponsored, recognized or authorized by a board of education and includes activities conducted on or off school property."

Legal References:

Connecticut General Statutes:

Conn. Gen. Stat. § 10-233a(h) Pro-Children Act of 2001, Pub. L. 107-110, 115 Stat. 1174, 20 U.S.C. § 7183

Public Act 14-76, "An Act Concerning The Governor's Recommendations Regarding Electronic Nicotine Delivery Systems And Youth Smoking Prevention"

~~United States Code:~~

Public Act 15-206, "An Act Regulating Electronic Nicotine Delivery Systems and Vapor Products"

~~Pro-Children Act of 2001, 20 U.S.C. § 7183~~

Conn. Gen. Stat. § 10-233a(h)

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REVIEWED: 9/10/09; 9/10; 10/13/11; 9/13/12; 10/10/13

Mansfield Board of Education Policy

Section: STUDENTS

STUDENT DISCIPLINE

I. Definitions

- A. **Dangerous Instrument** means any instrument, article or substance which, under the circumstances in which it is used or attempted or threatened to be used, is capable of causing death or serious physical injury, and includes a "vehicle" or a dog that has been commanded to attack.
- B. **Deadly Weapon** means any weapon, whether loaded or unloaded, from which a shot may be discharged, or a switchblade knife, gravity knife, billy, blackjack, bludgeon or metal knuckles. A weapon such as a pellet gun and/or air soft pistol may constitute a deadly weapon if such weapon is designed for violence and is capable of inflicting death or serious bodily harm. In making such determination, the following factors should be considered: design of weapon; how weapon is typically used (e.g. hunting); type of projectile; force and velocity of discharge; method of discharge (i.e. spring v. CO2 cartridge) and potential for serious bodily harm or death.
- C. **Electronic Defense Weapon** means a weapon which by electronic impulse or current is capable of immobilizing a person temporarily, but is not capable of inflicting death or serious physical injury, including a stun gun or other conductive energy device.
- D. **Emergency** means a situation in which the continued presence of the student in school poses such a danger to persons or property or such a disruption of the educational process that a hearing may be delayed until a time as soon after the exclusion of such student as possible.
- E. **Exclusion** means any denial of public school privileges to a student for disciplinary purposes.
- F. **Expulsion** means the exclusion of a student from school privileges for more than ten (10) consecutive school days. The expulsion period may not extend beyond one (1) calendar year.
- G. **Firearm**, as defined in 18 U.S.C § 921, means (a) any weapon that will, is designed to, or may be readily converted to expel a projectile by the action of an explosive, (b) the frame or receiver of any such weapon, (c) a firearm muffler or silencer, or (d) any destructive device. The term firearm does not include an antique firearm. As used in this definition, a "**destructive device**" includes any explosive, incendiary, or poisonous gas device, including a bomb, a grenade, a rocket having a propellant charge of more than four ounces, a missile having an explosive or incendiary charge of more than one-quarter ounce, a mine, or any other similar device; or any weapon (other than a shotgun or shotgun shell particularly suited for sporting purposes) that will, or may be readily converted to, expel a projectile by explosive or other propellant, and which has a barrel with a bore of more than ½" in diameter. The term "destructive device" also includes any combination of parts either designed or intended for use in converting any device into any destructive device or any device from which a destructive device may be readily assembled. A "destructive device" does not include: an antique firearm; a rifle intended to be used by the owner solely for sporting, recreational, or cultural purposes; or any device which is neither designed nor redesigned for use as a weapon.

- H. **In-School Suspension** means an exclusion from regular classroom activity for no more than ten (10) consecutive school days, but not exclusion from school, provided such exclusion shall not extend beyond the end of the school year in which such in-school suspension was imposed. No student shall be placed on in-school suspension more than fifteen (15) times or a total of fifty (50) days in one (1) school year, whichever results in fewer days of exclusion.
- I. **Martial Arts Weapon** means a nunchaku, kama, kasari-fundo, octagon sai, tonfa or Chinese star.
- J. **Removal** is the exclusion of a student from a classroom for all or part of a single class period, provided such exclusion shall not extend beyond ninety (90) minutes.
- K. **School Days** shall mean days when school is in session for students.
- L. **School-Sponsored Activity** means any activity sponsored, recognized or authorized by the Board and includes activities conducted on or off school property.
- M. **Seriously Disruptive of the Educational Process**, as applied to off-campus conduct, means any conduct that markedly interrupts or severely impedes the day-to-day operation of a school.
- N. **Suspension** means the exclusion of a student from school and/or transportation services for not more than ten (10) consecutive school days, provided such suspension shall not extend beyond the end of the school year in which such suspension is imposed; and further provided no student shall be suspended more than ten (10) times or a total of fifty (50) days in one school year, whichever results in fewer days of exclusion, unless such student is granted a formal hearing as provided below.
- O. **Weapon** means any BB gun, any blackjack, any metal or brass knuckles, any police baton or nightstick, any dirk knife or switch knife, any knife having an automatic spring release devise by which a blade is released from the handle, having a blade of over one and one-half inches in length, any stiletto, any knife the edged portion of the blade of which is four inches and over in length, any martial arts weapon or electronic defense weapon, or any other dangerous or deadly weapon or instrument, unless permitted by law under section 29-38 of the Connecticut General Statutes.
- P. Notwithstanding the foregoing definitions, the reassignment of a student from one regular education classroom program in the district to another regular education classroom program in the district shall not constitute a suspension or expulsion.

II. Scope of the Student Discipline Policy

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

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.**

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

1. Students may be ~~suspended or expelled~~ disciplined for conduct off school grounds if such conduct is **seriously disruptive of the educational process and violative of a publicized policy of the Board**. In making a determination as to whether such conduct is seriously disruptive of the educational process, the Administration and the Board of Education may consider, but such consideration shall not be limited to, the following factors: (1) **whether the incident occurred within close proximity of a school**; (2) **whether other students from the school were involved or whether there was any gang involvement**; (3) **whether the conduct involved violence, threats of violence, or the unlawful use of a weapon**, as defined in section Conn. Gen. Stat. § 29-38, and **whether any injuries occurred**; and (4) **whether the conduct involved the use of alcohol**.

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

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

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

1. Striking or assaulting a student, members of the school staff or other persons.
2. Theft.
3. The use of obscene or profane language or gestures, the possession and/or display of obscenity or pornographic images or the unauthorized or inappropriate possession and/or display of images, pictures or photographs depicting nudity.
4. Violation of smoking, dress, transportation regulations, or other regulations and/or policies governing student conduct.
5. Refusal to obey a member of the school staff, law enforcement authorities, or school volunteers, or disruptive classroom behavior.
6. Any act of harassment based on an individual's sex, sexual orientation, race, color, religion, disability, national origin or ancestry.
7. Refusal by a student to identify himself/herself to a staff member when asked, misidentification of oneself to such person(s), lying to school officials or otherwise engaging in dishonest behavior.
8. Inappropriate displays of public affection of a sexual nature and/or sexual activity on school grounds or at a school-sponsored activity.
9. A walk-out from or sit-in within a classroom or school building or school grounds.
10. Blackmailing, threatening or intimidating school staff or students (or acting in a manner that could be construed to constitute blackmail, a threat, or intimidation, regardless of whether intended as a joke).

11. Possession of any weapon, weapon facsimile, deadly weapon, martial arts weapon, electronic defense weapon, pistol, knife, blackjack, bludgeon, box cutter, metal knuckles, pellet gun, air pistol, explosive device, firearm, whether loaded or unloaded, whether functional or not, or any other dangerous object or instrument. The possession and/or use of any object or device that has been converted or modified for use as a weapon.
12. Possession of any ammunition for any weapon described above in paragraph 11.
13. Unauthorized entrance into any school facility or portion of a school facility or aiding or abetting an unauthorized entrance.
14. Possession or ignition of any fireworks, combustible or other explosive materials, or ignition of any material causing a fire. Possession of any materials designed to be used in the ignition of combustible materials, including matches and lighters.
15. ~~Unauthorized~~Unlawful possession, sale, distribution, use, or consumption or aiding in the procurement of tobacco, electronic nicotine delivery systems (e.g. e-cigarettes), vapor products, drugs, narcotics or alcoholic beverages (or any facsimile of tobacco, drugs, narcotics or alcoholic beverages, or any item represented to be tobacco, drugs or alcoholic beverages), including being under the influence of any such substances or aiding in the procurement of any such substances. For the purposes of this Paragraph 15, the term "electronic nicotine delivery system" shall mean an electronic device that may be used to simulate smoking in the delivery of nicotine or other substance to a person inhaling from the device and includes, but is not limited to, an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or electronic hookah and any related device and any cartridge or other component of such device. For the purposes of Paragraph 15, the term "vapor product" shall mean any product that employs a heating element, power source, electronic circuit or other electronic, chemical or mechanical means, regardless of shape or size, to produce a vapor that may or may not include nicotine, that is inhaled by the user of such product. For the purposes of this Paragraph 15, the term "drugs" shall include, but shall not be limited to, any medicinal preparation (prescription and non-prescription) and any controlled substance whose possession, sale, distribution, use or consumption is illegal under state and/or federal law..
16. Sale, distribution, or consumption of substances contained in household items; including, but not limited to glue, paint, accelerants/propellants for aerosol canisters, and/or items such as the aerators for whipped cream; if sold, distributed or consumed for the purpose of inducing a stimulant, depressant, hallucinogenic or mind-altering effect.
17. Unauthorized possession of paraphernalia used or designed to be used in the consumption, sale or distribution of drugs, alcohol or tobacco, as described in subparagraph (15) above. For purposes of this policy, drug paraphernalia includes any equipment, products and materials of any kind which are used, intended for use or designed for use in growing, harvesting, manufacturing, producing, preparing, packaging, storing, containing or concealing, or injecting, ingesting, inhaling or otherwise introducing controlled drugs or controlled substances into the human body, including but not limited to items such as "bongs," pipes, "roach clips," vials, tobacco rolling papers, and any object or container used, intended or designed for use in storing, concealing, possessing, distributing or selling controlled drugs or controlled substances.

18. The destruction of real, personal or school property, such as, cutting, defacing or otherwise damaging property in any way.
19. Accumulation of offenses such as school and class tardiness, class or study hall cutting, or failure to attend detention.
20. Trespassing on school grounds while on out-of-school suspension or expulsion.
21. Making false bomb threats or other threats to the safety of students, staff members, and/or other persons.
22. Defiance of school rules and the valid authority of teachers, supervisors, administrators, other staff members and/or law enforcement authorities.
23. Throwing snowballs, rocks, sticks and/or similar objects, except as specifically authorized by school staff.
24. Unauthorized and/or reckless and/or improper operation of a motor vehicle on school grounds or at any school-sponsored activity.
25. Leaving school grounds, school transportation or a school-sponsored activity without authorization.
26. Use of or copying of the academic work of another individual and presenting it as the student's own work, without proper attribution; or any other form of academic dishonesty, cheating or plagiarism.
27. Possession and/or use of a cellular telephone, radio, walkman, CD player, blackberry, personal data assistant, walkie talkie, Smartphone, mobile or handheld device, or similar electronic device, on school grounds or at a school-sponsored activity in violation of Board policy and/or administrative regulations regulating the use of such devices.
28. Possession and/or use of a beeper or paging device on school grounds or at a school-sponsored activity without the written permission of the principal or his/her designee.
29. Unauthorized use of any school computer, computer system, computer software, Internet connection or similar school property or system, or the use of such property or system for inappropriate purposes.
30. Possession and/or use of a laser pointer, unless the student possesses the laser pointer temporarily for an educational purpose while under the direct supervision of a responsible adult.
31. Hazing.
32. Bullying, defined as the repeated use by one or more students of a written, oral or electronic communication, such as cyberbullying, directed at 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, which:

- a) causes physical or emotional harm to such student or damage to such student's property;
- b) places such student in reasonable fear of harm to himself or herself, or of damage to his or her property;
- c) creates a hostile environment at school for such student;
- d) infringes on the rights of such student at school; or
- e) substantially disrupts the education process or the orderly operation of a school.

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

- 33. Cyberbullying, defined as any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any electronic communications.
- 34. Acting in any manner that creates a health and/or safety hazard for staff members, students, or the public, regardless of whether the conduct is intended as a joke.
- 35. Engaging in a plan to stage or create a violent situation for the purposes of recording it by electronic means; or recording by electronic means acts of violence for purposes of later publication.
- 36. Engaging in a plan to stage sexual activity for the purposes of recording it by electronic means; or recording by electronic means sexual acts for purposes of later publication.
- 37. Using computer systems, including email, instant messaging, text messaging, blogging or the use of social networking websites, or other forms of electronic communications, to engage in any conduct prohibited by this policy.
- 38. Use of a privately owned electronic or technological device in violation of school rules, including the unauthorized recording (photographic or audio) of another individual without permission of the individual or a school staff member.
- 39. Engaging in teen dating violence, defined as any act of physical, emotional or sexual abuse, including stalking, harassing and threatening, that occurs between two students who are currently in or who have recently been in a dating relationship
- 40. Any action prohibited by any Federal or State law.
- 41. Any other violation of school rules or regulations or a series of violations which makes the presence of the student in school seriously disruptive of the educational process and/or a danger to persons or property.

IV. Discretionary and Mandatory Expulsions

- A. A principal may consider recommendation of expulsion of a student in grades three to eight, inclusive, in a case where he/she has reason to believe the student has engaged in conduct described at sections II.A. and II.B., above.
- B. A principal must recommend expulsion proceedings in all cases against any student in grades kindergarten to eight, inclusive, whom the administration has reason to believe:
1. was in **possession on school grounds** or at a **school-sponsored activity** of a **deadly weapon, dangerous instrument, martial arts weapon, or firearm** as defined in 18 U.S.C. § 921 as amended from time to time; or
 2. **off school grounds, possessed a firearm** as defined in 18 U.S.C. § 921, in violation of Conn. Gen. Stat. § 29-35, or **possessed and used a firearm** as defined in 18 U.S.C. § 921, a **deadly weapon, a dangerous instrument** or a **martial arts weapon** in the **commission of a crime** under chapter 952 of the Connecticut General Statutes; or
 3. was engaged **on or off school grounds in offering for sale or distribution a controlled substance** (as defined in Conn. Gen. Stat. § 21a-240(9)), whose manufacturing, distribution, sale, prescription, dispensing, transporting, or possessing with intent to sell or dispense, offering or administering is subject to criminal penalties under Conn. Gen. Stat. §§21a-277 and 21a-278.

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

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

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

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

V. Procedures Governing Removal from Class

- A. A student may be removed from class by a teacher or administrator if he/she deliberately causes a serious disruption of the educational process. When a student is removed, the teacher must send him/her to a designated area and notify the principal or his/her designee at once.
- B. A student may not be removed from class more than six (6) times in one school year nor more than twice in one week unless the student is referred to the building principal or designee and granted an informal hearing at which the student should be informed of the reasons for the disciplinary action and given an opportunity to explain the situation.
- C. The parents or guardian of any minor student removed from class shall be given notice of such disciplinary action within twenty-four (24) hours of the time of the institution of such removal from class.

VI. Procedures Governing Suspension

- A. The principal of a school, or designee on the administrative staff of the school, shall have the right to suspend any student for breach of conduct as noted in Section II of this policy for not more than ten (10) consecutive school days. In cases where suspension is contemplated, the following procedures shall be followed.
 1. Unless an emergency situation exists, no student shall be suspended prior to having an informal hearing before the principal or designee at which the student is informed of the charges and given an opportunity to respond. In the event of an emergency, the informal hearing shall be held as soon after the suspension as possible.
 2. If suspended, such suspension shall be an in-school suspension ~~unless~~ except the principal or designee may impose an out-of-school suspension on any pupil:
 - (1) in grades three to eight, inclusive, if, during the informal hearing, (a) the principal or designee determines that the student: (a) poses such a danger to persons or property or such a disruption of the educational process that he or she should be excluded from school during the period of suspension; or (b) the administration principal or designee determines that an out-of-school suspension is appropriate based on evidence of (i) the student's previous disciplinary problems that have led to suspensions or expulsion of such student, and (ii) previous efforts by the administration to address the student's disciplinary problems through means other than out-of-school suspension or expulsion, including positive behavioral support strategies, or
 - (2) in grades preschool to two, inclusive, if the principal or designee determines that an out-of-school suspension is appropriate for such pupil based on evidence that such pupil's conduct on school grounds is of a violent or sexual nature that endangers persons.
 3. Evidence of past disciplinary problems that have led to removal from a classroom, suspension, or expulsion of a student who is the subject of an informal hearing may be received by the principal or designee, but only considered in the determination of the length of suspensions.

4. By telephone, the principal or designee shall make reasonable attempts to immediately notify the parent or guardian of a minor student following the suspension and to state the cause(s) leading to the suspension.
5. Whether or not telephone contact is made with the parent or guardian of such minor student, the principal or designee shall forward a letter promptly to such parent or guardian to the last address reported on school records (or to a newer address if known by the principal or designee), offering the parent or guardian an opportunity for a conference to discuss same.
6. In all cases, the parent or guardian of any minor student who has been suspended shall be given notice of such suspension within twenty-four (24) hours of the time of the institution of the suspension.
7. Not later than twenty-four (24) hours after the commencement of the suspension, the principal or designee shall also notify the Superintendent or his/her designee of the name of the student being suspended and the reason for the suspension.
8. The student shall be allowed to complete any classwork, including examinations, without penalty, which he or she missed while under suspension.
9. The school administration may, in its discretion, shorten or waive the suspension period for a student who has not previously been suspended or expelled, if the student completes an administration-specified program and meets any other conditions required by the administration. Such administration-specified program shall not require the student and/or the student's parents to pay for participation in the program.
10. Notice of the suspension shall be recorded in the student's cumulative educational record. Such notice shall be expunged from the cumulative educational record if the student graduates from high school. In cases where the student's period of suspension is shortened or waived in accordance with Section VI.A(9), above, the administration may choose to expunge the suspension notice from the cumulative record at the time the student completes the administration-specified program and meets any other conditions required by the administration.
11. If the student has not previously been suspended or expelled, and the administration chooses to expunge the suspension notice from the student's cumulative record prior to graduation, the administration may refer to the existence of the expunged disciplinary notice, notwithstanding the fact that such notice may have been expunged from the student's cumulative file, for the limited purpose of determining whether any subsequent suspensions or expulsions by the student would constitute the student's first such offense.
12. The decision of the principal or designee with regard to disciplinary actions up to and including suspensions shall be final.
13. During any period of suspension served out of school, the student shall not be permitted to be on school property and shall not be permitted to attend or participate in any school-sponsored activities, unless the principal specifically authorizes the student to enter school property for a specified purpose or to participate in a particular school-sponsored activity.

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

VII. Procedures Governing In-School Suspension

- A. The principal or designee may impose in-school suspension in cases where a student's conduct endangers persons or property, violates school policy, seriously disrupts the educational process or in other appropriate circumstances as determined by the principal or designee.
- B. In-school suspension may not be imposed on a student without an informal hearing by the building principal or designee.
- C. In-school suspension may be served in the school that the student regularly attends or in any other school building within the jurisdiction of the Board.
- D. No student shall be placed on in-school suspension more than fifteen (15) times or for a total of fifty (50) days in one school year, whichever results in fewer days of exclusion.
- E. The parents or guardian of any minor student placed on in-school suspension shall be given notice of such suspension within twenty-four (24) hours of the time of the institution of the period of the in-school suspension.

VIII. Procedures Governing Expulsion Hearing

- A. Emergency Exception:

Except in an emergency situation, the Board of Education shall, prior to expelling any student, conduct a hearing to be governed by the procedures outlined herein and consistent with the requirements of Conn. Gen. Stat. § 10-233d and Public Act 15-96, and the applicable provisions of the Uniform Administrative Procedures Act, Conn. Gen. Stat. §§ 4-176e to 4-180a, and § 4-181a. Whenever an emergency exists, the hearing provided for herein shall be held as soon as possible after the expulsion.

- B. Hearing Panel:

1. Expulsion hearings conducted by the Board will be heard by any three or more Board members. A decision to expel a student must be supported by a majority of the Board members present, provided that no less than three (3) affirmative votes to expel are cast.
2. Alternatively, the Board may appoint an impartial hearing board composed of one (1) or more persons to hear and decide the expulsion matter, provided that no member of the Board may serve on such panel.

C. Hearing Notice:

1. Written notice of the expulsion hearing must be given to the student, and, if the student is a minor, to his/her parent(s) or guardian(s) within a reasonable time prior to the time of the hearing.
2. A copy of this Board policy on student discipline shall also be given to the student, and if the student is a minor, to his/her parent(s) or guardian(s), at the time the notice is sent that an expulsion hearing will be convened.
3. The written notice of the expulsion hearing shall inform the student of the following:
 - a. The date, time, place and nature of the hearing.
 - b. The legal authority and jurisdiction under which the hearing is to be held, including a reference to the particular sections of the legal statutes involved.
 - c. A short, plain description of the conduct alleged by the administration.
 - d. The student may present as evidence relevant testimony and documents concerning the conduct alleged and the appropriate length and conditions of expulsion; and that the expulsion hearing may be the student's sole opportunity to present such evidence.
 - e. The student may cross-examine witnesses called by the Administration.
 - f. The student may be represented by any third party of his/her choice, including an attorney, at his/her expense or at the expense of his/her parents.
 - g. A student is entitled to the services of a translator or interpreter, to be provided by the Board of Education, whenever the student or his/her parent(s) or guardian(s) requires the services of an interpreter because he/she/they do(es) not speak the English language or is(are) disabled.
 - h. The conditions under which the Board is not legally required to give the student an alternative educational opportunity (if applicable).
 - i. Information about free or reduced-rate legal services and how to access such services.

D. Hearing Procedures:

1. The hearing will be conducted by the Presiding Officer, who will call the meeting to order, introduce the parties, Board members and counsel, briefly explain the hearing procedures, and swear in any witnesses called by the Administration or the student.
2. The hearing will be conducted in executive session. A verbatim record of the hearing will be made, either by tape recording or by a stenographer. A record of the hearing will be maintained, including the verbatim record, all written notices and documents relating to the case and all evidence received or considered at hearing.

3. Formal rules of evidence will not be followed. The Board has the right to accept hearsay and other evidence if it deems that evidence relevant or material to its determination. The Presiding Officer will rule on testimony or evidence as to it being immaterial or irrelevant.
4. The hearing will be conducted in two (2) parts. In the first part of the hearing, the Board will receive and consider evidence regarding the conduct alleged by the Administration.
5. In the first part of the hearing, the charges will be introduced into the record by the Superintendent or his/her designee.
6. Each witness for the Administration will be called and sworn. After a witness has finished testifying, he/she will be subject to cross-examination by the opposite party or his/her legal counsel, by the Presiding Officer and by Board members.
7. After the Administration has presented its case, the student will be asked if he/she has any witnesses or evidence to present concerning the charges. If so, the witnesses will be sworn, will testify, and will be subject to cross examination and to questioning by the Presiding Officer and/or by the Board. The student may also choose to make a statement at this time. If the student chooses to make a statement, he or she will be sworn and subject to cross examination and questioning by the Presiding Officer and/or by the Board. Concluding statements will be made by the Administration and then by the student and/or his or her representative.
8. In cases where the student has denied the allegation, the Board must determine whether the student committed the offense(s) as charged by the Superintendent.
9. If the Board determines that the student has committed the conduct as alleged, then the Board shall proceed with the second portion of the hearing, during which the Board will receive and consider relevant evidence regarding the length and conditions of expulsion.
10. When considering the length and conditions of expulsion, the Board may review the student's attendance, academic and past disciplinary records. The Board may not review notices of prior expulsions or suspensions which have been expunged from the student's cumulative record, except as so provided in Section VI.A (9), (10), (11), above, and Section X, below. The Board may ask the Superintendent for a recommendation as to the discipline to be imposed.
11. Evidence of past disciplinary problems which have led to removal from a classroom, suspension or expulsion of a student being considered for expulsion may be considered only during the second portion of the hearing, during which the Board is considering length of expulsion and nature of alternative educational opportunity to be offered.
12. Where administrators presented the case in support of the charges against the student, such administrative staff shall not be present during the deliberations of the Board either on questions of evidence or on the final discipline to be imposed. The Superintendent may, after reviewing the incident with administrators, and reviewing the student's records, make a recommendation to the Board as to the appropriate discipline to be applied.
13. The Board shall make findings as to the truth of the charges, if the student has denied them; and, in all cases, the disciplinary action, if any, to be imposed. While the hearing

itself is conducted in executive session, the vote regarding expulsion must be made in open session and in a manner that preserves the confidentiality of the student's name and other personally identifiable information.

14. Except for a student who has been expelled based on possession of a firearm or deadly weapon as described in subsection IV.B(1) and (2) above, the Board may, in its discretion, shorten or waive the expulsion period for a student who has not previously been suspended or expelled, if the student completes a Board-specified program and meets any other conditions required by the Board. The Board-specified program shall not require the student and/or the student's parents to pay for participation in the program.
15. The Board shall report its final decision in writing to the student, or if such student is a minor, also to the parent(s) or guardian(s), stating the reasons on which the decision is based, and the disciplinary action to be imposed. Said decision shall be based solely on evidence presented at the hearing. The parents or guardian or any minor student who has been expelled shall be given notice of such disciplinary action within twenty-four (24) hours of the time of the institution of the period of the expulsion.

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

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

F. Stipulated Agreements:

In lieu of the procedures used in this section, the Administration and the parents (or legal guardians) of a student facing expulsion may choose to enter into a Joint Stipulation of the Facts and a Joint Recommendation to the Board concerning the length and conditions of expulsion. Such Joint Stipulation and Recommendation shall include language indicating that the parents (or legal guardians) understand their right to have an expulsion hearing held pursuant to these procedures, and language indicating that the Board, in its discretion, has the right to accept or reject the Joint Stipulation of Facts and Recommendation. If the Board rejects either the Joint Stipulation of Facts or the Recommendation, an expulsion hearing shall be held pursuant to the procedures outlined herein. If the Student is eighteen years of age or older, the student shall have the authority to enter into a Joint Stipulation and Recommendation on his or her own behalf.

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

IX. Alternative Educational Opportunities for Expelled Students

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

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

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

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

2. The Board of Education is not required to offer an alternative educational opportunity to any student between the ages of sixteen (16) and eighteen (18) who is expelled for the second time, or if it is determined at the hearing that (1) the student possessed a dangerous instrument, deadly weapon, firearm or martial arts weapon on school property or at a school-sponsored activity, or (2) the student offered a controlled substance for sale or distribution on school property or at a school-sponsored activity.

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

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

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

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

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

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

The Board of Education may offer an alternative educational opportunity to a pupil for whom such alternative educational opportunity is not required as described in this policy.

X. Notice of Student Expulsion on Cumulative Record

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

expunged from the cumulative educational record by the Board if the student graduates from high school.

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

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

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

XI. Change of Residence During Expulsion Proceedings

A. *Student moving into the school district:*

1. If a student enrolls in the district while an expulsion hearing is pending in another district, such student shall not be excluded from school pending completion of the expulsion hearing unless an emergency exists, as defined above. The Board shall retain the authority to suspend the student or to conduct its own expulsion hearing.
2. Where a student enrolls in the district during the period of expulsion from another public school district, the Board may adopt the decision of the student expulsion hearing conducted by such other school district. The student shall be excluded from school pending such hearing. The excluded student shall be offered an alternative educational opportunity in accordance with statutory requirements. The Board shall make its determination based upon a hearing held by the Board, which hearing shall be limited to a determination of whether the conduct which was the basis of the previous public school district's expulsion would also warrant expulsion by the Board.

B. *Student moving out of the school district:*

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

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

A. *Suspension of IDEA students:*

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

1. The administration shall make reasonable attempts to immediately notify the parents of the student of the decision to suspend on the date on which the decision to suspend was made, and a copy of the special education procedural safeguards must either be hand-delivered or sent by mail to the parents on the date that the decision to suspend was made.
2. During the period of suspension, the school district is not required to provide any educational services to the IDEA student beyond that which is provided to all students suspended by the school district.

B. *Expulsion and Suspensions that Constitute Changes in Placement for IDEA students:*

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

1. The parents of the student must be notified of the decision to recommend for expulsion (or to suspend if a change in placement) on the date on which the decision to suspend was made, and a copy of the special education procedural safeguards must either be hand-delivered or sent by mail to the parents on the date that the decision to recommend for expulsion (or to suspend if a change in placement) was made.
2. The school district shall immediately convene the student's planning and placement team ("PPT"), but in no case later than ten (10) school days after the recommendation for expulsion or the suspension that constitutes a change in placement was made. The student's PPT shall consider the relationship between the student's disability and the behavior that led to the recommendation for expulsion or the suspension which constitutes a change in placement, in order to determine whether the student's behavior was a manifestation of his/her disability.
3. If the student's PPT finds that the behavior was a manifestation of the student's disability, the Administration shall not proceed with the recommendation for expulsion or the suspension that constitutes a change in placement.
4. If the student's PPT finds that the behavior was not a manifestation of the student's disability, the Administration may proceed with the recommended expulsion or suspension that constitutes a change in placement.
5. During any period of expulsion, or suspension of greater than ten (10) days per school year, the Administration shall provide the student with an alternative education program in accordance with the provisions of the IDEA.

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

C. *Transfer of IDEA students for Certain Offenses:*

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

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

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

1. **Dangerous weapon** means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2.5 inches in length.
2. **Controlled substance** means a drug or other substance identified under schedules I, II, III, IV, or V in section 202(c) of the Controlled Substances Act, 21 U.S.C. 812(c).
3. **Illegal drug** means a controlled substance but does not include a substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or under any other provision of federal law.
4. **Serious bodily injury** means a bodily injury which involves: (A) a substantial risk of death; (B) extreme physical pain; (C) protracted and obvious disfigurement; or (D) protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

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

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

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

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

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

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

B. If a student who committed an expellable offense seeks to return to a school district after having been in a juvenile detention center, the Connecticut Juvenile Training School or any other residential placement and such student has not been expelled by the board of education for such offense under subdivision (A) of this subsection, the Board shall allow such student to return and may not expel the student for additional time for such offense.

XV. Early Readmission to School

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

XVI. Dissemination of Policy

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

XVII. Compliance with Reporting Requirements

- A. The Board of Education shall report all suspensions and expulsions to the State Department of Education.
- B. If the Board of Education expels a student for sale or distribution of a controlled substance, the Board shall refer such student to an appropriate state or local agency for rehabilitation, intervention or job training and inform the agency of its action.
- C. If the Board of Education expels a student for possession of a deadly weapon or firearm, as defined in Conn. Gen. Stat. § 53a-3, the violation shall be reported to the local police.

Legal References:

Connecticut General Statutes:

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

Procedures

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

§ 10-233f In-school suspension of students.

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

§29-38 Weapons in vehicles

§53a-3 Definitions

§53a-206 (definition of “weapon”)

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

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

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

Public Act 14-76, “An Act Concerning the Governor’s Recommendations Regarding Electronic Nicotine Delivery Systems And Youth Smoking Prevention”

Public Act 14-229, “An Act Concerning The Expungement Of A Pupil’s Cumulative Education Record For Certain Expulsions”

Public Act 14-234, “An Act Concerning Domestic Violence And Sexual Assault”

Public Act 15-206, “An Act Regulating Electronic Nicotine Delivery Systems and Vapor Products”

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

Federal law:

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

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

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

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

18 U.S.C. § 930(g)(2) (definition of “dangerous weapon”)

18 U.S.C. § 1365(h)(3) (identifying “s serious bodily injury”)

21 U.S.C. § 812(c) (identifying “controlled substances”)

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

Gun-Free Schools Act, Pub. L. 107-110, Sec. 401, 115 Stat. 1762 (codified at 20 U.S.C. § 7151)

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Mansfield Board of Education Policy

Section: STUDENTS

TRUANCY/STUDENT ATTENDANCE AND, TRUANCY AND CHRONIC ABSENTEEISM

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

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

Legal References:

Connecticut General Statutes §10-220

Connecticut General Statutes §10-184

Connecticut General Statutes §10-186

Connecticut General Statutes §10-198a

Public Act 15-225, "An Act Concerning Chronic Absenteeism"

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

Connecticut State Department of Education Circular Letter C-2, *Utilizing Local Support Resources Prior to Referral of Students for Family with Service Needs* (August 4, 2009)

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

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

Public Act 14-198, *An Act Concerning Excused Absences from School for Children of Service Members*

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Mansfield Board of Education Regulation

Section: STUDENTS

TRUANCY/STUDENT ATTENDANCE, TRUANCY AND TRUANCY-CHRONIC ABSENTEEISM
(ADMINISTRATIVE REGULATIONS)

I. Attendance and Truancy

A. Definitions for Section I:

1. "Absence" - any day during which a student is not considered "in attendance" at his/her assigned school, or on a school sponsored activity (e.g. field trip), for at least one half of the school day.
2. "Disciplinary absence"- Any absence as a result of school or district disciplinary action. Any student serving an out-of-school suspension or expulsion should be considered absent. Such absence is not considered excused or unexcused for attendance and truancy purposes.
3. "Educational evaluation" - for purposes of this policy, an educational evaluation is an assessment of a student's educational development, which, based upon the student's presenting characteristics, would assess (as appropriate) the following areas: health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status and motor abilities.
4. "Excused absence" - a student is considered excused from school if the school has received written documentation describing the reason for the absence within ten (10) school days of the student's return to school, or if the child has been excluded from school in accordance with section 10-210 of the Connecticut General Statutes (regarding communicable diseases), and the following criteria are met:
 - A. Any absence before the student's 10th absence, is considered excused when the student's parent/guardian approves such absence and submits appropriate written documentation in accordance with this regulation.
 - B. For the student's 10th absence and all absences thereafter, a student's absences from school are, with appropriate documentation in accordance with this regulation, considered excused only for the following reasons:
 - a. student illness (verified by an appropriately licensed medical professional);
 - b. religious holidays;
 - c. mandated court appearances (documentation required);
 - d. funeral or death in the family, or other emergency beyond the control of the student's family;

- e. extraordinary educational opportunities pre-approved by the district administrators and in accordance with Connecticut State Department of Education guidance and this regulation;
 - f. lack of transportation that is normally provided by a district other than the one the student attends.
-

- 5. "In Attendance" - any day during which a student is not considered to be absent from his/her assigned school, or from an activity sponsored by the school (e.g. field trip), for at least one half of the school day.
- 6. "Student" - a student enrolled in the Mansfield Public Schools.
- 7. "Truant" - any student who has **four (4)** unexcused absences from school in any one month or **ten (10)** unexcused absences from school in any school year.
- 8. "Unexcused absence" - any absence from a regularly scheduled school day for at least one half of the school day, which is not excused or considered a disciplinary absence.

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

B. Written Documentation Requirements for Absences

- 1. Written documentation must be submitted for each incidence of absence within ten (10) school days of the student's return to school. An incidence of absence is considered consecutive days of absence.
- 2. The first nine (9) days of absence will be excused upon receipt of 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.
- 3. For the student's 10th absence, and all absences thereafter, documentation of the absence must be submitted in accordance with paragraphs 1 and 2 above, and must also include the reason for the absence and the following additional information:
 - a. student illness:
 - (1) signed note from a medical professional, who may be the school nurse, who has evaluated the student confirming the absence and giving an expected return date; or
 - (2) signed note from school nurse who has spoken with the student's medical professional and confirmed the absence, including the date and location of the consultation.
 - b. religious holidays: none.
 - c. mandated court appearances:

- (1) a police summons;
- (2) a subpoena;
- (3) a notice to appear;
- (4) a signed note from a court official; or
- (5) other official, written documentation of the legal requirement to appear in court.

- d. funeral or death in the family, or other emergency beyond the control of the student's family: written document must explain the nature of the emergency.
- e. extraordinary educational opportunity pre-approved by the district administrators and in accordance with Connecticut State Department of Education guidance and this policy: written pre-approval from the administration, in accordance with this regulation.
- f. lack of transportation that is normally provided by a district other than the one the student attends: none.

4. Neither e-mail nor text message shall serve to satisfy the requirement of written documentation. In rare and extraordinary circumstances, a building administrator may, in his/her own discretion, accept the delivery of written documentation through a scanned copy sent by e-mail.
5. The Mansfield Public Schools reserves the right to randomly audit written documentation received, through telephone and other methods of communication, to determine its authenticity.
6. Any absence that is not documented in accordance with this regulation within ten (10) school days after the incidence of absence will be recorded as unexcused. If documentation is provided within ten (10) school days, but is incomplete, the building principal may, at his/her own discretion, grant up to a five (5) school day extension for provision of the completed documentation.

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

D. Extraordinary Educational Opportunities

1. To qualify as an extraordinary educational opportunity, the opportunity must:
 - a. be educational in nature and must have a learning objective related to the student's course work or plan of study;

- b. be an opportunity not ordinarily available for this exemption;
 - c. be grade and developmentally appropriate; and
 - d. include content that is highly relevant to the student; while some opportunities will be relevant to all students, others will contain very specific content that would limit their relevance to a smaller group of students.
2. Family vacations do not qualify as extraordinary educational opportunities.
3. All requests for approval of extraordinary educational opportunities must:
 - a. be submitted to the building principal in writing prior to the opportunity, but no later than ten (10) school days prior to the opportunity except in exceptional circumstances at the discretion of the building administrator;
 - b. contain the signatures of both the parent/guardian and the student;
 - c. include an outline of the learning objective of the opportunity and include detail as to how the objective is linked to the student's coursework or plan of study; and
 - d. include additional documentation, where available, about the opportunity.
4. The building principal shall provide a response in writing and include the following:
 - a. either approval or denial of the request;
 - b. brief reason for any denial;
 - c. any requirements placed upon the student as a condition of approval;
 - d. the specific days approved as excused absences for the opportunity;
 - e. the understanding that the building administrator may withdraw its approval if the opportunity is canceled or the student fails to meet the agreed-upon requirements of the approval.
5. All decisions of the building principal relating to extraordinary educational opportunities shall be final.
6. Students who are granted excusal from school to participate in extraordinary educational opportunities are expected to share their experiences with other students and/or school staff when they return.
7. Approval for an extraordinary educational opportunity is determined on a case-by-case basis and the analysis of individualized factors. An opportunity approved for one student may not be approved for another.

E. Truancy Exceptions:

1. A student **five (5) or six (6) years of age** shall not be considered truant if the parent or person having control over such student has appeared personally at the school district office and exercised the option of not sending the child to school at five (5) or six (6) years of age.
2. If a parent or guardian of an expelled student chooses not to enroll the student in an alternative program, the student shall not be considered to be "truant."

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

1. A student serving an out of school suspension or expulsion shall be reported as absent unless he or she receives an alternative educational program for at least one half of the regular school day. In any event, the absence is considered a disciplinary absence, and will not be designated as excused or unexcused.
2. On early dismissal days and days shortened due to inclement weather, the regular school day for attendance purposes is considered to be the amount of instructional time offered to students on that day. For example, if school is open for four hours on a shortened day scheduled, a student must be present for a minimum of two hours in order to be considered "in attendance."
3. Students placed on homebound instruction due to illness or injury in accordance with applicable regulations and requirements are counted as being "in attendance" for every day that they receive instruction from an appropriately certified teacher for an amount of time deemed adequate by the administration so as to ensure that the student is able to successfully return to the regular classroom setting.

G. Procedures for students in grades K-8*

1. Notification

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

2. Monitoring

Each school shall implement a system of monitoring individual unexcused absences of students in grades K-8. Whenever such a student fails to report to school on a regularly scheduled school day, school personnel under the direction of the building principal or his/her designee shall make a reasonable effort to notify the parent or other person having control of such student by telephone and by mail of the student's absence, unless school personnel have received an indication that the parent or other person is aware of the student's absence. Reasonable efforts shall include two (2) attempts to reach the parent or other person at the telephone number provided by the parent or other person. Such attempts shall be recorded on a form provided by the Superintendent. Mailed notice of the student's absence shall include a warning that two

unexcused absences from school in a month or five unexcused absences in a school year may result in a complaint filed with the Superior Court pursuant to section 46b-149 of the Connecticut General Statutes alleging the belief that the acts or omissions of the child are such that the child's family is a family with service needs. Any person who, in good faith, gives or fails to give such notice shall be immune from liability, civil or criminal, which might otherwise be incurred or imposed and shall have the same immunity with respect to any judicial proceeding which results from such notice or failure to give notice.

H. Procedures applicable to truant students

1. Intervention

- a. When a student is truant, the building principal or his/her designee shall schedule a meeting with the parent (or other person having control of such student) and appropriate school personnel to review and evaluate the reasons for the student's truancy. This meeting shall be held no later than **ten (10) days** after the student becomes truant. The district shall document the meeting, and if parent or other person declines to attend the meeting, or is otherwise is non responsive, that fact shall also be documented and the meeting shall proceed with school personnel in attendance.
- b. When a student is truant, the Superintendent or his/her designee shall coordinate services with and referrals of students to community agencies providing child and family services, as appropriate. The district shall document efforts to contact and include families and to provide early intervention in truancy matters.
- c. If the parent or other person having control of a student who is truant fails to attend the meeting held pursuant to subsection a., above, or otherwise fails to cooperate with the school in attempting to solve the truancy problem, the Superintendent shall file, within fifteen calendar days of such failure to attend the meeting or other failure to cooperate with the school in attempting to solve the truancy problem, for such truant a written complaint with the Superior Court pursuant to Conn. Gen. Stat. § 46b - 149 alleging the belief that the acts or omissions of the truant are such that his/her family is a family with service needs.
- d. In addition to the procedures specified in subsections a through c above, a regular education student who is experiencing attendance problems should be referred to the building Child Study Team to consider the need for additional interventions and/or assistance. The Team will also consider whether the student should be referred to a planning and placement team ("PPT") meeting to review the student's need and eligibility for special education. A special education student who is experiencing attendance problems should be referred to a PPT meeting for program review.
- e. If a FWSN petition is filed and the court orders an educational evaluation of the student, the district shall conduct an appropriate educational evaluation if no such evaluation has been performed within the preceding year.
 - i) For a regular education student, the educational evaluation will be conducted or arranged for by appropriate school personnel and coordinated through the Child Study Team. Upon completion of the evaluation of a regular education student, the Child Study Team shall review the evaluations and make appropriate recommendations for alternative procedures, programs or interventions. Such

recommendations may include a referral of the student for further evaluation and/or consideration for special education eligibility.

- ii) In the case of a student who requires or may require special education and related services, the district shall convene a PPT to determine what evaluations may be appropriate to assess any specific areas of concern. The PPT shall reconvene to review the evaluations and make appropriate recommendations regarding the student's need for special education services and the need, if any, to write and/or revise the student's individualized education program ("IEP").

I. Attendance Records

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

II. Chronic Absenteeism

A. Definitions for Section II

1. "Chronically absent child" - a child who is enrolled in a school under the jurisdiction of the Mansfield Board of Education and whose total number of absences at any time during a school year is equal to or greater than ten percent (10%) of the total number of days that such student has been enrolled at such school during such school year;
2. "Absence" - (a) an excused absence, unexcused absence or disciplinary absence, as those terms are defined by the State Board of Education pursuant to section 10-198b of the general statutes and these administrative regulations, or (b) an in-school suspension, as defined in section 10-233a of the general statutes, that is greater than or equal to one-half of a school day;
3. "District chronic absenteeism rate" - the total number of chronically absent children under the jurisdiction of the Mansfield Board of Education in the previous school year divided by the total number of children under the jurisdiction of the Board of Education for such school year; and
4. "School chronic absenteeism rate" - the total number of chronically absent children for a school in the previous school year divided by the total number of children enrolled in such school for such school year.

B. Establishment of Attendance Review Teams

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

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

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

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

C. Composition and Role of Attendance Review Teams

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

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

D. State Chronic Absenteeism Prevention and Intervention Plan

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

III. Reports to the State Regarding Truancy and Chronic Absenteeism Data:

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

Legal References:

Connecticut General Statutes §10-220

Connecticut General Statutes §10-184

Connecticut General Statutes §10-186

Connecticut General Statutes §10-198a

Public Act 15-225, "An Act Concerning Chronic Absenteeism"

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

Connecticut State Department of Education Circular Letter C-2, *Utilizing Local Support Resources Prior to Referral of Students for Family with Service Needs* (August 4, 2009)

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

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

Public Act 14-198, An Act Concerning Excused Absences from School for Children of Service Members

REVISED: 9/10; 10/13/11; 9/13/12; 10/10/13; __/ __ 14

Mansfield Board of Education Regulation

Section: STUDENTS

TRUANCY/STUDENT ATTENDANCE AND, TRUANCY AND CHRONIC ABSENTEEISM
(ADMINISTRATIVE REGULATIONS)

APPENDIX A

MANSFIELD PUBLIC SCHOOLS
NOTIFICATION REGARDING STUDENT ATTENDANCE*

Regular and punctual student attendance is essential to the educational process. Connecticut General Statutes Section 10-184 provides that "[e]ach parent or other person having control of a child five years of age and over and under eighteen years of age shall cause such child to attend a public day school regularly during the hours and terms the public school in the district wherein such child resides is in session, unless such child is a high school graduate or the parent or person having control of such child is able to show that the child is elsewhere receiving equivalent instruction in the studies taught in the public schools. The parent or person having control of a child five years of age shall have the option of not sending the child to school until the child is six years of age and the parent or person having control of a child six years of age shall have the option of not sending the child to school until the child is seven years of age. The parent or person shall exercise such option by personally appearing at the school district office and signing an option form. The school district shall provide the parent or person with information on the educational opportunities available in the school system."

In order to assist parents and other persons in meeting this responsibility, the Mansfield Board of Education monitors unexcused student absences and makes reasonable efforts to notify parents or other persons by contacting them when a student fails to report to school. State law provides that any person who, in good faith, gives or fails to give such notice shall be immune from any liability, civil or criminal, which might otherwise be incurred or imposed and shall have the same immunity with respect to any judicial proceeding which results from such notice or failure to give such notice. The Board, therefore, must obtain a telephone number or other means of contacting parents or other persons during the school day.

Please provide the following information and return the completed form, signed and dated to:

Student's Name: _____
Address: _____

School/grade: _____ / _____

Parent/Guardian's Daytime Telephone Number*: _____
Parent/Guardian's Daytime Telephone Number*: _____
Daytime Telephone Number* of
Other Person Having Control
of Student: _____ Relationship to Student: _____

*If no daytime telephone number is available, please specify other means by which school personnel may contact you during the school day. _____

Signature: _____

Date: _____

Mansfield Board of Education Regulation

Section: STUDENTS

TRUANCY/STUDENT ATTENDANCE, TRUANCY AND TRUANCY CHRONIC ABSENTEEISM
(ADMINISTRATIVE REGULATIONS)

APPENDIX B

Date

Address

Dear

It is customary for us to review records of absences on all children. It has been brought to my attention that has been absent days of the scheduled days of school since school began this year. These absences have not been explained. Because of your child's pattern of absences so far this year, future absences will be considered "unexcused" unless a physician or our school nurse excuses them in writing.

We have tried to contact you each day making several calls to and have received no answer or return call.

This is a much higher rate of absence than is usual for most children. Being part of discussion and class work is so important, as the experiences once missed cannot be duplicated. Due to state law, it is very important you contact us every day that is absent by 9:00 a.m.

We are concerned the large number of absences will cause to fall behind his/her classmates. Please contact me at your earliest convenience so we might discuss this matter.

Sincerely,

Mansfield Board of Education Regulation

Section: STUDENTS

TRUANCY/STUDENT ATTENDANCE AND TRUANCY AND CHRONIC ABSENTEEISM
(ADMINISTRATIVE REGULATIONS)

APPENDIX C

**RECORD OF PARENT NOTIFICATION
OF UNEXPLAINED ABSENCE**

Student: _____ Date: _____

Grade: _____ School: _____

1. Parent daytime telephone number: _____

2. Record of attempts to notify parent of unexplained student absence: _____

Time of Call

(1) _____ Busy () No Answer () Parent Response:

(2) _____ Busy () No Answer () Parent Response:

(3) _____ Busy () No Answer () Parent Response:

3. Written Notifications Sent to Parents/Guardian: _____

Comments:

Disposition:

Completed form in student's attendance file.

Signed

Mansfield Board of Education Regulation

Section: STUDENTS

**TRUANCY/STUDENT ATTENDANCE AND TRUANCY
(ADMINISTRATIVE REGULATIONS)**

APPENDIX D

Extraordinary Educational Experience Request Form

Pursuant to guidelines from the Connecticut Department of Education, the Mansfield Public Schools will consider certain extraordinary educational experiences to be excused absences. In order for an experience to qualify as an extraordinary educational experience, the opportunity must be educational in nature and must have a learning objective specifically related to the student's coursework or plan of study. It is important to note that not all memorable and/or life experiences are considered extraordinary educational experiences for the purpose of an excused absence. In order to qualify, the experience must be an opportunity not ordinarily available to the student. The experience must be grade and developmentally appropriate and the content of the experience must be highly relevant to the individual student. Whether an experience fits the requirements of an extraordinary educational experience for the purpose of an excused absence is a determination within the discretion of the building principal or his/her designee.

To request consideration of an experience as an extraordinary educational experience, the following form must be filled out, signed by the parent and student, and returned at least five (5) school days in advance of the date of the opportunity. Please note that approval is not assured. Approvals are awarded on a case-by-case basis and are based on a number of factors. An experience approved for one student does not guarantee that it will be approved for others.

Name of Student _____ Today's Date _____

Title of Educational Opportunity _____

Please describe the learning objective of the educational opportunity and how the objective is linked to the student's coursework or plan of study (you may attach additional sheets):

Date(s) of educational opportunity _____

Dates and total number of days of planned absence _____

Signature of Parent _____ Signature of Student _____

For Office Use Only. Received by _____ on _____ Approved? Yes/No By _____

Mansfield Board of Education Regulation

Section: STUDENTS

TRUANCY/STUDENT ATTENDANCE, TRUANCY AND TRUANCYCHRONIC ABSENTEEISM
(ADMINISTRATIVE REGULATIONS)

APPENDIX E

SCHOOL ATTENDANCE OPTION FORM (CHILDREN AGE 5 OR 6)

Name of Child: _____ Date of Birth: _____

Address of Child: _____

Name of Parent(s): _____

Address of Parent(s) (if different from child): _____

In accordance with Connecticut General Statutes Section 10-184, the parent or person having control of a child five (5) years of age or older and under age eighteen (18) is required to ensure that such child attends school. Section 10-184 further provides that a parent or person having control of a child age five (5) shall have the option of not sending the child to school until age six (6), and a parent or person having control of a child age six (6) shall have the option of not sending the child to school until age seven (7). A parent or person having control of such child who is seeking to elect this option must appear in person at the school district offices and sign this option form.

I, _____, am the parent or person having control of, _____,

Name of parent or person Name of child
a child who is age five/six (circle appropriate age), and I elect not to send my child to school until the age of six/seven (circle appropriate age). I understand that this option is effective for only one (1) school year. By signing, I understand that, if my child is currently age five (5), and I wish to elect next school year not to send my child to school, I must reappear at the school next year to elect this option. I further understand that, if my child is currently age six (6), I am required by Section 10-184 to send my child to the public school, or demonstrate that the child is "elsewhere receiving equivalent instruction in the studies taught in the public schools," when the child turns seven (7).

Signature: _____ Date: _____

School Personnel Use Only

- Parent/person in control of child appeared in person and has been provided with information on the educational opportunities in the school system.

Mansfield Board of Education Policy

Section: SUPPORT SERVICES

PESTICIDE APPLICATION ON SCHOOL PROPERTY

It is the policy of the Mansfield Board of Education to implement an integrated pest management plan to reduce the amounts of pesticides applied in any building, or the grounds of any Mansfield public school; by using all available pest control techniques including judicious use of pesticides, when warranted, to maintain a pest population at or below an acceptable level, while decreasing the use of pesticides.

The decision to apply pesticide in any building, or the grounds of any Mansfield public school is dependent on results of periodic monitoring for pest populations to determine if a pest problem exists that exceeds acceptable threshold levels.

No application of pesticide shall be made in any building, or the grounds of any Mansfield public school during regular school hours or during planned activities at any school except as provided by Connecticut statute or regulation.

Parents or guardians of children in any school and/or staff members in any school may register for prior notice of pesticide application at their school. Each school shall maintain a registry of persons requesting such notice, and shall provide notice to registered individuals in accordance with applicable Connecticut statutory and regulatory provisions.

The Superintendent may direct that an emergency application of a lawn care pesticide be made without prior notice to parents or guardians of children in any school and/or staff members in the event of a threat to human health, subject to applicable Connecticut statutory and regulatory provisions.

The Superintendent may direct that an emergency application of a pesticide be made during regular school hours or during planned activities at school without prior notice to parents or guardians of children and/or staff members in any school in the event of an immediate threat to human health, subject to applicable Connecticut statutory and regulatory provisions.

There shall be no application of any lawn care pesticide on the grounds of any school with students in grade eight (8) or lower, except on an emergency basis, subject to applicable Connecticut statutory and regulatory provisions.

Legal References:

Connecticut General Statutes:

§10-231a

§10-231b

§10-231d

Special Session Public Act 15-5, §§ 437-38, “An Act Implementing Provisions of the State Budget for the Biennium Ending June 30, 2017, Concerning General Government, Education, Health and Human Services and Bonds of the State”

United States Code:

(Not applicable)

ADOPTED: 5/23/02

REVISED: Revised and Reclassified from Policy ECA to Policy ECBB on 1/27/05; 12/14/06; 06/14/07; __/__/08, 9/10/09

REVIEWED: 9/10; 10/13/11; 9/13/12; 10/10/13

Mansfield Board of Education Regulation

Section: SUPPORT SERVICES

**PESTICIDE APPLICATION ON SCHOOL PROPERTY
(ADMINISTRATIVE REGULATIONS)**

A. Definitions:

1. **Pesticide:** means a fungicide used on plants, an insecticide, a herbicide or a rodenticide, but does not mean a sanitizer, disinfectant, antimicrobial agent or a pesticide bait.
2. **Lawn Care Pesticide:** means a pesticide registered by the United States Environmental Protection Agency and labeled pursuant to the federal Insecticide, Fungicide and Rodenticide Act for use in lawn, garden and ornamental sites or areas. “Lawn care pesticide” does not include (A) a microbial pesticide or biochemical pesticide that is registered with the United States Environmental Protection Agency, (B) a horticultural soap or oil that is registered with the United States Environmental Protection Agency and does not contain any synthetic pesticide or synergist, or (C) a pesticide classified by the United States Environmental Protection Agency as an exempt material pursuant to 40 C.F.R. § 152.25, as amended from time to time.
3. **Integrated Pest Management:** means use of all available pest control techniques including judicious use of pesticides, when warranted, to maintain a pest population at or below an acceptable level, while decreasing the use of pesticides.
4. **Restricted Use Pesticide:** means any pesticide or pesticide use classified as restricted by the administrator of the United States Environmental Protection Agency or by the Connecticut Commissioner of Environmental Protection.
5. **Microbial Pesticide:** means a pesticide that consists of a microorganism as the active ingredient.
6. **Biochemical Pesticide:** means a naturally occurring substance that controls pests by nontoxic mechanisms.

B. Integrated Pest Management Plan:

1. The district’s integrated pest management plan shall be consistent with the model pest control management plan developed by the Connecticut Commissioner of Environmental Protection pursuant to Section 22a-661 of the Connecticut General Statutes.
2. At the beginning of each school year, the district shall provide the staff of each school with written guidelines on how the integrated pest management plan is to be implemented and shall provide the parents or guardians of each child enrolled in each school with a statement that shall include a summary of the integrated pest management plan for the school. Such statement shall be provided to the parents or guardian of any child who transfers to a school during the school year. Such statement shall (1) indicate that the staff, parents or guardians may register for notice of pesticide applications at the school, and (2) describe the emergency notification procedures provided for in this section. Notice of any modification to the integrated pest management plan shall be sent to any person who registers for notice under this section.

C. Notice of Pesticide Application to Those Who Request Such Notice:

1. Parents or guardians of children in any school and/or staff members in any school may register for prior notice of pesticide application at their school.
2. Each school shall maintain a registry of persons requesting such notice.
3. Parents or guardians of children in any school and/or staff members in any school who register for prior notice of pesticide application at their school shall be provided notice, by any means practicable, of each scheduled pesticide application at their school on or before the day that any application of pesticide is to take place.
4. The notice shall include the following information:
 - a. The name of the active ingredient of the pesticide being applied,
 - b. The location of the application on school property,
 - c. The target pest;
 - d. The date of the application,
 - de. The name of the school administrator, or designee, who may be contacted for further information.

D. Notice of Pesticide Application by Electronic Means:

1. Prior to providing for any application of pesticide within any building or on the grounds of any school, in addition to the notice requirements in Section C, above, the district shall provide for notice of such application not less than twenty-four (24) hours prior to such application by posting the notice required in Section C, above, either on or through: (a) The home page of the Internet web site for the school where such application will occur, or, if the school does not have a web site, on the home page of the district's Internet web site, and (b) the primary social media account of such school or the district. For purposes of these administrative regulations and Section 10-231d of the Connecticut General Statutes, "social media" means an electronic medium where users may create and view user-generated content, such as uploaded or downloaded videos or still photographs, blogs, video blogs, podcasts or instant messages.
2. The district shall indicate on its home page how parents may register for prior notice of pesticide applications, as described in Section C, above.
3. Not later than March 15 of each year, each school or the district shall send through its e-mail notification or alert system or service the notice required by Section C, above, for applications made since January 1 of that year and a listing of such notices for applications made during the March 15 through December 31 timeframe from the preceding calendar year.
4. The district shall additionally print such e-mail notification required by this section in the applicable parent handbook or manual, although the reprinting of such handbook or manual shall not be required to provide such notification.

5. Nothing in these administrative regulations shall require the development or use of an Internet web site, social media account or e-mail notification or alert system by a school or the district that is not already in use or existence prior to October 1, 2015.

E. Emergency Pesticide Application:

1. In the event of a threat to human health, the Superintendent may direct that an emergency application of a lawn care pesticide be made without prior notice to parents or guardians of children in any school and/or staff members.
2. In the event of an immediate threat to human health, the Superintendent may direct that an emergency application of a pesticide be made, during regular school hours or during planned activities at school, without prior notice to parents or guardians of children in any school and/or staff members. Such application may only be made if ~~(1a)~~ it is necessary to make the application during such period, and ~~(2b)~~ such emergency application does not involve a restricted use pesticide.
3. In the event of such emergency application, no child may enter the area of such application until it is safe to do so according to the provisions on the pesticide label.
4. In the event of such emergency application, the provision set forth below in Section F regarding authorized pesticide applicators shall not apply if the Superintendent determines that it is impractical to obtain the services of any such applicator, provided that the application does not involve a restricted use pesticide.

EF. Record of Pesticide Application:

1. A copy of the record of each pesticide application at a school shall be maintained at the school for a period of five (5) years, which record shall include the information required by Section 22a-66a of the Connecticut General Statutes, as it may be amended from time to time.

FG. Authorized Pesticide Applicator:

1. No person, other than a pesticide applicator with supervisory certification under Section 22a-54 of the Connecticut General Statutes or a pesticide applicator with operational certification under Section 22a-54 under the direct supervision of a supervisory pesticide applicator, may apply pesticide within any building or on the grounds of any school within the district.

GH. Prohibition on Use of Lawn Care Pesticides at District Schools with Students through Grade 8:

1. There shall be no application of any lawn care pesticide on the grounds of any school with students in grade eight (8) or lower, except on an emergency basis, subject to applicable Connecticut statutory and regulatory provisions and the conditions set forth above.

Legal References:

Connecticut General Statutes:

§10-231a
§10-231b
§10-231d
§19a-79a
§22a-47
§22a-54

§22a-66a
§22a-66l

Special Session Public Act 15-5, §§ 437-38, “An Act Implementing Provisions of the State Budget for the Biennium Ending June 30, 2017, Concerning General Government, Education, Health and Human Services and Bonds of the State”

United States Code:

Insecticide, Fungicide and Rodenticide Act, 7 U.S.C. § 136 et seq.

Code of Federal Regulations:

40 C.F.R. § 152.25

ADOPTED: 5/23/02

REVISED: Revised and Reclassified from Policy ECA to Policy ECBB on 1/27/05; 12/14/06; 06/14/07; ___/___/08, 9/10/09

REVIEWED: 9/10 ; 10/13/11; 9/13/12; 10/10/13

EDUCATION SECRETARY ARNE DUNCAN ANNOUNCES 2015 NATIONAL BLUE RIBBON SCHOOLS

U.S. Secretary of Education Arne Duncan today recognized 335 schools as National Blue Ribbon Schools for 2015. Among these schools is **Dorothy C. Goodwin Elementary School in Mansfield, Connecticut**. Schools are selected based on their overall academic excellence or their progress in closing achievement gaps among student subgroups. These schools demonstrate that all students can achieve to high levels.

“This honor recognizes your students’ accomplishments and the hard work and dedication that went into their success,” Duncan said in a **video message** (hyperlink video message) to the awardees. “Your journey has taught you collaboration, intentional instruction, and strong relationships in school and with your community. You represent excellence—in vision, in implementation, and in results—and we want to learn as much as we can from you.”

The Department will honor 285 public and 50 private schools at a recognition ceremony on Nov. 9-10 in Washington, D.C. In its 33-year history, the National Blue Ribbon Schools Program has bestowed this coveted award on more than 8,000 of America’s schools.

The National Blue Ribbon Schools Program honors public and private elementary, middle, and high schools where students either achieve very high learning standards or are making notable improvements in closing the achievement gap. The award plaque affirms the hard work of students, educators, families and communities in creating safe and welcoming schools where students master challenging content. The award flag gracing a school’s building is a widely recognized symbol of exemplary teaching and learning.

All schools are recognized in one of two performance categories, based on all student scores, subgroup student scores and graduation rates:

- *Exemplary High Performing Schools* are among their state’s highest performing schools as measured by state assessments or nationally normed tests. Student subgroup performance and high school graduation rates are also at the highest levels.
- *Exemplary Achievement Gap Closing Schools* are among their state’s highest performing schools in closing achievement gaps between a school’s subgroups and all students over the past five years. Student subgroup performance and high school graduation rates for each subgroup are at high levels.

The Department invites National Blue Ribbon School nominations from the top education official in every state, the District of Columbia, Puerto Rico, the Virgin Islands, the Department of Defense Education Activity and the Bureau of Indian Education. The Council for American Private Education (CAPE) nominates private schools. A total of 420 schools nationwide may be nominated, with allocations determined by the numbers of K-12 students and schools in each jurisdiction. The U.S. Secretary of Education invites nominated schools to submit an application for possible recognition as a National Blue Ribbon School.

NOTE TO EDITORS:

- Photographs and brief descriptions of the 2015 National Blue Ribbon Schools are available at <http://www.ed.gov/nationalblueribbonschools>.
- Please contact Kelly Lyman, Superintendent of Schools, Mansfield Public Schools (860.429.3350 or mboesupt@mansfieldct.org) for additional information.

MEMORANDUM

MANSFIELD PUBLIC SCHOOLS

KELLY M. LYMAN, SUPERINTENDENT

Four South Eagleville Road

Storrs, Connecticut 06268-2599

(860) 429-3350 Telephone

(860) 429-3379 Facsimile



DATE: October 2, 2015

TO: Mansfield Board of Education

FROM: Kelly Lyman 

SUBJECT: *Professional Improvement*

As outlined in the current contract between the Mansfield Board of Education and the Mansfield Education Association (page 26: Article 20, Section E) the following employees have completed requirements for professional improvement and will receive an increase in salary, retroactive to the start of the contract year.

The courses taken by these teachers as well as their individual plan of study were reviewed and approved in advance.

LAST NAME	FIRST NAME	CURRENT LEVEL	NEW LEVEL	COST INCREASE
DiCicco	Michael	MA+15, Step 13 \$76,711	Sixth Year, Step 13 \$78,708 (Second Masters)	\$1,997
Lasky	Heather	BA, Step 5 \$55,728	MA, Step 5 \$58,763	\$3,035
Melody	Eileen	MA+15, Step 14 \$87,897	Sixth Year, Step 14 \$90,040 (Second Masters)	\$2,143
Proffer	Denise	MA+15, Step 10 \$69,212	Sixth Year, Step 10 \$71,017	\$1,805
Spinella	Britta	BA, Step 6 \$57,359	MA, Step 6 \$60,496	\$3,137
Vanderrest	William	MA, Step 14 \$85,750	MA+15, Step 14 \$87,897	\$2,147

Professional Improvement

A motion is in order if the Board approves the Professional Improvement of Certified Staff.

Motion to approve the increase in salary, retroactive to the start of the school year as outlined in the current contract between the Mansfield Board of Education and the Mansfield Education Association for Michael DiCicco, Heather Lasky, Eileen Melody, Denise Proffer, Britta Spinella, and William Vanderrest.

MANSFIELD BOARD OF EDUCATION
2016 Meeting Dates
Council Chambers
(unless otherwise noted)
7:30 p.m.

Thursday, January 21, 2016

Thursday, January 28, 2016
(Budget Workshop)

Thursday, February 4, 2016
(Budget Workshop)

Thursday, February 11, 2016

Thursday, March 10, 2016

Thursday, April 14, 2016

Thursday, May 12, 2016

Thursday, May 26, 2016
(Workshop - TBD)

Thursday, June 9, 2016

Thursday, July 14, 2016
(Workshop – TBD)

Thursday, September 8, 2016

Thursday, September 22, 2016
(Workshop – TBD)

Thursday, October 13, 2016
(*Vinton School*)

Thursday, October 27, 2016
(*Mansfield Middle School*)

Thursday, November 10, 2016
(*Southeast School*)

Thursday, December 8, 2016
(*Goodwin School*)

Board members are requested to reserve the fourth Thursday in each month if an additional Board or sub-committee meeting is needed.

Adopted by the Board Education on