



*It is the mission of the Mansfield Public Schools, in partnership with the Mansfield community, to ensure that each and every child develops the knowledge, skills, and dispositions essential for civic engagement and personal excellence in learning, life, and work within our local and global community.*

## **Mansfield Board of Education Meeting**

**January 15, 2026**

**Council Chambers 6:30pm (Conducted in part using electronic equipment)**

**Board Members:** Jeannette Picard, Chair, Kristin Dilaj, Vice Chair, Martha Kelly, Secretary, Gregory Cecil, John Fratiello, Haley Gross de Jimenez, Sabrina Hosmer, David Litrico, Katherine Paulhus

In accordance with PA 22-3, this meeting will be a hybrid meeting. The public may view the meeting live at <https://mansfieldct.gov/video>. Additionally, a video recording of the meeting will be available on YouTube at "Mansfield Connecticut Streaming Channel" within seven (7) days after the meeting.

Residents who attend in person may speak during the "Public Comment" portion of the meeting. Public Comment from those viewing the meeting remotely will be accepted by email at [mboesupt@mansfieldct.org](mailto:mboesupt@mansfieldct.org) or by USPS mail to Mansfield Board of Education, 4 South Eagleville Road, Mansfield, CT 06268, and must be received prior to the meeting (public comment received after the meeting will be shared at the next meeting). Please email [mboesupt@mansfieldct.org](mailto:mboesupt@mansfieldct.org) or call 860.429.3350 by 4:00PM on the day of the meeting to receive instructions for how to view, listen, or comment live.

Assistive Listening Headphones are available in the Council Chambers room in Town Hall. Please see a member of the IT staff in the back of Council Chambers or the Board Clerk for assistance if needed.

### **Agenda**

#### **CALL TO ORDER**

#### **ROLL CALL**

#### **APPROVAL OF MINUTES:**

December 11, 2025 Regular Meeting (P. 1)

#### **PUBLIC COMMENT**

#### **ADDITIONS TO THE PRESENT AGENDA**

#### **INFORMATION, PRESENTATIONS, AND ACTIONS**

- Superintendent's Report
- 2025-2026 Board of Education Policy Updates (second read) (P. 3) (M)
- Report of Progress – Support the Whole Child
- The Board of Education recognizes the retirement of the following certified staff:  
*Janet LaMarre, Teacher, Mansfield Elementary School; effective June 30, 2026*  
*Holly Harakaly, Teacher, Mansfield Elementary School; effective June 30, 2026*
- Proposed 2026-27 Budget

#### **NEW BUSINESS (if needed)**

#### **PUBLIC COMMENT**

## SUGGESTIONS FOR FUTURE AGENDA ITEMS

### ADJOURNMENT

#### Mansfield Board of Education 2021-2026

##### Mission:

It is the mission of the Mansfield Public Schools, in partnership with the Mansfield community, to ensure that each and every child develops the knowledge, skills, and dispositions essential for civic engagement and personal excellence in learning, life, and work within our local and global community.

##### Core Beliefs:

- **Lead with equity.** We believe that children must be supported to learn and develop in a safe, antiracist environment free from discrimination, bias, and prejudice against all people where conscious efforts and intentional actions ensure equitable opportunities.
- **Develop the whole child.** We believe schools have an obligation to teach academic and social skills while nurturing the emotional, physical, and behavioral development of all children.
- **Ensure active learning.** We believe students learn best when they engage in joy-filled, empowering, intellectually challenging, and personalized experiences that deepen understanding of the world while building academic and social-emotional skills.
- **Build partnerships.** We believe engaging families and the community as equal partners is necessary to fulfill the mission and vision of Mansfield Public Schools.
- **Prepare global citizens.** We believe schools must develop young people to be stewards of their community, nation, and the larger world around them by instilling the skills needed to contribute to a peaceful society and sustainable world.
- **Grow educators.** We believe that providing an environment that allows for inquiry, supports risk taking, provides for continuous learning, and attends to the whole person is as important for educators as it is for students.

#### 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.



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<b>Mansfield Board of Education Meeting December 11, 2025 DRAFT Minutes</b>	
<b>Attendees:</b>	Jeannette Picard, Chair, Kristin Dilaj, Vice Chair, Martha Kelly, Secretary, Gregory Cecil (electronically), John Fratiello, Haley Gross de Jimenez (electronically), Sabrina Hosmer, David Litrico, Katherine Paulhus
<b>Absent:</b>	

The public may view the meeting live at <https://mansfieldct.gov/video>.

The meeting was called to order at 6:33pm by Ms. Picard

Mr. Fratiello read the mission statement.

**APPROVAL OF MINUTES:**

There were no corrections and no objections to approving the minutes of the November 13, 2025, Regular Meeting.

**PUBLIC COMMENT:** None

**ADDITIONS TO THE PRESENT AGENDA:** None

**COMMITTEE REPORT:** Ms. Picard provided a summary of this afternoon's Finance Committee meeting.

Mrs. Gross de Jimenez left at 6:47pm.

**INFORMATION, PRESENTATIONS AND ACTIONS:**

Superintendent Morell's Report including the following:

Larry Barlow, MMS Principal, and teachers Tara Achane-Miller and Louis Goffinet, shared a description and photos of the German Exchange Program. Michael Posocco, Director of Facilities, reported on completed, current and future projects at both schools.

Motion by Mr. Litrico, seconded by Mr. Fratiello, to approve the Proposed 2026 Board of Education Meeting Calendar. Vote: Motion passed with five in favor and Mr. Cecil, Mrs. Kelly and Mrs. Paulhus opposed.

Motion by Mr. Litrico, seconded by Mr. Fratiello, to approve the 2026-2027 Proposed Mansfield Public Schools Calendar. Vote: Unanimous and motion passed.

Superintendent Morell and Jason Titelbaum, Operations Manager, presented data and explanations of the district's Enrollment Report and Next Generation Accountability System to the Board.

The Board held the first read and discussion of the 2025-2026 Board of Education Policy Updates.

**PUBLIC COMMENT:** None

Motion by Ms. Picard, seconded by Mrs. Hosmer, that the Mansfield Public Schools Board of Education accepts the September 30, 2025 Quarterly Financials. Vote: Six in favor with Mrs. Paulhus abstaining and Mrs. Kelly opposed. Motion passed.

Motion by Mrs. Paulhus, seconded by Mr. Fratiello, that the Mansfield Public Schools Board of Education approves the FY 2025-26 Salary Budget Transfers. Vote: Unanimous and motion passed.

Motion by Mrs. Paulhus, seconded by Mr. Fratiello, that the Mansfield Public Schools Board of Education approves the FY 2025-26 Mid-year Budget Transfers. Vote: Unanimous and motion passed.

SUGGESTIONS FOR FUTURE AGENDA ITEMS: Mrs. Kelly asked the following be provided to the Board at a future meeting with regards to PreK:

How many children who received Birth to three services attend MES PreK;  
How many PreK students are identified as not being 'school ready';  
How the lottery system works;  
What the cost of PreK staffing is;  
The number of adults per classroom.

ADJOURNMENT: Motion by Mrs. Paulhus, seconded by Mr. Litrico, to adjourn at 8:29pm.

Respectfully submitted,  
Jil Corso, Board Clerk

**Summary of Recommended  
MBOE Policy Updates**  
Policy and Curriculum Committee November 13, 2025

**Personnel Family and Medical Leave (P. 6)**

Eligibility updated to include new provisions for non-certified staff meeting minimum service requirement under the new Connecticut Family Medical Leave Act (CTFMLA) legislation. Details of eligibility, definitions and provisions under both the Federal Family Medical Leave Act (FMLA) and the new Connecticut Family Medical Leave Act (CTFMLA) legislations.

**Personnel Non-Discrimination (P. 16)**

Language updates that define and reflect expanded protected class categories to include victim of sexual assault and victim of trafficking in persons. Additional edits reflect the updated name of Superintendent of Schools as well as the updated address of the Office for Civil Rights, U.S. Department of Education ("OCR").

**Personnel Non-Discrimination/Complaints of Discrimination (Administrative Regulations) (P. 25)**

Language updates that reflect expanded protected class categories to include victim of sexual assault and victim of trafficking in persons. Additional edits reflect the updated name of Superintendent of Schools as well as the updated address of the Office for Civil Rights, U.S. Department of Education ("OCR").

**Students Administration of Student Medication in the Schools (P. 35)**

Updated language reflects the ability to administer glucagon via nasal spray and/or other medical equipment as approved by the Food and Drug Administration.

**Students Non-Discrimination/Students (P. 61)**

Language updates that reflect expanded protected class categories to include victim of sexual assault and victim of trafficking in persons. Additional edits reflect the updated name of Superintendent of Schools as well as the updated address of the Office for Civil Rights, U.S. Department of Education ("OCR").

**Students Non-Discrimination (Administrative Regulations) (P. 70)**

Language updates that reflect expanded protected class categories to include victim of sexual assault and victim of trafficking in persons. Additional edits reflect the updated name of Superintendent of Schools as well as the updated address of the Office for Civil Rights, U.S. Department of Education ("OCR").

**Students Student Discipline (P. 81)**

Required legislation: revised definition of bullying: *"unwanted and aggressive behavior among children in grades kindergarten to twelve, inclusive, that involves a real or perceived power imbalance."* Legislation also requires that prior to a suspension or expulsion hearing, administration must confirm the homeless status of a student and consider the impact of homelessness on the student's behavior.

**Instruction Collection Development and Maintenance Policy (P. 112)**

This policy directs how the library media specialist will monitor library media centers collections and discards outdated materials. Language defines the purpose of library displays and also formally outlines the process by which a current parent/guardian or student may submit a request for reconsideration of any library material, display or student program.

**Students Restorative Practices Policy (P. 120)**

New policy that supports school climate legislation that directs the District to develop a continuum of strategies to prevent, identify, and respond to challenging behavior, bullying, and harassment.

## *Mansfield Board of Education Policy*

Section: PERSONNEL

### FAMILY AND MEDICAL LEAVE

#### PURPOSE

The purpose of this policy is to apprise employees of their rights and establish guidelines for leaves taken by employees of the Mansfield Board of Education (the "Board") under the federal Family and Medical Leave Act of 1993 ("FMLA") and, to the extent the employee is eligible the Connecticut Family Medical Leave Act ("CTFMLA") and applicable Connecticut state law. This policy is not intended to, and does not, recite every provision of applicable law and regulations.

#### ELIGIBILITY

~~An Employees is eligible for unpaid leave under the FMLA if the employee has who hold a professional certification under C.G.S. §10-144 et seq. and who have been employed by the Board for at least twelve (12) months, and who hasve worked at least 1,250 actual work hours during the twelve (12) months immediately preceding the start of a leave, are eligible for unpaid leave under the federal FMLA.~~

~~In addition, any employee 1) in a position that does not require certification under Chapter 166 of the Connecticut General Statutes (specifically, Connecticut General Statutes Section 10-144, et seq.)<sup>1</sup> and 2) who has been employed by the Board for a least three (3) months during the previous twelve-month period preceding a leave request may be eligible for leave under the CTFMLA.~~

~~Any person employed by a local or regional board of education who does not hold a professional certification under Chapter 166 and has worked for the Board for at least twelve (12) months, and has worked at least 950 service hours during the twelve (12) months immediately preceding the start of such leave is eligible for unpaid leave under the federal FMLA.~~

~~Full-time instructional employees meet the 1,250 hours of service requirement unless the Board can demonstrate that the full-time instructional employee did not meet the 1,250 hours of service requirement in the 12-month period prior to the start of leave.~~

#### DEFINITIONS

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<sup>1</sup> Examples of such covered positions include but are not limited to administrative/secretarial staff, maintenance/custodial staff, transportation personnel, food service workers, and paraeducators/those teacher assistants not requiring certification.

**Genetic information:** For purposes of this policy, “genetic information” includes an individual’s family medical history, the results of an individual’s or family member’s genetic tests, the fact that an individual or an individual’s family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual’s family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

**Instructional employee:** For purposes of this policy, an “instructional employee” is defined as a teacher or other employee of the Board who is employed principally in an instructional capacity and whose principal function is to teach and instruct students in a class, a small group, or an individual setting, and includes athletic coaches, driving instructors, and special education assistants such as signers for the hearing impaired. The term does not include teacher assistants or aides who do not have as their principal function actual teaching or instructing, nor auxiliary personnel such as counselors, psychologists, curriculum specialists, cafeteria workers, maintenance workers, bus drivers, or other primarily non-instructional employees.

## REASONS FOR LEAVE

Leaves under the FMLA and ~~CTFMLA~~applicable state law may be taken for the following reasons:

- incapacity due to pregnancy, prenatal medical care, or child birth; or
- to care for the employee’s newborn child; or
- the placement of a child with the employee by adoption or for foster care; or
- to care for the employee’s spouse, child or Parent/Guardian who has a serious health condition (or for those who are covered by the CTFMLA, covered family members, which are defined as spouse, sibling, son or daughter, grandparent, grandchild or parent, or individual related to the employee by blood or affinity whose close association the employee shows to be the equivalent of those family relationships); or
- to care for the employee’s own serious health condition that renders the employee unable to perform the functions of the employee’s position; or
- for those covered by CTFMLA, to serve as an organ or bone marrow donor; or
- to care for an injured or ill servicemember (see below – Length of Leave – for further information); or
- a qualifying exigency arising out of ~~a family member’s military service~~the employee’s spouse, son, daughter or parent’s foreign deployment or call (or impending call) to active military duty, including one or more of the following

reasons (note – more detailed information on the following categories is available from the Director of Human Resources and Talent Management):

- short-notice deployment;
- military events and related activities;
- childcare and school activities;
- financial and legal arrangements;
- counseling;
- rest and recuperation;
- post-deployment activities;
- Parental/Guardian care leave for military member's Parent/Guardian who is incapable of self-care and care is necessitated by the military member's covered active duty;
- additional activities that arise out of the active duty or call to active duty status of a covered military member, provided that the Board and the employee agree that such leave qualifies as an exigency, and agree to both the timing and the duration of such leave.

## LENGTH OF LEAVE

### (A) Basic FMLA Leave Entitlement:

If a leave is requested for one of the above-listed reasons, each eligible employee may take up to a total of twelve (12) weeks unpaid family or medical leave in the 12-month entitlement period.

The Board utilizes a "rolling" 12-month period measured backward from the date an employee uses any FMLA leave. Each time an employee takes FMLA leave, the employee's leave entitlement will be any balance of the maximum 12 weeks of FMLA leave which has not been used during the immediately preceding 12 months.

(B) — For those eligible for leave under the CTFMLA, an additional 2 weeks of leave in addition to the 12 weeks, for an aggregate total of up to 14 weeks may be available if, during pregnancy, a healthcare provider determines that an individual has a serious health condition that results in incapacity.

### (C) Leave to Care for an Injured or Ill Servicemember:

In addition to the reasons for leave listed above, an eligible employee may take up to twenty-six (26) workweeks of FMLA leave during a 12-month period to care for (i) a servicemember who is the employee's spouse, Parent/Guardian, child or next of kin and who incurred a serious injury or illness in the line of duty and while on active duty in the Armed Forces, or had a preexisting injury or illness prior to beginning active duty that was aggravated by service in the line of duty on active duty in the Armed Forces; or, (ii) a covered veteran with a serious injury or illness who is the employee's spouse, Parent/Guardian, child or next of kin.

For those employees who are covered by the CTFMLA only, "parent" means a biological parent, foster parent, adoptive parent, stepparent, parent-in-law or legal guardian of an eligible employee or an eligible employee's spouse, an individual standing in loco parentis to an eligible employee, or an individual who stood in loco parentis to the eligible employee when the employee was a child.

For servicemembers, the injury or illness must render the servicemember medically unable to perform the duties of office, grade, rank or rating. This provision applies to servicemembers who are undergoing medical treatment, recuperation, or therapy, who are in outpatient status, or who are on the temporary disability retired list, for a serious injury or illness.

For covered veterans, the veteran must be undergoing medical treatment, recuperation or therapy for a serious injury or illness and must have been (1) a member of the Armed Forces (including the National Guard or Reserves); (2) discharged or released under conditions that were other than dishonorable; and (3) discharged within the five-year period before the eligible employee first takes FMLA military caregiver leave to care for the veteran<sup>1</sup>.

For covered veterans, serious injury or illness means any of the following:

- (i) A continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the servicemember unable to perform the duties of the servicemember's office, grade, rank, or rating; or
- (ii) A physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service-Related Disability Rating (VASRD) of 50 percent or greater, and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave; or
- (iii) A physical or mental condition that substantially impairs the covered veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or

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<sup>1</sup> The employee's first date of leave must be within the five year period. However, the employee may continue to take leave throughout the single 12 month period even if the leave extends past the five-year period. Note - special rules may apply to calculating the five year period for veterans discharged between October 28, 2009 and March 8, 2013. This period will effectively be excluded from the five year calculation.

- (iv) An injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

(D) An eligible employee may request up to twenty six (26) workweeks of unpaid leave during a single twelve (12) month period in connection with a (qualifying exigency) as defined above, involving the employee's spouse, son, daughter or parent's foreign deployment or call (or impending call) to active military duty.

When combined with any other type of FMLA qualifying leave, total leave time may not exceed twenty-six (26) weeks in a single twelve (12) month period. Standard FMLA leave procedures described below apply to all requests for and designation of leave for this purpose. *However*, in the case of leave to care for a servicemember with a serious injury or illness, or for qualifying exigency leave the 12-month period begins on the day such leave actually commences.

## TYPES OF LEAVE AND CONDITIONS

### Full-Time, Intermittent and Reduced Schedule Leave

Full-time leave excuses the employee from work for a continuous period of time. Full-time unpaid leave may be taken for any of the reasons permitted by the FMLA.

Intermittent leave means leave taken due to a single qualifying reason in separate periods of time rather than for one continuous period of time. Examples of intermittent leave include: leave taken one day per week over a period of a few months; or leave taken on an occasional/as-needed basis for medical appointments.

Reduced schedule leave is leave that reduces the employee's usual number of work hours per day for some period of time. For example, an employee may request half-time work for a number of weeks so the employee can assist in the care of a seriously ill Parent/Guardian.

Intermittent or reduced schedule leave may be taken (a) when medically necessary for an employee's or covered family member's serious health condition, or for a covered service member's serious illness or injury, and (b) the need for leave can be best accommodated through an intermittent or reduced schedule leave. In addition, FMLA leave may be taken intermittently or on a reduced schedule basis (1) due to a qualifying exigency; or (2) to effectuate the placement of a child for adoption or foster care before the placement of the child in the home.

If foreseeable intermittent or reduced schedule leave is medically required based upon planned medical treatment of the employee or a family member or a covered service member, including during a period of recovery from an employee's or family member's serious health condition or a serious injury or illness of a covered service member, the Board may, in its sole discretion, temporarily transfer the employee to another job with equivalent pay and benefits that better accommodates the type of leave requested. Also, special arrangements may be required of an instructional employee who needs to take intermittent or reduced-schedule leave which will involve absence for more than twenty (20) percent of the work days in the period over which the

leave will extend (for example, more than five days over a five-week period), if the leave is to care for a family member with a serious health condition, to care for a covered service member with a serious injury or illness, or for the employee's own serious health condition, which is foreseeable based on planned medical treatment. In such situations, the Board may require the instructional employee to transfer temporarily to another job or take leave for a particular duration, not to exceed the duration of the planned medical treatment. Intermittent leave may not be taken upon the birth of a child or upon the placement of a child unless agreed to by the District and the employee.

#### Both Spouses Working for the Same Employer

If both spouses are eligible employees of the Board and request leave for the birth, placement of a child by adoption or for foster care, or to care for a Parent/Guardian with a serious health condition, they only will be entitled to a maximum combined total leave equal to twelve (12) weeks in the 12-month entitlement period. If either spouse (or both) uses a portion of the total 12-week entitlement for one of the purposes in the preceding sentence, each is entitled to the difference between the amount the employee has taken individually and the 12 weeks for FMLA leave for their own or their spouse's serious health condition in the 12-month entitlement periods.

#### Leave Taken by Instructional Employees Near the End of an Academic Term

If a leave taken by an instructional employee for any reason begins more than five (5) weeks before the end of an academic term, the Board may require that instructional employee to continue the leave until the end of the term if the leave will last at least three (3) weeks and the instructional employee would return to work during the three-week period before the end of the term.

If the instructional employee begins a leave during the five-week period preceding the end of an academic term for a reason other than the instructional employee's own serious health condition, the Board may require the instructional employee to continue taking leave until the end of the term if the leave will last more than two (2) weeks and the instructional employee would return to work during the two-week period before the end of the term.

If the instructional employee begins a leave during the three-week period preceding the end of an academic term for a reason other than the instructional employee's own serious health condition, the Board may require the instructional employee to continue taking leave until the end of the term if the leave will last more than five (5) working days.

### **REQUESTS FOR LEAVE**

#### (A) Foreseeable Leave

An employee must notify the Director of Human Resources and Talent Management of the need for a family or medical leave at least thirty (30) days before the leave is to begin if the need for

the leave is foreseeable based on the expected birth of the employee's child, placement of a child with the employee for adoption or foster care, planned medical treatment for the employee's or family member's serious health condition, or the planned medical treatment for a serious injury or illness of a covered service member. If 30 days-notice is not practicable, then the employee must provide notice as soon as practicable under the circumstances, usually the same day or the next business day after the employee becomes aware of the need for FMLA leave.

(B) Qualifying Exigency

An employee must provide notice as soon as practicable if the foreseeable leave is for a qualifying exigency, regardless of how far in advance such leave is foreseeable.

(C) Unforeseeable Leave

When the employee's need for leave is not foreseeable, an employee must provide notice as practicable under the circumstances.

### **SCHEDULING PLANNED MEDICAL TREATMENT**

When planning medical treatment for foreseeable FMLA leave, an employee must consult with the Director of Human Resources and Talent Management and make a reasonable effort to schedule the treatment so as not to disrupt unduly the Board's operations, subject to the approval of the health care provider. Similarly, if an employee needs leave intermittently or on a reduced leave schedule for planned medical treatment, the employee must make a reasonable effort to schedule the treatment so as not to disrupt unduly the Board's operations. Ordinarily, the employee should consult with the Director of Human Resources and Talent Management prior to scheduling the treatment in order to work out a treatment schedule that best suits the needs of the Board and the employee. The Board and the employee shall attempt to work out a schedule for leave that meets the employee's needs without unduly disrupting the Board's operations, subject to the approval of the health care provider as to any modification of the treatment schedule.

### **REQUIRED CERTIFICATIONS/DOCUMENTATION**

For leaves taken for any FMLA-qualifying reason, an employee must submit a completed certification form supporting the need for leave. The appropriate form will be provided to the employee. The employee must submit a complete and sufficient certification form as required within fifteen (15) calendar days of receiving the request for the completed certification. If it is not practicable for the employee to provide the completed form by the due date despite the employee's diligent, good faith efforts, the employee must inform the Director of Human Resources and Talent Management of the reason(s) for delay and what efforts the employee undertook to obtain the required certification. FMLA-protected leave may be delayed or denied if the employee does not provide a complete and sufficient certification as required. Depending on the reason for leave, an employee may be required to submit medical certification from the employee's health care provider, medical certification from the employee's family member's health care provider, and/or other documentation (e.g., to establish a family relationship, military active duty orders, etc.). In certain circumstances and under certain conditions, employees may

also be required to obtain second or third medical opinions and/or recertifications, in accordance with applicable law.

If an employee takes leave for the employee's own serious health condition (except on an intermittent or reduced-schedule basis), prior to returning to work the employee must provide a medical fitness-for-duty certification that the employee is able to resume work and the health condition that created the need for the leave no longer renders the employee unable to perform the essential functions of the job. This certification must be submitted to the Director of Human Resources and Talent Management. If the employee is unable to perform one or more of the essential functions of the employee's position, the Board will determine whether the employee is eligible for additional FMLA leave (if such leave has not been exhausted) or whether an accommodation is appropriate, in accordance with the Americans with Disabilities Act.

In connection with the Board's request for medical information, employees must be aware that the Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by Title II of GINA from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, the Board requests that employees not provide any genetic information when responding to a request for medical information.

#### **USE OF PAID LEAVE**

Accrued paid personal leave and accrued paid vacation will be substituted (in that order) for any unpaid portions of family or medical leave taken for any reason. However, where the leave is for the employee's own serious health condition, accrued paid sick leave shall be substituted for unpaid portions of family or medical leave prior to the substitution of accrued paid personal and accrued paid vacation leave, except when an employee is receiving workers' compensation, or any disability insurance benefits for a serious health condition (unless the employee and the District agree otherwise). The amount of unpaid family or medical leave entitlement is reduced by the amount of paid leave that is substituted.

In addition, in cases involving absences due to a Workers' Compensation injury that also qualifies as an FMLA serious health condition, and if the employee (and the employee's collective bargaining agent, if applicable) and the Board agree to do so, the Board will apply the employee's available accrued paid leave in increments as a supplement to the Workers' Compensation weekly benefit in an appropriate amount so that the employee can maintain the employee's regular weekly income level.

Notwithstanding the foregoing, for leave under the CTFMLA, such eligible employee may retain not less than two weeks of such available paid leave.

#### **MEDICAL INSURANCE AND OTHER BENEFITS**

During approved family or medical leaves of absence, the Board will continue to pay its portion of medical insurance premiums for the period of unpaid family or medical leave. The employee must continue to pay the employee's share of the premium, and failure to do so may result in loss

of coverage. If the employee does not return to work after expiration of the leave, the employee will be required to reimburse the Board for payment of medical insurance premiums during the family or medical leave, unless the employee does not return because of a serious health condition or circumstances beyond the employee's control.

During an FMLA leave, an employee shall not accrue benefits, such as seniority, pension benefits, or sick or vacation leave, unless otherwise required by any applicable collective bargaining agreement or Board policy. However, unused employment benefits accrued by the employee up to the day on which the leave begins will not be lost upon return to work. Leave taken under this policy does not constitute an absence under the Board's attendance policy, if any.

## **REINSTATEMENT**

Except for circumstances unrelated to the taking of a family or medical leave, and unless an exception applies, an employee who returns to work on the day of or on the business day following the following the expiration of a family or medical leave is entitled to return to the job such employee held prior to the leave or to an equivalent position with equivalent pay and benefits.

## **INCOME REPLACEMENT BENEFITS WHICH MAY BE AVAILABLE THROUGH THE CONNECTICUT PAID LEAVE PROGRAM.**

For informational purposes only, the CTFMLA entitles eligible employees to receive income-replacement benefits from the Connecticut Paid Leave Program while on Approved CTFMLA leave, or while on leave under the Connecticut Family Violence Leave Act. The Connecticut Paid Leave Program is administered by the Connecticut Paid Leave Authority ("CPLA") and not the District. Eligible employees are responsible for applying to the CPLA for income-replacement benefits. The District has no responsibility to apply for, determine eligibility for or to pay for income-replacement benefits under the CTFMLA. Consult [ctpaidleave.org](http://ctpaidleave.org) for more information.

## **ADDITIONAL INFORMATION**

Questions regarding family or medical leave may be directed to the Superintendent or designee. An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer. FMLA does not affect any federal or state law prohibiting discrimination, or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

### **Legal References:**

Conn. Gen. Stat. § 31-51rr

Regs. Conn. State Agencies 31-51rr-1, et seq.

Family and Medical Leave Act of 1993, 29 U.S.C. Section 2601 et seq.

Connecticut Family Medical Leave Act, Conn. Gen. Stats. §31-51kk – 31-51qq.

Regs. Conn. State Agencies 31-51qq-1 to 31-51qq-48

29 C.F.R. Part 825.100 et seq.

Title II of the Genetic Information Nondiscrimination Act of 2008, Pub.L.110 233, 42 U.S.C. 2000f; 29 CFR 1635.1 et seq.

ADOPTED: 1/27/05; 1/16/25  
REVISED: 9/10/09; 11/01/11; 9/13/12; 10/9/14; 11/12/15; 10/27/16; 6/7/18; 2/8/24; 11/14/24  
REVIEWED: 9/10; 10/10/13; 6/7/18; 3/14/19

*Mansfield Board of Education Policy*

Section: PERSONNEL

**NON-DISCRIMINATION**

**Protected Class Discrimination Prohibited**

The Board of Education (the “Board”) will not make employment decisions (including decisions related to hiring, assignment, compensation, promotion, demotion, disciplinary action and termination) on the basis of race, color, religion, age, sex, marital status, sexual orientation, national origin, alienage, ancestry, disability, pregnancy, genetic information, gender identity or expression, veteran status, status as a victim of domestic violence, status as a victim of sexual assault or status as a victim of trafficking in persons or any other basis prohibited by state or federal law (“Protected Class”), except in the case of a bona fide occupational qualification.

It is the policy of the Board that any form of discrimination or harassment on the basis of an individual’s actual or perceived membership in a Protected Class, whether by students, Board employees, Board members, or third parties subject to the control of the Board, is prohibited in the Mansfield Public Schools (the “District”). The Board’s prohibition of discrimination or harassment in its educational programs or activities expressly extends to academic, nonacademic and extracurricular activities, including athletics.

**Discrimination on the Basis of Erased Criminal History Prohibited**

The Board will not discriminate against any employee or applicant for employment solely on the basis of the individual’s erased criminal history record information, as defined in Conn. Gen. Stat. § 46a-80a.

**Retaliation Prohibited**

The Board further prohibits reprisal or retaliation against any individual who reports incidents in good faith that may be a violation of this policy, or who participates in the investigation of such reports.

**Discrimination on the Basis of Protected Class Association Prohibited**

Discrimination and/or harassment against any individual on the basis of that individual’s association with someone in a Protected Class may also be considered a form of Protected Class discrimination and/or harassment, and is therefore prohibited by this policy.

**Scope and Applicability**

Students, Board employees, Board members, and community members (e.g., other individuals

affiliated with the District, accessing or seeking access to District facilities) are expected to adhere to a standard of conduct that is respectful of the rights of all members of the school community.

It is also the policy of the Board to provide for the prompt and equitable resolution of complaints alleging Protected Class discrimination or harassment. The District will investigate both formal and informal complaints of discrimination, harassment, or retaliation.

### Definitions

The following definitions apply for purposes of this policy:

#### Discrimination

It is illegal for employers to treat employees differently in relation to hiring, discharging, compensating, or providing the terms, conditions, and privileges of employment because of such employee's actual or perceived membership in a Protected Class.

#### Harassment

Harassment is a form of Protected Class discrimination that is prohibited by law and by this policy. Harassment is unwelcome conduct that is based on an employee's actual or perceived membership in a Protected Class. Harassment constitutes unlawful discrimination when 1) enduring the offensive conduct becomes a condition of continued employment, or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

The following non-exhaustive list provides examples of the types of prohibited conduct that may be considered Protected Class harassment that can lead to an intimidating, hostile, or abusive environment, and are therefore prohibited by this policy:

- objectively offensive racial, ethnic, or religious epithets (or epithets commonly associated with any Protected Class membership);
- other words or phrases commonly considered demeaning or degrading on the basis of Protected Class membership;
- display of images or symbols commonly associated with discrimination against individuals on the basis of their membership in a Protected Class;
- graphic, written or electronic communications that are harmful or humiliating based on Protected Class membership;
- bigoted conduct or communications; or
- physical, written, electronic or verbal threats based on Protected Class membership.

Harassment does not have to include intent to harm, be directed at a specific target, or involve repeated incidents.

Sexual harassment is a form of harassment that is prohibited by law and the Board's policy regarding Sex Discrimination and Sexual Harassment (Personnel). For more information

regarding harassment based on sex, sexual orientation, pregnancy, or gender identity or expression, contact the District's Title IX Coordinator at:

**Michele Beers**  
**Director of Human Resources and Talent Management**  
**4 South Eagleville Road**  
**Storrs, CT 06268**  
**(860) 429-3350**  
**BeersML@mansfieldct.org**

Genetic information

Genetic information means the information about genes, gene products, or inherited characteristics that may derive from an individual or a family member. "Genetic information" may also include an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

Veteran

A veteran is any person honorably discharged from, released under honorable conditions from, or released with an other than honorable discharge based on a qualifying condition from, active service in, the United States Army, Navy, Marine Corps, Coast Guard and Air Force and any reserve component thereof, including the Connecticut National Guard. "Qualifying condition" means (i) a diagnosis of post-traumatic stress disorder or traumatic brain injury made by an individual licensed to provide health care services at a United States Department of Veterans Affairs facility, (ii) an experience of military sexual trauma disclosed to an individual licensed to provide health care services at a United States Department of Veterans Affairs facility, or (iii) a determination that sexual orientation, gender identity, or gender expression was more likely than not the primary reason for an other than honorable discharge, as determined in accordance with Conn. Gen. Stat. §§ 27-103(c), (d).

Gender identity or expression

Gender identity or expression refers to a person's gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth, which gender-related identity can be shown by providing evidence including, but not limited to, medical history, care or treatment of the gender-related identity, consistent and uniform assertion of the gender-related identity or any other evidence that the gender-related identity is sincerely held, part of a person's core identity or not being asserted for an improper purpose.

Sexual orientation

Sexual orientation refers to a person's identity in relation to the gender or genders to

which they are romantically, emotionally or sexually attracted, inclusive of any identity that a person (i) may have previously expressed, or (ii) is perceived by another person to hold.

#### Race

The term race is inclusive of ethnic traits historically associated with race, including but not limited to, hair texture and protective hairstyles. "Protective hairstyles" includes, but is not limited to, wigs, headwraps and hairstyles such as individual braids, cornrows, locs, twists, Bantu knots, afros and afro puffs.

#### Domestic violence

The term domestic violence means (1) a continuous threat of present physical pain or physical injury against a family or household member, as defined in Conn. Gen. Stat. § 46b-38a; (2) stalking, including but not limited to, stalking as described in Conn. Gen. Stat. § 53a-181d, of such family or household member; (3) a pattern of threatening, including but not limited to, a pattern of threatening as described in Conn. Gen. Stat. § 53a-62, of such family or household member or a third party that intimidates such family or household member; or (4) coercive control of such family or household member, which is a pattern of behavior that in purpose or effect unreasonably interferes with a person's free will and personal liberty. "Coercive control" includes, but is not limited to, unreasonably engaging in any of the following: (a) isolating the family or household member from friends, relatives or other sources of support; (b) depriving the family or household member of basic necessities; (c) controlling, regulating or monitoring the family or household member's movements, communications, daily behavior, finances, economic resources or access to services; (d) compelling the family or household member by force, threat or intimidation, including, but not limited to, threats based on actual or suspected immigration status, to (i) engage in conduct from which such family or household member has a right to abstain, or (ii) abstain from conduct that such family or household member has a right to pursue; (e) committing or threatening to commit cruelty to animals that intimidates the family or household member; or (f) forced sex acts, or threats of a sexual nature, including, but not limited to, threatened acts of sexual conduct, threats based on a person's sexuality or threats to release sexual images.

#### Sexual Assault Victim

The term "sexual assault victim" means the victim of 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, and 4<sup>th</sup> degree sexual assault, 3<sup>rd</sup> degree sexual assault with a firearm, aggravated sexual assault, aggravated sexual assault of a minor, sexual assault in a spousal or cohabitating relationship, and 1<sup>st</sup> and 2<sup>nd</sup> degree rape.

#### Victim of Trafficking In Persons

The term "victim of trafficking in persons" means a person who is a victim of the crime of "trafficking in persons" a class A felony, punishable by a fine up to \$20,000, 10 to 25 years in prison, or both. By law, a person commits trafficking in persons

1. when he or she knowingly compels or induces another person to engage in conduct involving sexual contact with one or more third persons or provide labor or services that the other person has a legal right to refrain from providing by means of (A) the use of force against such other person or a third person, or by the threat of use of force against such other person or a third person, (B) fraud, or (C) coercion;
- 1-2. compel or induce a minor (under age 18) to engage in conduct with one or more third persons involving sexual contact for which the third person may be charged with a crime; or otherwise knowingly commit a sex trafficking act (CGS § 53a-192a).

### **Reporting to District Officials**

It is the policy of the Board to provide for the prompt and equitable resolution of complaints alleging Protected Class discrimination or harassment.

Any employee who believes they or another employee has experienced Protected Class discrimination or harassment or an act of retaliation or reprisal in violation of this policy should report such concern in writing to:

**Peter Dart****Candace Morell**, Superintendent of Schools  
Mansfield Board of Education  
4 South Eagleville Road  
Storrs, CT 06268  
(860) 429-3350  
**MorelleMorellcydartp@mansfieldct.org**

in accordance with the Board's complaint procedures and complaint form which are included in the Board's Administrative Regulations Regarding Non-Discrimination (Personnel), which accompany this policy and are available online at <https://www.mansfieldct.gov/1775/Board-Policies> or upon request from the main office of any District school.

Employees are encouraged to report incidents of alleged Protected Class discrimination, harassment, or retaliation immediately.

If a complaint involves allegations of discrimination or harassment based on sex, sexual orientation, pregnancy, or gender identity or expression, such complaints will be handled in accordance with the procedures set forth in Board Policy: Sex Discrimination and Sexual Harassment (Personnel).

If a complaint involves allegations of discrimination or harassment based on disability, such complaints will be addressed in accordance with the procedures set forth in the Board's policy regarding Section 504/ADA (Personnel).

In the event conduct reported as Protected Class discrimination and/or harassment allegedly violates more than one policy, the Board will coordinate any investigation in compliance with the applicable policies.

### **Mandatory Staff Reporting for Student Incidents**

District employees are required to report incidents of alleged student-to-student and employee-to-student discrimination, harassment or retaliation that may be based on a Protected Class when District employees witness such incidents or when District employees receive reports or information about such incidents, whether such incidents are verbal or physical or amount to discrimination, harassment or retaliation in other forms. Reports should be made to any District administrator or to:

~~Peter Dart~~**Candace Morell**, Superintendent of Schools  
Mansfield Board of Education  
4 South Eagleville Road  
Storrs, CT 06268  
(860) 429-3350  
[morellemorellcvdarp@mansfieldct.org](mailto:morellemorellcvdarp@mansfieldct.org)

### **Remedial Action**

If the District makes a finding of discrimination, harassment or retaliation, the District will take remedial action designed to:

- A. eliminate the discriminatory/harassing/retaliatory conduct,
- B. prevent its recurrence, and
- C. address its effects on the complainant and any other affected individuals.

Examples of appropriate action may include, but are not limited to:

- A. In the case of a student respondent, interventions for the individual who engaged in the discrimination/harassment may include, but are not limited to, discipline (including but not limited to suspension and/or expulsion), educational interventions, exclusion from extra-curricular activities and/or sports programs, and/or referral to appropriate state or local agencies;
- B. In the case of an employee respondent, interventions for the individual who engaged in the discrimination/harassment may include, but are not limited to, supervisor notification, discipline (including possible termination of employment), training, and/or referral to appropriate state or local agencies;
- C. In the case of respondent who is otherwise associated with the school community, interventions for the individual who engaged in the discrimination/harassment may include, but are not limited to, exclusion from school property and/or activities and/or referral to appropriate state or local agencies;

- D. Follow-up inquiries with the complainant and witnesses to ensure that the discriminatory/harassing conduct has stopped and that they have not experienced any retaliation;
- E. Supports for the complainant; and
- F. Training or other interventions for the larger school community designed to ensure that students, staff, Parent/Guardians, Board members and other individuals within the school community understand the types of behavior that constitute discrimination/harassment, that the District does not tolerate it, and how to report it.

**Reporting to State and Federal Agencies**

In addition to reporting to the Board, any employee also may file a complaint with the following:

Office for Civil Rights, U.S. Department of Education (“OCR”):

Office for Civil Rights, Washington D.C. (Metro)  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-1475  
(202) 453-6020  
~~Office for Civil Rights, Boston Office~~  
~~U.S. Department of Education~~  
~~8th Floor~~  
~~5 Post Office Square~~  
~~Boston, MA 02109-3921~~  
~~(617-289-0111)~~  
<http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>

Equal Employment Opportunity Commission:

Equal Employment Opportunity Commission, Boston Area Office  
 John F. Kennedy Federal Building  
 475 Government Center  
 Boston, MA 02203  
 (800-669-4000)

Connecticut Commission on Human Rights and Opportunities:

Connecticut Commission on Human Rights and Opportunities  
 450 Columbus Blvd.  
 Hartford, CT 06103-1835  
 (860-541-3400 or Connecticut Toll-Free Number 1-800-477-5737)

**Questions/Requests for Accommodation**

Any employee who: (1) has questions or concerns about this policy or its accompanying regulations; (2) wishes to request or discuss accommodations based on religion, or (3) would like a copy of the Board's complaint procedures or complaint forms related to claims of discrimination or harassment, should contact the following District official:

~~Peter Dart~~**Candace Morell**, Superintendent of Schools  
Mansfield Board of Education  
4 South Eagleville Road  
Storrs, CT 06268  
(860) 429-3350  
[dartmorellemorellcyp@mansfieldct.org](mailto:dartmorellemorellcyp@mansfieldct.org)

Any employee who has questions or concerns about the Board's policies regarding discrimination on the basis of gender/sex/sexual orientation/pregnancy/gender identity or expression applicable to employees should contact the District's Title IX Coordinator:

**Michele Beers**  
Director of Human Resources and Talent Management  
4 South Eagleville Road  
Storrs, CT 06268  
(860) 429-3350  
[BeersML@mansfieldct.org](mailto:BeersML@mansfieldct.org)

Any employee who: (1) has specific questions or concerns about the Board's policies regarding discrimination on the basis of disability applicable to employees, or (2) wishes to request an accommodation on the basis of disability should contact the District's Section 504/ADA Coordinator:

**Shamim Patwa, Ph.D.**  
Director of Student Support Services  
4 South Eagleville Road  
Storrs, CT 06268  
(860) 429-3353  
[patwas@mansfieldct.org](mailto:patwas@mansfieldct.org)

Legal References:

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d *et seq.*

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e *et seq.*

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

Age Discrimination in Employment Act, 29 U.S.C. § 621 *et seq.*

Americans with Disabilities Act, 42 U.S.C. § 12101

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

Title II of the Genetic Information Nondiscrimination Act of 2008, Pub.L.110 -233,42  
U.S.C. § 2000ff; 29 CFR 1635.1 *et seq.*

Connecticut General Statutes § 1-1n, “Gender Identity or Expression” defined

Connecticut General Statutes § 10-153, Discrimination on the basis of sex, gender  
identity or expression or marital status prohibited

Connecticut General Statutes § 27-103

Connecticut General Statutes § 31-51i

Connecticut General Statutes § 46a-51, Definitions

Connecticut General Statutes § 46a-58, Deprivation of rights

Connecticut Fair Employment Practices Act, Connecticut General Statutes § 46a-60

Connecticut General Statutes § 46a-80a

Connecticut General Statutes § 46a-81c, Sexual orientation discrimination: Employment

Connecticut General Statutes § 46b-1, Family relations matters and domestic violence  
defined

Connecticut General Statutes §53a-192a Trafficking in persons: Class A Felony

Public Act No. 23-145, “An Act Revising the State’s Antidiscrimination Statutes”

Public Act No. 25-139 “An Act Concerning Human Trafficking and Sexual Assault  
Victims”

ADOPTED: 2/1/79  
REVISED: 3/26/81; 10/10/91; 1/27/05; 9/10/09; 10/13/11; 9/13/12; 10/10/13; 10/27/16; 6/7/18; 6/11/20;  
1/20/22; 1/19/23; 2/8/24  
REVIEWED: 9/10; 10/9/14; 11/12/15; 6/7/18; 3/14/19

*Mansfield Board of Education Policy*

Section: PERSONNEL

**NON-DISCRIMINATION/COMPLAINTS OF DISCRIMINATION  
(ADMINISTRATIVE REGULATIONS/PERSONNEL)**

**Protected Class Discrimination Prohibited**

The Mansfield Board of Education (the “Board”) will not make employment decisions (including decisions related to hiring, assignment, compensation, promotion, demotion, disciplinary action and termination) on the basis of race, color, religion, age, sex, marital status, sexual orientation, national origin, alienage, ancestry, disability, pregnancy, genetic information, veteran status, gender identity or expression, status as a victim of domestic violence, status as a victim of sexual assault, status as a victim of trafficking in persons, or any other basis prohibited by state or federal law (“Protected Class”), except in the case of a bona fide occupational qualification.

It is the policy of the Board that any form of discrimination or harassment on the basis of an individual’s actual or perceived membership in a Protected Class, whether by students, Board employees, Board members or third parties subject to the control of the Board, is prohibited in the Mansfield Public Schools (the “District”). Students, Board employees, Board members and third parties are expected to adhere to a standard of conduct that is respectful of the rights of all members of the school community.

**Discrimination on the Basis of Erased Criminal History Prohibited**

The Board will not discriminate against any employee or applicant for employment solely on the basis of the individual’s erased criminal history record information, as defined in Conn. Gen. Stat. § 46a-80a.

**Retaliation Prohibited**

The Board prohibits reprisal or retaliation against any individual who reports incidents in good faith that may be a violation of this policy, or who participates in the investigation of such reports.

The District will not tolerate any reprisals or retaliation that occur as a result of the good faith reporting of charges of Protected Class discrimination or harassment. Any such reprisals or retaliation may result in disciplinary action against the retaliator, and other corrective actions as appropriate.

**Discrimination on the Basis of Protected Class Association Prohibited**

Discrimination and/or harassment against any individual on the basis of that individual’s

association with someone in a Protected Class may also be considered a form of Protected Class discrimination and/or harassment.

### **Scope and Applicability**

Students, Board employees, Board members and community members (e.g., other individuals affiliated with the District, accessing or seeking access to District facilities) are expected to adhere to a standard of conduct that is respectful of the rights of all members of the school community.

The following non-exhaustive list provides examples of the types of prohibited conduct that may be considered Protected Class harassment that can lead to a hostile environment, and are therefore prohibited:

- objectively offensive racial, ethnic, or religious epithets (or epithets commonly associated with any Protected Class membership);
- other words or phrases commonly considered demeaning or degrading on the basis of Protected Class membership;
- display of images or symbols commonly associated with discrimination against individuals on the basis of their membership in a Protected Class;
- graphic, written or electronic communications that are harmful or humiliating based on Protected Class membership;
- bigoted conduct or communications; OR
- physical, written, electronic or verbal threats based on Protected Class membership.

Harassment does not have to include intent to harm, be directed at a specific target, or involve repeated incidents.

### **Reporting to District Officials**

It is the policy of the Board to provide for the prompt and equitable resolution of complaints alleging Protected Class discrimination or harassment. The District will investigate both formal and informal complaints of discrimination, harassment, or retaliation.

Employees are encouraged to report incidents of alleged Protected Class discrimination, harassment, or retaliation immediately.

Any employee who believes they or another employee has experienced Protected Class discrimination or harassment or an act of retaliation or reprisal in violation of Board policy should report such concern in writing to:

**Candace Morell~~Peter Dart~~, Superintendent of Schools**  
**Mansfield Board of Education**  
**4 South Eagleville Road**  
**Storrs, CT 06268**  
**(860) 429-3350**  
**[dartpmorellemorellcv@mansfieldct.org](mailto:dartpmorellemorellcv@mansfieldct.org)**

in accordance with the Board's complaint procedures included in these Administrative Regulations Regarding Non-Discrimination/Complaints of Discrimination (Personnel).

If a complaint involves allegations of discrimination or harassment based on sex, sexual orientation, pregnancy, or gender identity or expression, such complaints will be handled in accordance with the procedures set forth in the Board's policy regarding Sex Discrimination and Sexual Harassment (Personnel).

If a complaint involves allegations of discrimination or harassment based on disability, such complaints will be addressed in accordance with the procedures set forth in the Board's policy regarding Section 504/ADA (Personnel).

In the event conduct reported as Protected Class discrimination and/or harassment allegedly violates more than one policy, the Board will coordinate any investigation in compliance with the applicable policies.

#### **Mandatory Staff Reporting for Student Incidents**

District employees are required to report incidents of alleged student-to-student and employee-to-student discrimination, harassment or retaliation that may be based on a Protected Class when District employees witness such incidents or when District employees receive reports or information about such incidents, whether such incidents are verbal or physical or amount to discrimination, harassment or retaliation in other forms. **Reports should be made to any District administrator or to:**

~~Peter Dart~~**Candace Morell**, Superintendent of Schools  
Mansfield Board of Education  
4 South Eagleville Road  
Storrs, CT 06268  
(860) 429-3350  
[morellemorellcvdartp@mansfieldct.org](mailto:morellemorellcvdartp@mansfieldct.org)

#### **Complaint Procedure**

Preferably, complaints should be filed within thirty (30) calendar days of the alleged occurrence. Timely reporting of complaints facilitates the investigation and resolution of such complaints. The District will investigate such complaints promptly and equitably, and will take corrective action when allegations are verified.

As soon as an individual feels that they or another employee has been subjected to Protected Class discrimination or harassment, the individual should make a written complaint to the Superintendent or designee.

The individual who is alleged to have experienced Protected Class discrimination/harassment (the "complainant") and any individual accused of Protected Class discrimination/harassment

(the "respondent") (if applicable) will be provided a copy of the Board's policy and regulation and made aware of the individual's rights under this policy and regulation. In the event the Superintendent or designee receives a complaint alleging discrimination or harassment based on sex, sexual orientation, pregnancy, or gender identity or expression, the Superintendent or designee shall follow the procedures identified in the Board's policy regarding Sex Discrimination and Sexual Harassment (Personnel). In the event the Superintendent or designee receives a complaint alleging discrimination or harassment based on disability, the Superintendent or designee shall follow the procedures identified in the Board's policy regarding Section 504/ADA (Personnel).

The complaint should state the:

- A. Name of the complainant,
- B. Date of the complaint,
- C. Date(s) of the alleged harassment/discrimination,
- D. Name(s) of the harasser(s) or discriminator(s),
- E. Location where such harassment/discrimination occurred,
- F. Names of any witness(es) to the harassment/discrimination,
- G. Detailed statement of the circumstances constituting the alleged harassment/discrimination; and
- H. Proposed remedy.

Any individual who makes an oral complaint of discrimination or harassment of an employee will be provided a copy of this regulation and will be requested to make a written complaint pursuant to the above procedure. If an individual is unable to make a written complaint, the employee receiving the oral complaint will either reduce the complaint to writing, assist the individual with completing the written complaint form, or request that a District administrator assist the individual.

All complaints received by employees are to be forwarded immediately to the Superintendent or designee. Upon receipt of a complaint alleging discrimination or harassment of an employee under this complaint procedure, the Superintendent shall promptly investigate the complaint or designate a District administrator or other trained individual to do so.

During the course of the investigation, the investigator shall interview or consult with all individuals reasonably believed to have relevant information, including the complainant, the reporter (if different from the complainant), the respondent, and any witnesses to the conduct. Complaints will be investigated promptly within the timeframes identified below. Timeframes may be extended as needed given the complexity of the investigation, availability of individuals

with relevant information and/or other extenuating circumstances. Confidentiality will be maintained by all persons involved in the investigation to the extent possible, to the extent consistent with due process, as determined by the investigator.

Upon receipt of a written complaint of discrimination or harassment of an employee, the investigator should:

1. Offer to meet with the complainant and respondent (if applicable) within ten (10) business days (provided that such timeframe may be reasonably extended based on the availability of necessary witnesses and/or participants, the complexity of the investigation, and/or other extenuating circumstances) to discuss the nature of the complaint, discuss the availability of interim measures, identify individuals the complainant or respondent believes have relevant information, and obtain any relevant documents the complainant or respondent may have;
2. Provide the complainant and respondent (if applicable) with a copy of the Board's non-discrimination policy and accompanying regulations;
3. Conduct an investigation that is adequate, reliable, and impartial. Investigate the factual basis of the complaint, including, as applicable, conducting interviews with the parties to the complaint and any relevant witnesses or other individuals deemed relevant to the complaint;
4. Review any records, notes, statements, or other documents relevant to the complaint;
5. Maintain confidentiality to the extent practicable throughout the investigative process, in accordance with state and federal law;
6. Complete a final investigation report that includes: (i) a findings of fact based on the evidence gathered; (ii) for each allegation, the conclusion(s) and reasoning(s) as to whether the discrimination or harassment occurred; and (iii) for any individual(s) found to have engaged in discrimination or harassment, a broad statement of consequences imposed (to the extent permitted by state and federal confidentiality requirements) (*i.e.*, "Consequences were imposed.");
7. Communicate the outcome of the investigation in writing to the complainant and respondent (if any) (to the extent permitted by state and federal confidentiality requirements), within thirty (30) business days (provided that such timeframe may be reasonably extended based on the availability of necessary witnesses and/or participants, the complexity of the investigation, and/or other extenuating circumstances) from the date the complaint was received by the Superintendent's office. The complainant and respondent (if any) shall be notified of such extension. The written notice shall include a finding whether the complaint was substantiated and if so, shall identify, to the extent possible, how the District will remedy the discrimination or harassment, adhering to the requirements of state and federal law;

8. If a complaint is made during summer recess, the complaint will be reviewed and addressed as quickly as possible given the availability of employees and/or other individuals who may have information relevant to the complaint. If fixed timeframes cannot be met, the complainant and respondent (if any) will receive notice and interim measures may be implemented as necessary;
9. Whenever allegations are verified, ensure that appropriate corrective action is taken (including, but not limited to, disciplinary action) aimed at preventing the recurrence of the discrimination or harassment. Corrective action should include steps to avoid continuing discrimination or harassment;
10. If a complainant or respondent is not satisfied with the findings and conclusions of the investigation, such party may present the complaint and written outcome to the Superintendent within thirty (30) calendar days of receiving the findings. Upon review of a written request from the party requesting an appeal, the Superintendent shall review the investigative results of the investigator and determine if further action and/or investigation is warranted. Such action may include consultation with a designated investigator (if applicable), complainant, and respondent (if any) and meeting with appropriate individuals to attempt to resolve the complaint, or a decision affirming or overruling a designated investigator's conclusions or findings (if applicable). The Superintendent shall provide written notice to the complainant and respondent (if any) of the proposed actions within thirty (30) business days (provided that such timeframe may be reasonably extended based on the availability of necessary witnesses and/or participants, the complexity of the investigation, and/or other extenuating circumstances) following the receipt of the written request for review.

### **Complaint Procedure for Superintendent/Board Members Complaints**

Any District administrator or Board member who receives a complaint of discrimination, harassment or retaliation of any employee by a Board member or by the Superintendent shall forward the complaint promptly to **Peter Dart Candace Morell, Superintendent of Schools** or **Michele Beers, Director of Human Resources and Talent Management** (contact information below). Complaints pertaining to the Superintendent or Board of Education members will be forwarded to the Chair of the Board of Education. Complaints pertaining to the Board Chair will be forwarded to the Board Vice Chair. In all cases, the individual receiving the complaint shall take appropriate steps to cause the matter to be investigated in a manner consistent with the procedures described above.

If a complainant or a respondent is not satisfied with the findings and conclusions of an investigation in which the Superintendent or a member of the Board is the respondent, within (30) calendar days of receiving the findings such party may present the complaint and written outcome to the Board Chair (or, if initially presented by the Board Chair, the Board Vice Chair), who will take appropriate steps to cause the matter to be reviewed in a manner consistent with the Board's non-discrimination policy and regulation. Such steps may include retention of an independent investigator different from the investigator who investigated the complaint.

### **Remedial Action**

If the District makes a finding of discrimination, harassment or retaliation of an employee, the District will take remedial action designed to:

- A. eliminate the discriminatory/harassing/retaliatory conduct,
- B. prevent its recurrence, and
- C. address its effects on the complainant and any other affected individuals.

Examples of appropriate action may include, but are not limited to:

- A. In the case of a student respondent, interventions for the individual who engaged in the discrimination/harassment may include, but are not limited to, discipline (including but not limited to suspension and/or expulsion), educational interventions, exclusion from extra-curricular activities and/or sports programs, and/or referral to appropriate state or local agencies;
- B. In the case of an employee respondent, interventions for the individual who engaged in the discrimination/harassment may include, but are not limited to, supervisor notification, discipline (including possible termination of employment), training, and/or referral to appropriate state or local agencies;
- C. In the case of respondent who is otherwise associated with the school community, interventions for the individual who engaged in the discrimination/harassment may include, but are not limited to, exclusion from school property and/or activities and/or referral to appropriate state or local agencies;
- D. Follow-up inquiries with the complainant and witnesses to ensure that the discriminatory/harassing conduct has stopped and that they have not experienced any retaliation;
- E. Supports for the complainant; and
- F. Training or other interventions for the larger school community designed to ensure that students, staff, Parent/Guardians, Board members and other individuals within the school community understand the types of behavior that constitute discrimination/harassment, that the District does not tolerate it, and how to report it.

### **Staff Development**

The District will periodically provide staff development for District administrators and periodically distribute the Board's Non-Discrimination policies and the implementing administrative regulations to staff and students in an effort to maintain an environment free of discrimination and harassment.

### **Reporting to State and Federal Agencies**

In addition to reporting to the Board, any employee also may file a complaint with the following:

Office for Civil Rights, U.S. Department of Education ("OCR"):

Office for Civil Rights  
Washington, D.C (Metro) Office  
400 Maryland Avenue, SW  
Washington, D.C. 20202-1475  
(202) 453-6020  
~~Office for Civil Rights~~  
~~Boston Office~~  
~~U.S. Department of Education~~  
~~8<sup>th</sup> Floor~~  
~~5 Post Office Square~~  
~~Boston, MA 02109-3921~~  
~~Tel. (617-289-0111)~~

<http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>

Equal Employment Opportunity Commission:

Equal Employment Opportunity Commission, Boston Area Office  
John F. Kennedy Federal Building  
475 Government Center  
Boston, MA 02203  
(800-669-4000)

Connecticut Commission on Human Rights and Opportunities:

Connecticut Commission on Human Rights and Opportunities  
450 Columbus Blvd.  
Hartford, CT 06103-1835  
(860-541-3400 or Connecticut Toll Free Number 1-800-477-5737)

### Questions/Requests for Accommodation

Any employee who: (1) has questions or concerns about this policy or its accompanying regulations; (2) wishes to request or discuss accommodations based on religion, or (3) would like a copy of the Board's complaint procedures or complaint forms related to claims of discrimination or harassment, should contact the following District official:

~~Peter Dart~~Candace Morell, Superintendent of Schools  
Mansfield Board of Education  
4 South Eagleville Road  
Storrs, CT 06268  
(860) 429-3350  
[dartpmorellemorellcv@mansfieldct.org](mailto:dartpmorellemorellcv@mansfieldct.org)

Any employee who has questions or concerns about the Board's policies regarding

discrimination or harassment on the basis of gender/sex/sexual orientation/pregnancy/gender identity or expression applicable to employees should contact the District's Title IX Coordinator:

**Michele Beers**  
**Director of Human Resources and Talent Management**  
**4 South Eagleville Road**  
**Storrs, CT 06268**  
**(860) 429-3350**  
**BeersML@mansfieldct.org**

Any employee who: (1) has specific questions or concerns about the Board's policies regarding discrimination on the basis of disability applicable to employees, or (2) wishes to request an accommodation on the basis of disability should contact the District's Section 504/ADA Coordinator:

**Shamim Patwa, Ph.D.**  
**Director of Student Support Services**  
**4 South Eagleville Road**  
**Storrs, CT 06268**  
**(860) 429-3353**  
**patwas@mansfieldct.org**

REVIEWED: 9/10; 10/9/14; 11/12/15; 6/7/18; 3/14/19  
REVISED: 10/13/11; 9/13/12; 10/10/13; 10/27/16; 6/7/18; 6/11/20; 1/20/22; 1/19/23; 2/8/24

*Mansfield Board of Education Policy*

Section: PERSONNEL

**DISCRIMINATION/HARASSMENT COMPLAINT FORM**

(For complaints based on race, color, religion, age, marital status, national origin, alienage, ancestry, genetic information, veteran status or status as a victim of domestic violence, status as a victim of sexual assault, status as a victim of trafficking in persons)

Name of the reporter \_\_\_\_\_

Name of alleged victim/complainant \_\_\_\_\_

Relationship of reporter to the alleged victim/complainant \_\_\_\_\_

Date of the complaint \_\_\_\_\_

Date of the alleged discrimination/harassment \_\_\_\_\_

Name or names of the alleged discriminator(s) or harasser(s) \_\_\_\_\_

Location where such discrimination/harassment occurred \_\_\_\_\_

Name(s) of any witness(es) to the discrimination/harassment \_\_\_\_\_

Detailed statement of the circumstances constituting the alleged discrimination or harassment

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Proposed remedy \_\_\_\_\_

*Mansfield Board of Education Policy*

Section: STUDENTS

**ADMINISTRATION OF STUDENT MEDICATIONS IN THE SCHOOLS**

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 the Mansfield Board of Education (the "Board") and exempt from licensure by the Office of Early Childhood pursuant to subdivision (1) of subsection (b) of Section 19a-77 of the Connecticut General Statutes. Such programs do not include public or private entities licensed by the Office of Early Childhood or Board 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 the Board 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 or 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/Guardian of such student, except for the administration of epinephrine or naloxone for the purpose of emergency first aid as permitted by state law and regulations and Sections D and E 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 that 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/Guardian 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 Board 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.

Paraeducator means a health care aide or assistant or an instructional aide or assistant employed by the Board who meets the requirements of the Board for employment as a health care aide or assistant or instructional aide or assistant.

Physical therapist means a physical therapist employed full time by the Board 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 Chapter 370 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 Board 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 Office of Early

Childhood pursuant to subdivision (1) of subsection (b) of Section 19a-77 of the Connecticut General Statutes.

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

Teacher means a person employed full time by the Board who has met the minimum standards as established by the 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 below in Sections D and E, 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/Guardian or guardian or eligible student; and
  - (c) the written permission of a Parent/Guardian 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) Except as provided in Sections D and E, 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 possess, self-administer, or possess and self-administer medication, provided all of the following conditions are met:
    - (i) an authorized prescriber provides a written medication order, including the recommendation for possession, self-administration, or possession and self-administration;
    - (ii) there is a written authorization for possession, self-administration, or possession and self-administration from the student's Parent/Guardian or eligible student;

- (iii) the school nurse has developed a plan for possession, self-administration, or possession and 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 possessing, self-administering, or possessing and self-administering prescribed medication;
  - (vi) such medication is transported to school and maintained under the student's control in accordance with this policy; and
  - (vii) controlled drugs, as defined in this policy, may not be possessed or 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 student 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 student 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/Guardian regarding the possession of an inhaler by the student at all times in order to protect the student 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/Guardian or eligible student; and

- (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 a cartridge injector at all times while attending school, in order to provide for prompt treatment to protect such student 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 a cartridge injector by the student at all times in order to provide for prompt treatment in order to protect the student against serious harm or death and authorizing the student's possession, self-administration, or possession and 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/Guardian regarding the possession of a cartridge injector by the student at all times in order to protect the student against serious harm or death and authorizing the student's possession, self-administration, or possession and 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/Guardian or eligible student; and
  - (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 student with a medically diagnosed life-threatening allergic condition may possess, self-administer, or possess and self-administer medication, including but not limited to medication administered with a cartridge injector, to protect the student against serious harm or death, provided the following conditions are met:

- (i) the Parent/Guardian of the student has provided written authorization for the student to possess, self-administer, or possess and self-administer such medication; and
  - (ii) a qualified medical professional has provided a written order for the possession, self-administration, or possession and self-administration.
- (f) 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 Parent/Guardianal permission form;
  - (iii) the Parent/Guardian has provided the coach or licensed athletic trainer with the medication in accordance with Section K 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 H of this policy, when appropriate.
- (g) an identified school Paraeducator 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, and the following additional conditions are met:
- (i) there is written authorization from the student's Parent/Guardians/guardian to administer the medication in school;
  - (ii) medication is administered pursuant to the written order of (A) a physician licensed under chapter 370 of the Connecticut General Statutes, (B) an optometrist licensed to practice optometry under chapter 380 of the Connecticut General Statutes, (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;

- (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;
  - (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 Paraeducator shall have received proper training and supervision from the school nurse in accordance with this policy and state regulations.
- (h) a principal, teacher, licensed athletic trainer, licensed physical or occupational therapist employed by the Board, coach or school Paraeducator, 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 Parent/Guardians/guardians to administer the medication;
  - (ii) a written order for such administration has been received from the student's physician licensed under Chapter 370 of the Connecticut General Statutes;
  - (iii) the principal, teacher, licensed athletic trainer, licensed physical or occupational therapist employed by the Board, coach or school Paraeducator is selected by the school nurse and school medical advisor, if any, and voluntarily agrees to administer the medication;
  - (iv) the principal, teacher, licensed athletic trainer, licensed physical or occupational therapist employed by the Board, coach or school Paraeducator 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 Paraeducator receives monthly reviews by the school nurse to confirm competency to administer antiepileptic medication.
- (i) 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 student enrolled in such program; and

- (ii) in accordance with Section L of this policy.
- (j) 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/Guardian to the Parent/Guardian's 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 Board permits blood glucose testing by students who have a written order from a physician or an advanced practice registered nurse stating the need and capability of such student to conduct self-testing, or the use of continuous blood glucose monitors ("CGMs") by students diagnosed with Type 1 diabetes, who have a written order from a physician or an advanced practice registered nurse.
- (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/Guardian and a written order from a physician or an advanced practice registered nurse stating that such student is capable of conducting self-testing on school grounds.
- (3) The Board will not require a student using a continuous glucose monitor approved by the Food and Drug Administration for use without finger stick verification to undergo finger stick verification of blood glucose readings from a continuous glucose monitor on a routine basis. Finger stick testing of a student using a continuous glucose monitor so approved by the Food and Drug Administration shall only be conducted: (1) as ordered by the student's physician or advanced practice provider; (2) if it appears that the continuous glucose monitor is malfunctioning; or (3) in an urgent medical situation.
- (4) The Board shall purchase or use existing equipment owned by the Board to monitor blood glucose alerts transmitted from continuous glucose monitors of students with

Type 1 diabetes to dedicated receivers, smartphone/tablet applications, or other appropriate technology on such equipment.

- (5) In the absence or unavailability of the school nurse, select school employees may administer medication with injectable equipment, nasal spray and/or other medical equipment as may be approved by the Food and Drug Administration 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/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 Paraeducator;
  - (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, nasal spray and/or other medical equipment as may be approved by the Food and Drug Administration used to administer glucagon;
  - (f) The school nurse and school medical advisor have attested in writing that selected the school employee completed the required training; and
  - (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, nasal spray and/or other medical equipment as may be approved by the Food and Drug Administration for the purpose of emergency first aid to students who experience allergic reactions and do not have prior written authorization of a Parent/Guardian or a prior written order of a qualified medical professional for the administration of epinephrine.

- (a) The school nurse, in consultation with the school nurse supervisor, shall determine the supply of epinephrine in cartridge injectors, nasal spray and/or other medical equipment as may be approved by the Food and Drug Administration -that shall be available in the individual school.
  - (b) In determining the appropriate supply of epinephrine in cartridge injectors, nasal spray and/or other medical equipment as may be approved by the Food and Drug Administration, 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 Paraeducator(s) to maintain and administer the epinephrine in cartridge injectors, nasal spray and/or other medical equipment as may be approved by the Food and Drug Administration -for the purpose of emergency first aid as described in Paragraph (2) 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.
  - (b) The selected personnel, before conducting such administration, must annually complete the training made available by the Department of Education for the administration of epinephrine in cartridge injectors, nasal spray and/or other medical equipment as may be approved by the Food and Drug Administration -for the purpose of emergency first aid.
  - (c) The selected personnel must voluntarily agree to complete the training and administer epinephrine in cartridge injectors, nasal spray and/or other medical equipment as may be approved by the Food and Drug Administration -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 (3) above shall be on the grounds of 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 use an effective and reasonable means of communication to notify one or more qualified school employees and other staff in the school that the selected and trained personnel identified in Paragraph (3) 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 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/Guardian of any student may submit, in writing, to the school nurse or school medical advisor, 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/Guardians have refused emergency administration of epinephrine.
  - (b) The Board shall annually notify Parent/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/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 the Document and Record Keeping section of this policy.

E. Opioid Antagonists for Purposes of Emergency First Aid Without Prior Authorization

- (1) For purposes of this Section E, "regular school hours" means the posted hours during which students are required to be in attendance at the individual school on any given day. "Regular school hours" does not include after-school events such as athletics or extracurricular activities that take place outside the posted hours.
- (2) For purposes of this section, an "opioid antagonist" means naloxone hydrochloride (e.g., Narcan) or any other similarly acting and equally safe drug that the FDA has approved for the treatment of a drug overdose.

- (3) In accordance with Connecticut law and this policy, a school nurse may maintain opioid antagonists for the purpose of administering emergency first aid to students who experience a known or suspected opioid overdose and do not have a prior written authorization of a Parent/Guardian or a prior written order of a qualified medical professional for the administration of such opioid antagonist.
  - (a) The school nurse, in consultation with the Board's medical advisor, shall determine the supply of opioid antagonists that shall be maintained in the individual school.
  - (b) In determining the appropriate supply of opioid antagonists, 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.
  - (c) The school nurse shall be responsible for the safe storage of opioid antagonists maintained in a school and shall ensure any supply of opioid antagonists maintained is stored in a secure manner, in accordance with the manufacturer's instructions, and in a location where it can be obtained in a timely manner if administration is necessary.
  - (d) The school nurse shall be responsible for maintaining an inventory of opioid antagonists maintained in the school, tracking the date(s) of expiration of the supply of opioid antagonists maintained in a school, and, as appropriate, refreshing the supply of opioid antagonists maintained in the school.
- (4) The school nurse, in consultation with the Superintendent and the building principal, shall provide notice to Parent/Guardians and guardians of the Board's policies and procedures regarding the emergency administration of opioid antagonists in the event of a known or suspected opioid overdose.
- (5) A school nurse shall be approved to administer opioid antagonists for the purpose of emergency first aid, as described in Paragraph (3) above, in the event of a known or suspected opioid overdose, in accordance with this policy and provided that such nurse has completed a training program in the distribution and administration of an opioid antagonist (1) developed by the State Department of Education, Department of Consumer Protection, and Department of Public Health, or (2) under a local agreement, entered into by the Board on July 1, 2022 or thereafter, with a prescriber or pharmacist for the administration of opioid antagonists for the purpose of emergency first aid, which training shall also address the Board's opioid antagonist storage, handling, labeling, recalls, and record keeping.
- (6) The school nurse or school principal shall select principal(s), teacher(s), licensed athletic trainer(s), coach(es), school Paraeducator(s), and/or licensed physical or occupational therapist(s) employed by the Board to maintain and administer the opioid antagonists for the purpose of emergency first aid as described in Paragraph (3) 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.

- (b) The selected personnel, before administering an opioid antagonist pursuant to this section, must complete a training program in the distribution and administration of an opioid antagonist (1) developed by the State Department of Education, Department of Consumer Protection, and Department of Public Health, or (2) under a local agreement, entered into by the Board on July 1, 2022 or thereafter, with a prescriber or pharmacist for the administration of opioid antagonists for the purpose of emergency first aid, which training shall also address the Board's opioid antagonist storage, handling, labeling, recalls, and record keeping.
  - (c) All school personnel shall be notified of the identity of qualified school employees authorized to administer an opioid antagonist in the absence of the school nurse.
- (7) 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 (6) above, shall be on the grounds of 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 use an effective and reasonable means of communication to notify one or more qualified school employees and other staff in the school that the selected and trained personnel identified in Paragraph (6) above shall be responsible for the emergency administration of opioid antagonists.
  - (c) If a Board employee becomes aware of a student experiencing a known or suspected opioid overdose on school grounds but outside of regular school hours and opioid antagonists and/or the school nurse or other qualified school employee is not available to administer opioid antagonists for the purpose of emergency first aid, the Board employee will call 9-1-1.
- (8) The administration and storage of opioid antagonists pursuant to this policy must be effected in accordance with this policy and procedures regarding the acquisition, maintenance, and administration established by the Superintendent in consultation with the Board's medical advisor.
- (9) The Parent/Guardian of any student may submit, in writing, to the school nurse or school medical advisor, if any, that opioid antagonists 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/Guardians have refused emergency administration of opioid antagonists.

- (b) The Board shall annually notify Parent/Guardians of the need to provide such written notice of refusal.
- (10) Following the emergency administration of an opioid antagonist by a school nurse or selected and trained personnel as identified in this section:
- (a) Immediately following the emergency administration of an opioid antagonist by a school nurse or selected and trained personnel as identified in this section, the person administering the opioid antagonist must call 911.
  - (b) Such emergency administration shall be reported immediately to:
    - (i) The school nurse or school medical advisor, if any, by the personnel who administered the opioid antagonist;
    - (ii) The Superintendent of Schools; and
    - (iii) The student's Parent/Guardian.
  - (c) A medication administration record shall be:
    - (i) Created by the school nurse or submitted to the school nurse by the personnel who administered the opioid antagonist, 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 F of this policy.
- (11) In the event that any provisions of this Section E conflict with regulations adopted by the Connecticut State Department of Education concerning the use, storage and administration of opioid antagonists in schools, the Department's regulations shall control.]

F. Documentation and Record Keeping

- (1) Each school or before or 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;
  - (d) the dosage of the medication;
  - (e) the route of the administration, (e.g., oral, topical, inhalant, etc.);
  - (f) the frequency of administration;
  - (g) the name of the authorized prescriber;
  - (h) the dates for initiating and terminating the administration of medication, including extended year programs;

- (i) the quantity received at school and verification by the adult delivering the medication of the quantity received;
  - (j) the date the medication is to be reordered (if any);
  - (k) any student allergies to food and/or medication(s);
  - (l) the date and time of each administration or omission, including the reason for any omission;
  - (m) the dose or amount of each medication administered;
  - (n) the full written or electronic legal signature of the nurse or other authorized school personnel administering the medication; and
  - (o) 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 a Parent/Guardian, the written Parent/Guardianal 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 or after school programs and school readiness programs, in the student'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 upon receipt of a signed approval form (RC-075) from the Office of the Public Records Administrator, so long as such record 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.

G. 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/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); and
  - (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 or after school programs and school readiness programs, in the student'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.

## H. 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/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.

## I. 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 Paraeducators designated in accordance with Section B(3)(g), 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 Paraeducators designated in accordance with Section B(3)(g), 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, including providing proper notification to appropriate employees or contractors regarding the contents of such medical plans; 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) performing 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)(f), above, and identified Paraeducators designated in accordance with Section B(3)(g), 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)(f), above, and identified Paraeducators designated in accordance with Section B(3)(g), above, regarding the needs of any student receiving medication.

J. 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)(f), above, and identified Paraeducators designated in accordance with Section B(3)(g), 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 therapists employed by the school district, coaches of intramural and/or interscholastic athletics and licensed athletic trainers in accordance with Section B(3)(f), above, and identified Paraeducators designated in accordance with Section B(3)(g), 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)(f), above, and identified Paraeducators designated in accordance with Section B(3)(g), 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; and
  - (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 Paraeducator(s) who administer epinephrine as emergency first aid, pursuant to Section D above, shall annually complete the training program developed by the Departments of Education and Public Health and training in cardiopulmonary resuscitation and first aid.
- (4) The principal(s), teacher(s), licensed athletic trainer(s), licensed physical or occupational therapist(s), coach(es) and/or school Paraeducator(s) who administer opioid antagonists as emergency first aid, pursuant to Section E above, shall annually complete a training program in the distribution and administration of an opioid antagonist (1) developed by the State Department of Education, Department of Consumer Protection, and Department of Public Health, or (2) under a local agreement, entered into by the Board on July 1, 2022 or thereafter, with a prescriber or pharmacist for the administration of opioid antagonists for the purpose of emergency first aid, which training shall also address the Board's opioid antagonist storage, handling, labeling, recalls, and record keeping.
- (5) 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.
- (6) Licensed practical nurses may not conduct training in the administration of medication to another individual.

K. Handling, Storage and Disposal of Medications

- (1) All medications, except those approved for transporting by students for self-medication, those administered by coaches of intramural or interscholastic athletics or licensed athletic trainers in accordance with Section B(3)(f) above, and epinephrine or naloxone to be used for emergency first aid in accordance with Sections D and E above, must be delivered by the Parent/Guardian, 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/Guardian directly to the coach or licensed athletic trainer in accordance with Section B(3)(f) above.
- (2) The nurse shall examine on-site any new medication, medication order and the required authorization to administer form, and, except for epinephrine and naloxone to be used as emergency first aid in accordance with Sections D and E 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/Guardian authorization prior to the administration of medication, except for epinephrine and naloxone intended for emergency first aid in accordance with Sections D and E 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 or 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 or 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 medications may be stored directly on the refrigerator shelf with no further protection needed. Controlled medication shall be stored in a locked box that 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/Guardian or, if the medication cannot be returned to the Parent/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; and
  - (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.

L. School Readiness Programs and Before or 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 or after school programs run by the Board, which are exempt from licensure by the 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) Except as provided by Sections D and E 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/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 and school nurse supervisor shall determine whether, based on the population of the school readiness program and/or before or 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. 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/Guardian 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 J of this policy.
  - (5) All medications must be handled and stored in accordance with Section K of this policy. Where possible, a separate supply of medication shall be stored at the site of the before or after or school readiness program. In the event that it is not possible for the Parent/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 or after school programs shall be reviewed annually by the school medical advisor, if any, and school nurse supervisor.

M. Review and Revision of Policy

In accordance with the provisions of Conn. Gen. Stat. Section 10-212a-(a)(2) and Section 10-212a-2 of the Regulations of Connecticut State Agencies, the Board shall review this policy periodically, and at least biennially, with the advice and approval of the school medical advisor, if any, 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:

Public Act No. 23-52, "An Act Concerning The Department of Consumer Protections Recommendations Regarding Prescription Drug Regulation"

- Section 21a-286
- Section 10-206
- Section 10-212
- Section 10-212a
- Section 10-212c
- Section 10-220j
- Section 10-276b
- Section 19a-900
- Section 21a-240
- Section 52-557b

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)

Connecticut State Department of Education, Storage and Administration of Opioid Antagonists in Schools: Guidelines for Local and Regional Boards of Education (October 1, 2022)

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;  
10/9/14; 11/12/15; 10/27/16; 3/14/19; 1/20/22; 1/19/23; 2/8/24  
REVIEWED: 9/10/09; 6/7/18; 3/14/19

## *Mansfield Board of Education Policy*

Section: STUDENTS

### NON-DISCRIMINATION/STUDENTS

#### **Protected Class Discrimination Prohibited**

The Mansfield Board of Education (the “Board”) complies with all applicable federal, state and local laws prohibiting the exclusion of any person from any of its educational programs or activities, or the denial to any person of the benefits of any of its educational programs or activities, including all academic, extracurricular, and school-sponsored activities, on the basis of any protected characteristic (or protected class) including race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, ancestry, disability, pregnancy, gender identity or expression, veteran status, status as a victim of domestic violence, status as a victim of sexual assault, status as a victim of trafficking in persons or any other basis prohibited by state or federal law (“Protected Class”), subject to the conditions and limitations established by law. When the Board has created a limited public forum, the Board shall provide equal access to Scouting America and other groups as required by law.

It is the policy of the Board that any form of discrimination or harassment on the basis of an individual’s actual or perceived membership in a Protected Class, whether by students, Board employees, Board members or third parties subject to the control of the Board, is prohibited in the Mansfield Public Schools. The Board’s prohibition of discrimination or harassment in its educational programs or activities expressly extends to academic, nonacademic and extracurricular activities, including athletics.

#### **Retaliation Prohibited**

The Board further prohibits reprisal or retaliation against any individual who reports incidents in good faith that may be a violation of this policy, or who participates in the investigation of such reports.

#### **Discrimination on the Basis of Protected Class Association Prohibited**

Discrimination and/or harassment against any individual on the basis of that individual’s association with someone in a Protected Class may also be considered a form of Protected Class discrimination and/or harassment, and is therefore prohibited by this policy.

#### **Scope and Applicability**

Students, Board employees, Board members and community members (e.g., other individuals affiliated with the District, accessing or seeking access to District facilities) are

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expected to adhere to a standard of conduct that is respectful of the rights of all members of the school community.

### **Definitions**

The following definitions apply for purposes of this policy:

#### **A. Discrimination:**

With respect to students, unlawful discrimination occurs when a student is denied participation in, or the benefits of, a program or activity of the Board because of such student's actual or perceived membership in a Protected Class.

#### **B. Harassment:**

Harassment is a form of Protected Class discrimination that is prohibited by law and by this policy. Harassment constitutes unlawful discrimination when it creates a hostile environment, which occurs when the harassment is sufficiently severe, pervasive, or persistent so as to interfere with or limit a student's ability to participate in or benefit from the services, activities, or opportunities offered by the District.

The following non-exhaustive list provides examples of the types of prohibited conduct that may be considered Protected Class harassment that can lead to a hostile environment, and are therefore prohibited by this policy:

- objectively offensive racial, ethnic, or religious epithets (or epithets commonly associated with any Protected Class membership);
- other words or phrases commonly considered demeaning or degrading on the basis of Protected Class membership;
- display of images or symbols commonly associated with discrimination against individuals on the basis of their membership in a Protected Class;
- graphic, written or electronic communications that are harmful, or humiliating based on Protected Class membership;
- bigoted conduct or communications; or
- physical, written, electronic or verbal threats based on Protected Class membership.

Harassment does not have to include intent to harm, be directed at a specific target, or involve repeated incidents.

Sexual harassment is a form of harassment that is prohibited by law and the Board's policy regarding Sex Discrimination and Sexual Harassment (Students). For more information regarding harassment based on sex, sexual orientation, pregnancy, or gender identity or expression, contact the District's Title IX Coordinator at:

**Michele Beers**

**Director of Human Resources and Talent Management  
4 South Eagleville Road  
Storrs, CT 06268  
(860) 429-3350  
BeersML@mansfieldct.org**

C. Veteran:

A veteran is any person honorably discharged from, released under honorable conditions from or released with an other than honorable discharge based on a qualifying condition from, active service in, the United States Army, Navy, Marine Corps, Coast Guard and Air Force and any reserve component thereof, including the Connecticut National Guard. "Qualifying condition" means (i) a diagnosis of post-traumatic stress disorder or traumatic brain injury made by an individual licensed to provide health care services at a United States Department of Veterans Affairs facility, (ii) an experience of military sexual trauma disclosed to an individual licensed to provide health care services at a United States Department of Veterans Affairs facility, or (iii) a determination that sexual orientation, gender identity or gender expression was more likely than not the primary reason for an other than honorable discharge, as determined in accordance with Conn. Gen. Stat. §§ 27-103(c), (d).

D. Gender Identity or Expression:

Gender identity or expression refers to a person's gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth, which gender-related identity can be shown by providing evidence including, but not limited to, medical history, care or treatment of the gender-related identity, consistent and uniform assertion of the gender-related identity or any other evidence that the gender-related identity is sincerely held, part of a person's core identity or not being asserted for an improper purpose.

E. Sexual Orientation:

Sexual orientation refers to a person's identity in relation to the gender or genders to which they are romantically, emotionally or sexually attracted, inclusive of any identity that a person (i) may have previously expressed, or (ii) is perceived by another person to hold.

F. Race:

The term race is inclusive of ethnic traits historically associated with race, including but not limited to, hair texture and protective hairstyles. "Protective hairstyles" includes, but is not limited to, wigs, headwraps and hairstyles such as individual braids, cornrows, locs, twists, Bantu knots, afros and afro puffs.

## G. Domestic Violence:

The term domestic violence means (1) a continuous threat of present physical pain or physical injury against a family or household member, as defined in Conn. Gen. Stat. § 46b-38a; (2) stalking, including but not limited to, stalking as described in Conn. Gen. Stat. § 53a-181d, of such family or household member; (3) a pattern of threatening, including but not limited to, a pattern of threatening as described in Conn. Gen. Stat. § 53a-62, of such family or household member or a third party that intimidates such family or household member; or (4) coercive control of such family or household member, which is a pattern of behavior that in purpose or effect unreasonably interferes with a person's free will and personal liberty. "Coercive control" includes, but is not limited to, unreasonably engaging in any of the following: (a) isolating the family or household member from friends, relatives or other sources of support; (b) depriving the family or household member of basic necessities; (c) controlling, regulating or monitoring the family or household member's movements, communications, daily behavior, finances, economic resources or access to services; (d) compelling the family or household member by force, threat or intimidation, including, but not limited to, threats based on actual or suspected immigration status, to (i) engage in conduct from which such family or household member has a right to abstain, or (ii) abstain from conduct that such family or household member has a right to pursue; (e) committing or threatening to commit cruelty to animals that intimidates the family or household member; or (f) forced sex acts, or threats of a sexual nature, including, but not limited to, threatened acts of sexual conduct, threats based on a person's sexuality or threats to release sexual images.

## H. Sexual Assault Victim

The term "sexual assault victim" means the victim of 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, and 4<sup>th</sup> degree sexual assault, 3<sup>rd</sup> degree sexual assault with a firearm, aggravated sexual assault, aggravated sexual assault of a minor, sexual assault in a spousal or cohabitating relationship, and 1<sup>st</sup> and 2<sup>nd</sup> degree rape.

## I. Victim of Trafficking In Persons

The term "victim of trafficking in persons" means a person who is a victim of the crime of "trafficking in persons" a class A felony, punishable by a fine up to \$20,000, 10 to 25 years in prison, or both. By law, a person commits trafficking in persons

1. when he or she knowingly compels or induces another person to engage in conduct involving sexual contact with one or more third persons or provide labor or services that the other person has a legal right to refrain from providing by means of (A) the use of force against such other person or a third person, or by the threat of use of force against such other person or a third person, (B) fraud, or (C) coercion;
- 1-2. compel or induce a minor (under age 18) to engage in conduct with one or more third persons involving sexual contact for which the third person may be

charged with a crime; or otherwise knowingly commit a sex trafficking act (CGS § 53a-192a).

### **Reporting to District Officials**

It is the policy of the Board to provide for the prompt and equitable resolution of complaints alleging Protected Class discrimination or harassment.

Any student, staff member, and/or Parent/Guardian who believes a student has experienced Protected Class discrimination or harassment or an act of retaliation or reprisal in violation of this policy should report such concern in writing to:

~~Peter Dart~~**Candace Morell**, Superintendent of Schools  
Mansfield Board of Education  
4 South Eagleville Road  
Storrs, CT 06268  
(860) 429-3350  
[dartpmorellmorelly@mansfieldct.org](mailto:dartpmorellmorelly@mansfieldct.org)

in accordance with the Board's complaint procedures included in the Board's Administrative Regulations Regarding Non-Discrimination (Students), which accompany this policy and are available online at <https://www.mansfieldct.gov/1775/Board-Policies> or upon request from the main office of any district school. Students are encouraged to immediately report concerns about Protected Class discrimination, harassment, or retaliation.

**Students may make verbal or written reports about Protected Class discrimination, harassment, or retaliation to any school employee.**

If a complaint involves allegations of discrimination or harassment of a student based on sex, sexual orientation, pregnancy, or gender identity or expression, such complaints will be handled in accordance with the procedures set forth in the Board's policy regarding Sex Discrimination and Sexual Harassment (Students). Complaints involving allegations of discrimination or harassment of a student based on disability will be addressed in accordance with the procedures set forth in the Board's policy regarding Section 504/ADA (Students). In the event reported conduct allegedly violates more than one policy, the Board will coordinate any investigation in compliance with the applicable policies.

### **Mandatory Staff Reporting for Student Incidents**

District employees are required to report incidents of alleged student-to-student and employee-to-student discrimination, harassment or retaliation that may be based on a Protected Class when District employees witness such incidents or when District employees receive reports or information about such incidents, whether such incidents are verbal or physical or amount to discrimination, harassment or retaliation in other forms. **Reports should be made to any District administrator or to:**

Section: *Students*

~~Peter Dart~~**Candace Morell**, Superintendent of Schools  
Mansfield Board of Education  
4 South Eagleville Road  
Storrs, CT 06268  
(860) 429-3350  
~~dartp~~**morellemorelley**@mansfieldct.org

### Remedial Action

If the District makes a finding of discrimination, harassment or retaliation of a student, the District will take remedial action designed to:

- A. eliminate the discriminatory/harassing/retaliatory conduct,
- B. prevent its recurrence, and
- C. address its effects on the complainant and any other affected individuals.

Examples of appropriate action may include, but are not limited to:

- A. In the case of a student respondent, interventions for the individual who engaged in the discrimination/harassment may include, but are not limited to, discipline (including but not limited to suspension and/or expulsion), educational interventions, exclusion from extra-curricular activities and/or sports programs, and/or referral to appropriate state or local agencies;
- B. In the case of an employee respondent, interventions for the individual who engaged in the discrimination/harassment may include, but are not limited to, supervisor notification, discipline (including possible termination of employment), training, and/or referral to appropriate state or local agencies;
- C. In the case of respondent who is otherwise associated with the school community, interventions for the individual who engaged in the discrimination/harassment may include, but are not limited to, exclusion from school property and/or activities and/or referral to appropriate state or local agencies;
- D. Follow-up inquiries with the complainant and witnesses to ensure that the discriminatory/harassing conduct has stopped and that they have not experienced any retaliation;
- E. Supports for the complainant; and
- F. Training or other interventions for the larger school community designed to ensure that students, staff, Parent/Guardians, Board members and other individuals within the school community understand the types of behavior that constitute discrimination/harassment, that the District does not tolerate it, and how to report it.

District staff members and administrators will work with students and Parent/Guardians/guardians to take steps designed to prevent acts of discrimination, harassment and retaliation.

### Reporting to State and Federal Agencies

Section: *Students*

In addition to reporting to the Board, any student and/or Parent/Guardian also may file a complaint with the following agencies:

Office for Civil Rights, U.S. Department of Education (“OCR”):

Office for Civil Rights, Washington D.C. (Metro)  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-1475  
(202) 453-6020  
~~Office for Civil Rights, Boston Office~~  
~~U.S. Department of Education~~  
~~8th Floor~~  
~~5 Post Office Square~~  
~~Boston, MA 02109-3921~~  
~~(617-289-0111)~~  
<http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>

Connecticut Commission on Human Rights and Opportunities:

Connecticut Commission on Human Rights and Opportunities  
450 Columbus Blvd.  
Hartford, CT 06103-1835  
(800-541-3400 or Connecticut Toll Free Number 1-800-477-5737)

### Questions/Requests for Accommodation

Any Parent/Guardian, student, staff member, Board member or community member who:  
(1)  
has questions or concerns about this policy or its accompanying regulations; or wishes to request or discuss accommodations for a student based on religion may contact:

~~Peter Dart~~**Candace Morell**, Superintendent of Schools  
Mansfield Board of Education  
4 South Eagleville Road  
Storrs, CT 06268  
(860) 429-3350  
[dartpmorellemorelly@mansfieldct.org](mailto:dartpmorellemorelly@mansfieldct.org)

Any Parent/Guardian, student, staff member, Board member or community member who has questions or concerns about the Board’s policies regarding discrimination or harassment of students on the basis of gender/sex, gender identity, pregnancy or sexual orientation may contact the District’s Title IX Coordinator:

**Michele Beers**

**Director of Human Resources and Talent Management**  
**4 South Eagleville Road**  
**Storrs, CT 06268**  
**(860) 429-3350**  
**BeersML@mansfieldct.org**

Any Parent/Guardian, student, staff member, Board member or community member who:  
(1) has specific questions or concerns about the Board's policies regarding discrimination on the basis of disability applicable to students; or (2) wishes to request an accommodation for a student on the basis of disability may contact the District's Section 504/ADA Coordinator:

**Shamim Patwa, Ph.D.**  
**Director of Student Support Services**  
**4 South Eagleville Road**  
**Storrs, CT 06268**  
**(860) 429-3353**  
**patwas@mansfieldct.org**

**Legal References:**

Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681, *et seq.*  
Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, *et seq.*  
Boy Scouts of America Equal Access Act, 20 U.S.C. § 7905  
Americans with Disabilities Act, 42 U.S.C. § 12101, *et seq.*  
Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, *et seq.*

Connecticut General Statutes § 1-1n, "Gender Identity or Expression" defined  
Connecticut General Statutes § 10-15c  
Connecticut General Statutes § 27-103  
Connecticut General Statutes § 46a-51, Definitions  
Connecticut General Statutes § 46a-58, Deprivation of rights  
Connecticut General Statutes § 46b-1, Family relations matters and domestic violence defined  
Public Act No. 23-145, "An Act Revising the State's Antidiscrimination Statutes"

[Connecticut General Statutes §53a-192a Trafficking in persons: Class A Felony](#)  
[Public Act No. 25-139 "An Act Concerning Human Trafficking and Sexual Assault Victims"](#)

ADOPTED: 5/23/02

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REVISED: 1/27/05; 06/14/07; \_\_/\_\_/08; 10/13/11; 9/13/12; 10/10/13; 10/27/16; 6/11/20; 1/20/22;  
1/19/23; 2/8/24  
REVIEWED: 9/10/09; 9/10; 10/9/14; 11/12/15; 6/7/18; 3/14/19

## *Mansfield Board of Education Regulation*

Section: STUDENTS

### NON-DISCRIMINATION/STUDENTS (ADMINISTRATIVE REGULATIONS)

#### **Protected Class Discrimination Prohibited**

The Mansfield Board of Education (the "Board") complies with all laws prohibiting the exclusion of any person from any of its educational programs or activities, or the denial to any person of the benefits of any of its educational programs or activities, on the basis of any protected characteristic (or protected class) including race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, ancestry, disability, pregnancy, gender identity or expression, veteran status, status as a victim of domestic violence, status as a victim of sexual assault, status as a victim of trafficking in persons or any other basis prohibited by state or federal law ("Protected Class"), subject to the conditions and limitations established by law. When the Board has created a limited public forum, the Board shall provide equal access to the Boy Scouts and other groups as required by law.

It is the policy of the Board that any form of discrimination or harassment on the basis of an individual's actual or perceived membership in a Protected Class, whether by students, Board employees, Board members or third parties subject to the control of the Board, is prohibited in the Mansfield Public Schools.

#### **Retaliation Prohibited**

The Board further prohibits reprisal or retaliation against any individual who reports incidents in good faith that may be a violation of this policy, or who participates in the investigation of such reports.

The District will not tolerate any reprisals or retaliation that occur as a result of the good faith reporting of charges of Protected Class discrimination or harassment. Any such reprisals or retaliation may result in disciplinary action against the retaliator, and other corrective actions as appropriate.

#### **Discrimination on the Basis of Protected Class Association Prohibited**

Discrimination and/or harassment against any individual on the basis of that individual's association with someone in a Protected Class may also be considered a form of Protected Class discrimination and/or harassment.

#### **Scope and Applicability**

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Students, Board employees, Board members and community members (e.g., other individuals affiliated with the District, accessing or seeking access to District facilities) are expected to adhere to a standard of conduct that is respectful of the rights of all members of the school community.

It is also the policy of the Board to provide for the prompt and equitable resolution of complaints alleging Protected Class discrimination or harassment. The District will investigate both formal and informal complaints of discrimination, harassment or retaliation.

The following non-exhaustive list provides examples of the type of prohibited conduct that may be considered Protected Class harassment that can lead to a hostile environment, and are therefore prohibited:

- objectively offensive racial, ethnic, or religious epithets (or epithets commonly associated with any Protected Class membership);
- other words or phrases commonly considered demeaning or degrading on the basis of Protected Class membership;
- display of images or symbols commonly associated with discrimination against individuals on the basis of their membership in a Protected Class;
- graphic, written or electronic communications that are harmful, or humiliating based on Protected Class membership;
- bigoted conduct or communications; or
- physical, written, electronic or verbal threats based on Protected Class membership.

Harassment does not have to include intent to harm, be directed at a specific target, or involve repeated incidents.

### **Reporting to District Officials**

Any student, staff member, and/or Parent/Guardian who believes a student has experienced Protected Class discrimination or harassment or an act of retaliation or reprisal in violation of this policy should report such concern in writing to:

**~~Peter Dart~~ Candace Morell, Superintendent of Schools**  
**Mansfield Board of Education**  
**4 South Eagleville Road**  
**Storrs, CT 06268**  
**(860) 429-3350**  
**~~dartp~~morellemorellcv@mansfieldct.org**

in accordance with the Board's complaint procedures included in the Board's Administrative Regulations Regarding Non-Discrimination (Students).

If a complaint involves allegations of discrimination or harassment of a student based on

sex, sexual orientation, pregnancy, or gender identity or expression, such complaints will be handled in accordance with the procedures set forth in the Board's policy regarding Sex Discrimination and Sexual Harassment (Students). Complaints involving allegations of discrimination or harassment of a student based on disability will be addressed in accordance with the procedures set forth in the Board's policy regarding Section 504/ADA (Students). In the event reported conduct allegedly violates more than one policy, the Board will coordinate any investigation in compliance with the applicable policies.

Students are encouraged to immediately report any concerns about Protected Class discrimination, harassment, or retaliation.

**Students may make verbal or written reports about Protected Class discrimination, harassment, or retaliation to any school employee.**

Preferably, complaints should be filed within thirty (30) days of the alleged occurrence. Timely reporting of complaints facilitates the investigation and resolution of such complaints. The district will investigate such complaints promptly and equitably, and will take corrective action when allegations are verified.

#### **Mandatory Staff Reporting for Student Incidents**

District employees are required to report incidents of alleged student-to-student and employee-to-student discrimination, harassment or retaliation that may be based on a Protected Class when district employees witness such incidents or when district employees receive reports or information about such incidents, whether such incidents are verbal or physical or amount to discrimination, harassment or retaliation in other forms. **Reports should be made to any District administrator or to:**

~~Peter Dart~~**Candace Morell**, Superintendent of Schools  
Mansfield Board of Education  
4 South Eagleville Road  
Storrs, CT 06268  
(860) 429-3350  
[dartpmorellemorelly@mansfieldct.org](mailto:dartpmorellemorelly@mansfieldct.org)

#### **Complaint Procedure**

As soon as a student feels that they, or another student has been subjected to Protected Class discrimination, harassment or retaliation, the individual should make a written complaint to ~~Peter Dart~~**Candace Morell**, Superintendent of Schools (contact information above) or to the building principal, or designee.

**Students may make verbal or written reports about Protected Class discrimination, harassment, or retaliation to any school employee. School employees receiving such reports shall promptly forward them to any District administrator or to ~~Peter Dart~~**Candace Morell** Superintendent of Schools (contact information above).**

The student and/or Parent/Guardian or other individual will be provided a copy of the Board's policy and regulation and made aware of the student's rights under this policy and regulation. In the event the Superintendent of Schools receives a complaint alleging discrimination or harassment of a student based on sex, sexual orientation, pregnancy, or gender identity or expression, the complaint shall be forwarded to the Title IX Coordinator, who shall follow the procedures identified in the Board's policy regarding Sex Discrimination and Sexual Harassment (Students). In the event the Superintendent of Schools receives a complaint alleging discrimination or harassment of a student based on disability, the complaint shall be forwarded to the Section 504/ADA Coordinator, who shall follow the procedures identified in the Board's policy regarding Section 504/ADA (Students).

The complaint should state the:

- A. Name of the complainant,
- B. Date of the complaint,
- C. Date(s) of the alleged harassment/discrimination,
- D. Name(s) of the harasser(s) or discriminator(s),
- E. Location where such harassment/discrimination occurred,
- F. Names of any witness(es) to the harassment/discrimination,
- G. Detailed statement of the circumstances constituting the alleged harassment/discrimination, and
- H. Proposed remedy.

Any student and/or Parent/Guardian or other individual who makes an oral complaint of discrimination or harassment of a student to any of the above-mentioned personnel will be provided a copy of this regulation and will be requested to make a written complaint pursuant to the above procedure. If a student (or individual acting on behalf of the student) is unable to make a written complaint, the school employee receiving the oral complaint will either reduce the complaint to writing or assist the student (individual acting on behalf of the student) in completing the written complaint form or ask a district administrator for assistance in doing so.

All complaints are to be forwarded immediately to the Superintendent or designee. Upon receipt of a complaint alleging discrimination or harassment of a student under this complaint procedure, the Superintendent shall designate a district administrator (or other trained individual) to promptly investigate the complaint. During the course of the investigation, the investigator shall interview or consult with all individuals reasonably

believed to have relevant information, including the individual alleged to have experienced Protected Class discrimination and/or harassment (the “complainant”), the reporter (if different from the complainant), the alleged discriminator/harasser (the “respondent”) and any witnesses to the conduct. Complaints will be investigated promptly within the timeframes identified below. Timeframes may be extended as needed given the complexity of the investigation, availability of individuals with relevant information and/or other extenuating circumstances. Confidentiality will be maintained by all persons involved in the investigation to the extent possible, to the extent consistent with principles of due process, as determined by the investigator.

Upon receipt of a written complaint of discrimination or harassment of a student, the investigator should:

1. Offer to meet with the complainant (and respondent, if applicable) within ten (10) business days (provided that such timeframe may be reasonably extended based on the availability of necessary witnesses and/or participants, the complexity of the investigation, and/or other extenuating circumstances) to discuss the nature of the complaint, discuss the availability of interim measures, identify individuals the complainant or respondent believes has relevant information, and obtain any relevant documents the complainant or respondent may have;
2. Provide the complainant (and respondent, if applicable) with a copy of the Board’s non-discrimination policy and accompanying regulations;
3. Conduct an investigation that is adequate, reliable, and impartial. Investigate the factual basis of the complaint, including, as applicable, conducting interviews with the parties to the complaint and any relevant witnesses or other individuals deemed relevant to the complaint;
4. Review any records, notes, statements, or other documents relevant to the complaint;
5. Maintain confidentiality to the extent practicable throughout the investigative process, in accordance with state and federal law;
6. Complete a final investigation report that includes: (i) a findings of fact based on the evidence gathered; (ii) for each allegation, the conclusion(s) and reasoning(s) as to whether the discrimination or harassment occurred; and (iii) for any individual(s) found to have engaged in discrimination or harassment, a broad statement of consequences imposed (to the extent permitted by state and federal confidentiality requirements) (i.e. “Consequences were imposed.”).

7. Communicate the outcome of the investigation in writing to the complainant (and respondent, if applicable) (to the extent permitted by state and federal confidentiality requirements), within thirty (30) business days (provided that such timeframe may be reasonably extended based on the availability of necessary witnesses and/or participants, the complexity of the investigation, and/or other extenuating circumstances) from the date the complaint was received by the Superintendent's office. The complainant (and respondent, if applicable) shall be notified of any extension of the investigation timeline. The written notice shall include a finding whether the complaint was substantiated and if so, shall identify, to the extent possible, how the district will remedy the discrimination or harassment, adhering to the requirements of state and federal law;
8. If a complaint is made during summer recess, the complaint will be reviewed and addressed as quickly as possible given the availability of employees and/or other individuals who may have information relevant to the complaint. If fixed timeframes cannot be met, the complainant (and respondent, if applicable) will receive notice and interim measures may be implemented as necessary (see sub-paragraph 6);
9. Whenever allegations are verified, ensure that appropriate corrective action is taken (including, but not limited to, disciplinary action) aimed at preventing the recurrence of the discrimination or harassment. Corrective action should include steps designed to avoid continuing discrimination or harassment;
10. If a complainant or a respondent is not satisfied with the findings and conclusions of the investigation, the complainant (and/or respondent, if applicable) may present the complaint and written outcome to the Superintendent within thirty (30) calendar days of receiving the findings. Upon review of a written request from the complainant (and/or respondent, if applicable), the Superintendent shall review the investigative results of the investigator and determine if further action and/or investigation is warranted. Such action may include consultation with the investigator and complainant (and/or respondent, if applicable), a meeting with appropriate individuals to attempt to resolve the complaint, or a decision affirming or overruling the investigator's conclusions or findings. The Superintendent shall provide written notice to the complainant (and respondent, if applicable) of the proposed actions within thirty (30) business days (provided that such timeframe may be reasonably extended based on the availability of necessary witnesses and/or participants, the complexity of the investigation, and/or other extenuating circumstances) following the receipt of the written request for review.

### **Remedial Action**

If the district makes a finding of discrimination, harassment or retaliation of a student, the district will take remedial action designed to:

- A. eliminate the discriminatory/harassing/retaliatory conduct,
- B. prevent its recurrence, and
- C. address its effects on the complainant and any other affected individuals.

Examples of appropriate action may include, but are not limited to:

- A. In the case of a student respondent, interventions for the individual who engaged in the discrimination/harassment may include, but are not limited to, discipline (including but not limited to suspension and/or expulsion), educational interventions, exclusion from extra-curricular activities and/or sports programs, and/or referral to appropriate state or local agencies;
- B. In the case of an employee respondent, interventions for the individual who engaged in the discrimination/harassment may include, but are not limited to, supervisor notification, discipline (including possible termination of employment), training, and/or referral to appropriate state or local agencies;
- C. In the case of respondent who is otherwise associated with the school community, interventions for the individual who engaged in the discrimination/harassment may include, but are not limited to, exclusion from school property and/or activities and/or referral to appropriate state or local agencies;
- D. Follow-up inquiries with the complainant and witnesses to ensure that the discriminatory/harassing conduct has stopped and that they have not experienced any retaliation;
- E. Supports for the complainant; and
- F. Training or other interventions for the larger school community designed to ensure that students, staff, Parent/Guardians, Board members and other individuals within the school community understand the types of behavior that constitute discrimination/harassment, that the district does not tolerate it, and how to report it.

District staff members and administrators will work with students and Parent/Guardians/guardians to take steps designed to prevent acts of discrimination, harassment and retaliation.

### **Staff Development**

The district will periodically provide staff development for district administrators and periodically distribute the Board's Non-Discrimination policies and the implementing administrative regulations to staff, students and Parent/Guardians in an effort to maintain an environment free of discrimination, harassment and retaliation.

## Reporting to State and Federal Agencies

Any student and/or Parent/Guardian also may file a complaint with the Office for Civil Rights, U.S. Department of Education (“OCR”):

Office for Civil Rights, Washington D.C. (Metro)  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-1475  
(202) 453-6020

~~Office for Civil Rights, Boston Office~~  
~~U.S. Department of Education~~  
~~8th Floor~~  
~~5 Post Office Square~~  
~~Boston, MA 02109-3921~~  
~~(617-289-0111)~~

<http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>

Any student and/or Parent/Guardian may also file a complaint with the Connecticut Commission on Human Rights and Opportunities:

Connecticut Commission on Human Rights and Opportunities  
450 Columbus Blvd.  
Hartford, CT 06103-1835  
(860-541-3400 or Connecticut Toll-Free Number 1-800-477-5737)

## Questions/Requests for Accommodation

Any Parent/Guardian, student, staff member, Board member or community member who:  
(1) has questions or concerns about this policy or its accompanying regulations; or (2)  
wishes to request or discuss accommodations for a student based on religion may contact:

~~Peter Dart~~**Candace Morell**, Superintendent of Schools  
Mansfield Board of Education  
4 South Eagleville Road  
Storrs, CT 06268  
(860) 429-3350  
[morellemorellcvdarp@mansfieldct.org](mailto:morellemorellcvdarp@mansfieldct.org)

Any Parent/Guardian, student, staff member, Board member or community member who has questions or concerns about the Board’s policies regarding discrimination or harassment of students on the basis of gender/sex, gender identity, or sexual orientation may contact the district’s Title IX Coordinator:

**Michele Beers**

**Director of Human Resources and Talent Management**  
**4 South Eagleville Road**  
**Storrs, CT 06268**  
**(860) 429-3350**  
**BeersML@mansfieldct.org**

Any Parent/Guardian, student, staff member, Board member or community member who:  
(1) has specific questions or concerns about the Board's policies regarding discrimination on the basis of disability applicable to students; or (2) wishes to request an accommodation for a student on the basis of disability may contact the district's Section 504/ADA Coordinator:

**Shamim Patwa, Ph.D.**  
**Director of Student Support Services**  
**4 South Eagleville Road**  
**Storrs, CT 06268**  
**(860) 429-3353**  
**patwas@mansfieldct.org**

REVISED: 9/10; 10/13/11; 9/13/12; 10/10/13; 10/27/16; 6/11/20; 1/20/22; 1/19/23; 2/8/24  
REVIEWED: 10/9/14; 11/12/15; 6/7/18; 3/14/19

*Mansfield Board of Education Regulation*

Section: STUDENTS

NON-DISCRIMINATION/STUDENTS (ADMINISTRATIVE REGULATIONS)

APPENDIX A

DISCRIMINATION OR HARASSMENT COMPLAINT FORM

(For complaints based on race, color, religion, age, marital status, national origin, alienage, ancestry, veteran status, ~~or~~ status as a victim of domestic violence, status as a victim of sexual assault, status as a victim of trafficking in persons)

Name of the reporter \_\_\_\_\_

Name of the complainant/victim \_\_\_\_\_

School/program and grade of the complainant/victim \_\_\_\_\_

Reporter's relationship to the complainant/victim \_\_\_\_\_

Date of the complaint \_\_\_\_\_

Date of the alleged discrimination/harassment \_\_\_\_\_

Name or names of the discriminator(s) or harasser(s) \_\_\_\_\_

\_\_\_\_\_

Location where such discrimination/harassment occurred \_\_\_\_\_

\_\_\_\_\_

Name(s) of any witness(es) to the discrimination/harassment. \_\_\_\_\_

\_\_\_\_\_

Detailed statement of the circumstances constituting the alleged discrimination or harassment

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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Proposed Remedy \_\_\_\_\_

*Mansfield Board of Education Policy*

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**STUDENT DISCIPLINE**

It is the policy of the Mansfield Board of Education (the "Board") to create a school environment that promotes respect of self, others, and property within the Mansfield Public Schools (the "district"). Compliance with this policy will enhance the Board and the district's ability to maintain discipline and reduce interference with the educational process that can result from student misconduct. Pursuant to this policy, the district shall promote the utilization of consistent discipline practices, both within and across schools in the district, while also promoting the consideration of individual circumstances arising in each student disciplinary matter. Where appropriate, the district implements strategies that teach, encourage and reinforce positive student behavior that do not require engagement with the discipline system.

I. Definitions

- A. **Cannabis** means marijuana, as defined by Conn. Gen. Stat. § 21a-240.
- B. **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.
- C. **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 (e.g., spring v. CO2 cartridge) and potential for serious bodily harm or death.
- D. **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.

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- E. **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.
- F. **Exclusion** means any denial of public school privileges to a student for disciplinary purposes.
- G. **Expulsion** means the exclusion of a student from school privileges for more than ten (10) consecutive school days and shall be deemed to include, but not be limited to, exclusion from the school to which such student was assigned at the time such disciplinary action was taken. The expulsion period may not extend beyond one (1) calendar year.
- H. **Firearm**, as defined in 18 U.S.C § 921, means (a) any weapon (including a starter gun) that will, is designed to, or may be readily converted to expel a projectile by the action of an explosive, (b) the frame or receiver of any such weapon, (c) a firearm muffler or silencer, or (d) any destructive device. The term firearm does not include an antique firearm. As used in this definition, a “**destructive device**” includes any explosive, incendiary, or poisonous gas device, including a bomb, a grenade, a rocket having a propellant charge of more than four ounces, a missile having an explosive or incendiary charge of more than one-quarter ounce, a mine, or any other similar device; or any weapon (other than a shotgun or shotgun shell which the Attorney General finds is generally recognized as particularly suited for sporting purposes) that will, or may be readily converted to, expel a projectile by explosive or other propellant, and which has a barrel with a bore of more than ½” in diameter. The term “destructive device” also includes any combination of parts either designed or intended for use in converting any device into any destructive device and from which a destructive device may be readily assembled. A “destructive device” does not include: an antique firearm; a rifle intended to be used by the owner solely for sporting, recreational, or cultural purposes; or any device which is neither designed nor redesigned for use as a weapon.
- I. **Generative Artificial Intelligence (“AI”)** refers to a technology system, including but not limited to ChatGPT, capable of learning patterns and relationships from data, enabling it to create content, including but not limited to text, images, audio, or video, when prompted by a user.
- J. **Protected Class Harassment** is a form of discrimination on the basis of any protected characteristic (or protected class) including race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, ancestry, disability, pregnancy, gender identity or expression, veteran status, status as a victim of domestic violence, or any other basis prohibited by state or federal law (“Protected Class”). Harassment

constitutes unlawful discrimination when it creates a hostile environment, which occurs when the harassment is sufficiently severe, pervasive, or persistent so as to interfere with or limit a student's ability to participate in or benefit from the services, activities, or opportunities offered by a school. Harassment does not have to include intent to harm, be directed at a specific target, or involve repeated incidents. Harassment against any individual on the basis of that individual's association with someone in a Protected Class may be a form of Protected Class harassment.

- K. **In-School Suspension** means an exclusion from regular classroom activity for no more than five (5) 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.
- L. **Martial Arts Weapon** means a nunchaku, kama, kasari-fundo, octagon sai, tonfa or Chinese star.
- M. **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.
- N. **School Days** shall mean days when school is in session for students.
- O. **School-Sponsored Activity** means any activity sponsored, recognized or authorized by the Board and includes activities conducted on or off school property.
- P. **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.
- Q. **Suspension** means the exclusion of a student from school and/or transportation services for not more than ten (10) consecutive school days for students in grades three through twelve and five (5) consecutive school days for students in grades preschool through two, 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.
- R. **Weapon** means any BB gun, any blackjack, any metal or brass knuckles, any police baton or nightstick, any dirk knife or switch knife, any knife

having an automatic spring release device by which a blade is released from the handle, having a blade of over one and one-half inches in length, any stiletto, any knife the edged portion of the blade of which is four inches and over in length, any martial arts weapon or electronic defense weapon, or any other dangerous or deadly weapon or instrument, unless permitted by law under Section 29-38 of the Connecticut General Statutes.

- S. 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.
- T. For purposes of this policy, references to “school”, “school grounds” and “classroom” shall include physical educational environments, including on school transportation, as well as environments in which students are engaged in remote learning, which means instruction by means of one or more Internet-based software platforms as part of a remote learning model.

## II. Scope of the Student Discipline Policy

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

- 1. Suspension. Students in grades three through twelve may be **suspended** for conduct on school grounds, on school transportation, or at any school-sponsored activity that **violates a publicized policy of the Board or is seriously disruptive of the educational process or endangers persons or property**. Students in grades preschool through two may be suspended in circumstances where a student's conduct on school grounds constitutes behavior that causes physical harm.
- 2. Expulsion. Students may be **expelled** for conduct on school grounds, on school transportation, or at any school-sponsored activity that either **(1) violates a publicized policy of the Board and is seriously disruptive of the educational process, or (2) endangers persons or property**.

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

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

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

In making a determination as to whether such conduct is seriously disruptive of the educational process, the Administration and the Board 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 29-38 of the Connecticut General Statutes, and **whether any injuries occurred;** and (4) **whether the conduct involved the use of alcohol.** The Administration and/or the Board may also consider (5) **whether the off-campus conduct involved the illegal use of drugs.**

- D. A student shall not have greater discipline, punishment, or sanction for the use, sale, or possession of cannabis on school property than a student would face for the use, sale, or possession of alcohol on school property, except as otherwise required by applicable law.

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

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

1. Striking or assaulting a student, member of the school staff or other person(s).
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 Protected Class Harassment or reprisal or retaliation against any individual for reporting in good faith incidents of Protected Class Harassment, or who participate in the investigation of such reports.

7. Refusal by a student to respond to a staff member's request for the student to provide the student's name to a staff member when asked, misidentification of oneself to such person(s), lying to school staff members or otherwise engaging in dishonest behavior.
8. Inappropriate displays of public affection of a sexual nature and/or sexual activity on school grounds, on school transportation, 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), including the use of AI to engage in such conduct.
11. Possession of any weapon, weapon facsimile, deadly weapon, martial arts weapon, electronic defense weapon, pistol, knife, blackjack, bludgeon, box cutter, metal knuckles, pellet gun, air pistol, explosive device, firearm, whether loaded or unloaded, whether functional or not, or any other dangerous object or instrument. The possession and/or use of any object or device that has been converted or modified for use as a weapon.
12. Possession of any ammunition for any weapon described above in Paragraph 11.
13. Unauthorized entrance into any school facility or portion of a school facility or aiding or abetting an unauthorized entrance.
14. Possession or ignition of any fireworks, combustible or other explosive materials, or ignition of any material causing a fire. Possession of any materials designed to be used in the ignition of combustible materials, including matches and lighters.
15. Possession, sale, distribution, use, or consumption of tobacco, electronic nicotine delivery systems (e.g., e-cigarettes), electronic cannabis delivery system, or vapor products, or the unlawful possession, sale, distribution, use or consumption of drugs, narcotics or alcoholic beverages (or any facsimile of tobacco, drugs, narcotics or alcoholic beverages, or any item represented to be tobacco, drugs or alcoholic beverages), including being under the influence of any such substances or aiding in the procurement of any such substances. For the purposes of this Paragraph 15, the term "electronic nicotine delivery system" shall mean an electronic device used in the delivery of nicotine or other substances to a person inhaling from the device and includes, but is not limited to, an electronic cigarette, electronic cigar,

electronic cigarillo, electronic pipe or electronic hookah and any related device and any cartridge or other component of such device, including but not limited to electronic cigarette liquid. For purposes of Paragraph 15, the term “electronic cannabis delivery system” shall mean an electronic device that may be used to simulate smoking in the delivery of cannabis to a person inhaling the device and includes, but is not limited to, a vaporizer, electronic pipe, 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 and is inhaled by the user of such product. For the purposes of this Paragraph 15, the term “drugs” shall include, but shall not be limited to, any medicinal preparation (prescription and non-prescription) and any controlled substance whose possession, sale, distribution, use or consumption is illegal under state and/or federal law, including cannabis.

16. Sale, distribution, or consumption of substances contained in household items; including, but not limited to glue, paint, accelerants/propellants for aerosol canisters, and/or items such as the aerators for whipped cream; if sold, distributed or consumed for the purpose of inducing a stimulant, depressant, hallucinogenic or mind-altering effect.
17. Possession of paraphernalia used or designed to be used in the consumption, sale or distribution of drugs, alcohol or tobacco, as described in Paragraph 15 above. For purposes of this policy, drug paraphernalia includes any equipment, products and materials of any kind which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing or concealing, or injecting, ingesting, inhaling or otherwise introducing controlled drugs or controlled substances into the human body, including but not limited to items such as “bongs,” pipes, “roach clips,” vials, tobacco rolling papers, and any object or container used, intended or designed for use in storing, concealing, possessing, distributing or selling controlled drugs or controlled substances, including cannabis.
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, employees, and/or other persons.
22. Defiance of school rules and the valid authority of teachers, supervisors, administrators, other employees and/or law enforcement authorities.
23. Throwing snowballs, rocks, sticks and/or similar objects, except as specifically authorized by school employees responsible for student supervision.
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; the unauthorized use of AI for the completion of class assignments; or any other form of academic dishonesty, cheating or plagiarism.
27. Possession and/or use of a cellular telephone, radio, portable audio player, CD player, blackberry, tablet, personal data assistant, walkie talkie, Smartphone, mobile or handheld device, or similar electronic device, on school grounds, on school transportation, 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, on school transportation, or at a school-sponsored activity without the written permission of the principal or designee.
29. Unauthorized use of or tampering with any school computer, computer system, computer software, Internet connection or similar school property or system, or the use of such property or system for inappropriate purposes, including using AI in a manner that disrupts or undermines the effective operation of the school district or is otherwise seriously disruptive to the educational process.
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 means unwanted and aggressive behavior among children in grades kindergarten to twelve, inclusive, that involves a real or perceived power imbalance, defined as an act that is direct or indirect and severe, persistent, or pervasive, which:
- ~~a. causes physical or emotional harm to an individual;~~
  - ~~b. places an individual in reasonable fear of physical or emotional harm; or~~
  - ~~c. infringes on the rights or opportunities of an individual at school.~~

Bullying shall include, but need not be limited to, a written, oral or electronic communication or physical act or gesture based on any actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, alienage, 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 employees, students, third parties on school property, or the public, regardless of whether the conduct is intended as a joke, including but not limited to violating school or district health and safety protocols.
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 (other than to school officials).
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 (other than to school officials).
37. Using computer systems, including email, remote learning platforms, instant messaging, text messaging, blogging or the use of social networking websites, AI, 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 employee.

39. Engaging in teen dating violence, defined as any act of physical, emotional or sexual abuse, including stalking, harassing and threatening, which 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. An administrator responsible for a school program (“responsible administrator”) may consider recommendation of expulsion of a student in grades three to eight, inclusive, in a case where the responsible administrator has reason to believe the student has engaged in conduct described at Sections II.A. or II.B., above.
- B. A responsible administrator must recommend expulsion proceedings in all cases against any student in grades kindergarten to eight, inclusive, whom the district Administration has reason to believe:
  1. Was in **possession on school grounds, on school transportation, 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 or school transportation 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. Sale or distribution of less than one (1) kilogram of cannabis is not subject to mandatory expulsion.

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 or provided by a regional educational service center or a state or local charter school pursuant to an agreement with the Board, 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 in accordance with Section VIII of this policy whenever the Administration has reason to believe 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, on school transportation, 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 designee determines that a student should or must be expelled, the Superintendent or designee shall forward such recommendation to the Board so that the Board can consider and act upon this recommendation.

- E. In keeping with Conn. Gen. Stat. § 10-233d and the Gun-Free Schools Act, it shall be the policy of the Board to expel a student in grades kindergarten to 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 the student deliberately causes a serious disruption of the educational process. When a student is removed by a teacher, the teacher must send the student to a designated area and notify the responsible administrator or the administrator’s 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 responsible administrator or the administrator’s 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/Guardians 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 responsible administrator or the administrator's designee shall have the right to suspend a student for breach of conduct as noted in Section II of this policy for not more than ten (10) consecutive school days. In cases where suspension is contemplated, the following procedures shall be followed.

~~1.~~ ~~1.~~ Unless an emergency situation exists, no student shall be suspended prior to having an informal hearing before the responsible administrator or the administrator's 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.

~~1.2.~~ Prior to holding the informal hearing, the administrator or administrator's designee must contact their local homeless education liaison to determine if the student is homeless. If it is determined that such student is a homeless child or youth, the administrator or administrator's designee must consider the impact of homelessness on the behavior of the student during the hearing.

~~3.2.~~ If suspended, such suspension shall be an in-school suspension except the responsible administrator or the administrator's 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 responsible administrator or the administrator's designee determines that the student poses such a danger to persons or property or such a disruption of the educational process that the student should be excluded from school during the period of suspension; or (b) the responsible administrator or the administrator's 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 district 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 responsible administrator or the administrator's designee determines that an out-of-school suspension is appropriate for such student

based on evidence that such student's conduct on school grounds causes physical harm.

- ~~43.~~ 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 responsible administrator or the administrator's designee, but only considered in the determination of the length of suspensions.
- 54. By telephone, the responsible administrator or the administrator's designee shall make reasonable attempts to immediately notify the Parent/Guardian of a minor student following the suspension and to state the cause(s) leading to the suspension.
- 65. Whether or not telephone contact is made with the Parent/Guardian of such minor student, the responsible administrator or the administrator's designee shall forward a letter promptly to such Parent/Guardian to the last address reported on school records (or to a newer address if known by the responsible administrator or the administrator's designee), offering the Parent/Guardian an opportunity for a conference to discuss same.
- 76. In all cases, the Parent/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.
- 87. Not later than twenty-four (24) hours after the commencement of the suspension, the responsible administrator or the administrator's designee shall also notify the Superintendent or designee of the name of the student being suspended and the reason for the suspension.
- 98. The student shall be allowed to complete any classwork, including examinations, without penalty, which the student missed while under suspension.
- 109. When any such student in preschool through grade two receives an out-of-school suspension, such student must receive trauma-informed and developmentally appropriate services that align with any behavioral intervention plan, individualized education program, or Section 504 plan immediately upon the student's return to school after the suspension. Additionally, the school must consider whether to convene a planning and placement team meeting to evaluate whether the student may need special education or related services.

119. The 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 Parent/Guardians to pay for participation in the program. The Superintendent may delegate this authority to building or program level administrators.

121. 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. The Superintendent may delegate this authority to building or program level administrators.

132. 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.

143. The decision of the responsible administrator or the administrator's designee with regard to disciplinary actions up to and including suspensions shall be final.

154. 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 responsible administrator or the administrator's designee 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. The responsible administrator or the administrator's 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 responsible administrator or the administrator's designee may impose in-school suspension in cases where a student's conduct endangers persons or property, violates school policy or seriously disrupts the educational process as determined by the responsible administrator or the administrator's designee.
- B. In-school suspension may not be imposed on a student without an informal hearing by the responsible administrator or the administrator's designee.
- C. In-school suspension may be served in the school or program 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/Guardians 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 shall, prior to expelling any student, conduct a hearing to be governed by the procedures outlined herein and consistent with the requirements of Conn. Gen. Stat. § 10-233d or Conn. Gen. Stat. § 10-233l, if applicable, as well as the applicable provisions of the Uniform Administrative Procedures Act, Conn. Gen. Stat. §§ 4-176e to 4-180a, and § 4-181a. Whenever an emergency exists, the hearing provided for herein shall be held as soon as possible after the expulsion.

B. Hearing Panel:

- 1. Expulsion hearings conducted by the Board will be heard by any three or more Board members. A decision to expel a student must be supported by a majority of the Board members present, provided that no less than three (3) affirmative votes to expel are cast.

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

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

1. Prior to the expulsion hearing the administrator and/or administrator's designee must contact their local homeless education liaison to determine if the student is homeless.

~~1-2.~~ Written notice of the expulsion hearing must be given to the student, and, if the student is a minor, to the student's Parent/Guardian(s) or guardian(s) at least five (5) business days before such hearing. The day of the hearing shall not count as one of those five (5) business days.

~~2-3.~~ A copy of this Board policy on student discipline shall also be given to the student, and if the student is a minor, to the student's Parent/Guardian(s) or guardian(s), at the time the notice is sent that an expulsion hearing will be convened.

~~3-4.~~ The written notice of the expulsion hearing shall inform the student of the following:

- a. The date, time, place and nature of the hearing, including if the hearing will be held virtually, via video conference.
- 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 Superintendent or designee.
- 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 Superintendent or designee.

- f. The student may be represented by an attorney or other advocate of the student's choice at the student's expense or at the expense of the student's Parent/Guardian(s)/guardian(s).
- g. A student is entitled to the services of a translator or interpreter, to be provided by the Board, whenever the student or the student's Parent/Guardian(s) or guardian(s) requires the services of an interpreter because they do not speak the English language or are disabled.
- h. The conditions under which the Board is not legally required to give the student an alternative educational opportunity (if applicable).
- i. Information concerning the Parent/Guardian's(s') or guardian's(s') and the student's legal rights and about free or reduced-rate legal services and how to access such services.
- j. The Parent/Guardian(s) or guardian(s) of the student have the right to have the expulsion hearing postponed for up to one week to allow time to obtain representation, except that if an emergency exists, such hearing shall be held as soon after the expulsion as possible.

D. Hearing Procedures:

- 1. The hearing will be conducted by the Presiding Officer, who will call the meeting to order, introduce the parties, Board members and others participating in the hearing (if applicable), briefly explain the hearing procedures, and swear in any witnesses called by the Superintendent or designee or the student. If an impartial board or more than one person has been appointed, the impartial board shall appoint a Presiding Officer.
- 2. The hearing will be conducted in executive session. A verbatim record of the hearing will be made, either by tape or digital recording or by a stenographer. A record of the hearing will be maintained, including the verbatim record, all written notices and documents relating to the case and all evidence received or considered at hearing.
- 3. The Superintendent or designee shall bear the burden of production to come forward with evidence to support its case and shall bear the burden of persuasion. The standard of proof shall be a preponderance of the evidence.

4. Formal rules of evidence will not be followed. The Board (or the impartial 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, irrelevant, and/or any other objections to its submission.
5. The hearing will be conducted in two (2) parts. In the first part of the hearing, the Board (or the impartial board) will receive and consider evidence regarding the conduct alleged by the Administration.
6. In the first part of the hearing, the charges will be introduced into the record by the Superintendent or designee.
7. Each witness for the Superintendent or designee will be called and sworn. After a witness has finished testifying, the witness will be subject to cross-examination by the opposite party or the witness' legal counsel, by the Presiding Officer and by Board members (or the impartial board).
8. The student shall not be compelled to testify at the hearing.
9. After the Superintendent or designee has presented the Administration's case, the student will be asked if the student 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 by the Superintendent or designee, the Presiding Officer and/or by the Board (or impartial board). The student may also choose to make a statement at this time. If the student chooses to make a statement, the student will be sworn and subject to cross examination and questioning by the Superintendent or designee, the Presiding Officer and/or by the Board (or the impartial board). Concluding statements will be made by the Superintendent or designee and then by the student and/or the student's representative.
10. In cases where the student has denied the allegation, the Board (or the impartial board) must determine whether the student committed the offense(s) as charged by the Superintendent or designee.
11. If the Board (or the impartial board) determines that the student has committed the conduct as alleged, then the Board (or the impartial board) shall proceed with the second portion of the hearing, during which the Board (or the impartial board) will receive and consider relevant evidence regarding the length and conditions of expulsion.

12. If the student has been determined to be a homeless child or youth, the Board (or the impartial board) must consider the impact of homelessness on the behavior of the student during the hearing.

~~12.~~13. When considering the length and conditions of expulsion, the Board (or the impartial board) may review the student's attendance, academic and past disciplinary records. The Board (or the impartial 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 (or the impartial board) may ask the Superintendent or designee for a recommendation as to the discipline to be imposed.

~~13.~~14. Evidence of past disciplinary problems that 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 (or the impartial board) is considering length of expulsion and nature of alternative educational opportunity to be offered.

~~14.~~15. Where administrators presented the case in support of the charges against the student, neither such administrative staff nor the Superintendent or designee shall be present during the deliberations of the Board (or the impartial board) either on questions of evidence or on the final discipline to be imposed. The Superintendent or designee may, after reviewing the incident with administrators, and reviewing the student's records, make a recommendation to the Board (or the impartial board) as to the appropriate discipline to be applied.

15. The Board (or the impartial 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.

~~15.~~16. If a student who has been determined to be a homeless child or youth is expelled, a plan of interventions and supports to mitigate the impact of homelessness on the behavior of the student must be implemented.

~~16-17.~~ 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 (or the impartial 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 (or the impartial board). The Board-specified program shall not require the student and/or the student's Parent/Guardians to pay for participation in the program.

~~17-18.~~ The Board (or the impartial board) shall report its final decision in writing to the student, or if such student is a minor, also to the Parent/Guardian(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/Guardians 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.

~~18-19.~~ The hearing may be conducted virtually, via video conference, at the direction of the Board (or the impartial board), in the event school buildings are closed to students or individuals are provided limited access to school buildings due to a serious health or other emergency. Any virtual hearing must provide the student the due process rights identified in this Subsection D.

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

During the period of expulsion, the student shall not be permitted to be on school property or on school transportation and shall not be permitted to attend or participate in any school-sponsored activities, except for the student's participation in any alternative educational opportunity provided by the district in accordance with this policy, unless the Superintendent or designee specifically provides written permission for the student to enter school property or school transportation 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 Superintendent or designee and the Parent/Guardian (s) or legal guardian(s) of a student facing expulsion may choose to enter into a Joint Stipulation of the Facts and a Joint Recommendation to the Board concerning the length and conditions of expulsion. Such Joint Stipulation and Recommendation shall include

language indicating that the Parent/Guardian(s) or legal guardian(s) understand their right to have an expulsion hearing held pursuant to these procedures, and language indicating that the Board, in its discretion, has the right to accept or reject the Joint Stipulation of Facts and Recommendation. If the Board (or the impartial 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 the student's own behalf.

If the parties agree on the facts, but not on the disciplinary recommendation, the Superintendent or designee and the Parent/Guardians (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 (or the impartial board) in lieu of holding the first part of the hearing, as described above. Such Joint Stipulation shall include language indicating that the Parent/Guardians and/or student over the age of 18 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 (or the impartial 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 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 shall provide an alternative educational opportunity to a sixteen (16) to eighteen (18) year old student expelled for the first time if the student requests it and if the student agrees to the conditions set by the Board (or the impartial board). Such alternative educational opportunity may include, but shall not be limited to, the placement of a student who is at least seventeen years of age in an adult education program. Any student participating in an adult education program during a period of expulsion shall not be required to withdraw from school as a condition to participation in the adult education program.

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

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

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

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

D. *Content of Alternative Educational Opportunity*

1. For the purposes of Section IX, and subject to Subsection IX.E, below, any alternative educational opportunity to which an expelled student is statutorily entitled shall be (1) alternative education, as defined by Conn. Gen. Stat. § 10-74j and in accordance with the *Standards for Educational Opportunities for Students Who Have Been Expelled*, adopted by the Connecticut State Board of Education ("CSBE"), with an individualized learning plan, if the Board provides such alternative education, or (2) in accordance with the *Standards for Educational Opportunities for Students Who Have Been Expelled*, adopted by the CSBE.
2. The Superintendent, or designee, shall develop administrative regulations concerning alternative educational opportunities, which administrative regulations shall be in compliance with the standards adopted by the CSBE. Such administrative regulations shall include, but are not limited to, provisions to address student placement in alternative education; individualized learning plans; monitoring of students placements and performance; and a process for transition planning.

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

Notwithstanding Subsections IX.A. through D. above, if the Board expels a student who has been identified as eligible for services under the Individuals with Disabilities Education Act ("IDEA"), it shall offer an alternative educational opportunity to such student in accordance with the requirements of IDEA, as it may be amended from time to time, and in accordance with the *Standards for Educational Opportunities for Students Who Have Been Expelled*, adopted by the CSBE.

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

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

X. Notice of Student Expulsion on Cumulative Record

Notice of expulsion and the conduct for which the student was expelled shall be included on the student's cumulative educational record. Such notice, except for notice of an expulsion of a student in grades nine through twelve, inclusive, based upon possession of a firearm or deadly weapon, shall be expunged from the cumulative educational record by the district 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 (16), 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. Except as may be specified by the Board in an expulsion hearing decision, the Board delegates the authority to make decisions pertaining to expungement to the Superintendent.

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. Except as may be specified by the Board in an expulsion hearing decision, the Board delegates the authority to make decisions pertaining to expungement to the Superintendent.

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 public school 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. The procedures outlined above in Section VIII and consistent with the requirements of Conn. Gen. Stat. § 10-233d or Conn. Gen. Stat. § 10-233l, if applicable, as well as the applicable provisions of the Uniform Administrative Procedures Act, Conn. Gen. Stat. §§ 4-176e to 4-180a, and § 4-181a shall be utilized for any hearing conducted under this section.
  
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 (or the impartial board) shall make its determination pertaining to expulsion based upon a hearing held by the Board (or the impartial 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. The procedures outlined above in Section VIII and consistent with the requirements of Conn. Gen. Stat. § 10-233d or Conn. Gen. Stat. § 10-233l, if applicable, as well as the applicable provisions of the Uniform Administrative Procedures Act, Conn. Gen. Stat. §§ 4-176e to 4-180a, and § 4-181a shall be utilized for any hearing conducted under this section.

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 a responsible administrator 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 district that applies to all students, the following procedures shall apply:

1. The responsible administrator shall make reasonable attempts to immediately notify the Parent/Guardians 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 Parent/Guardians on the date that the decision to suspend was made.
2. During the period of suspension, the district is not required to provide any educational services to the IDEA student beyond that which is provided to all students suspended by the 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 district that applies to all students, the procedures described in this section shall apply. The procedures described in this section shall also apply for students whom the Administration has suspended in a manner that is considered under the IDEA, as it may be amended from time to time, to be a change in educational placement:

1. Upon the decision by the Administration to recommend expulsion or impose a suspension that would constitute a change in educational placement, the Administration shall promptly notify the Parent/Guardian(s)/guardian(s) of the student of the recommendation of expulsion or suspension that would constitute a change in educational placement and provide the Parent/Guardian(s)/guardian(s) a copy of the special education procedural safeguards either by hand delivery or by mail unless other means of transmission have been arranged.
2. The 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 the student's 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 responsible administrator (or designee) should consider the nature of the misconduct and any relevant educational records of the student.

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

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

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, on school transportation, 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, on school transportation, or at a school-sponsored activity; or
3. Has inflicted serious bodily injury upon another person while at school, on school premises, on school transportation, 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")**

- A. Except as provided in subsection B below, notwithstanding any provision to the contrary, if the Administration recommends for expulsion a student identified as eligible for educational accommodations under Section 504 who has violated any rule or code of conduct of the district that applies to all students, the following procedures shall apply:
  1. The Parent/Guardians 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 the student's disability.
  3. If the 504 team finds that the behavior was a manifestation of the student's disability, the Administration shall not proceed with the recommended expulsion.
  4. If the 504 team finds that the behavior was not a manifestation of the student's disability, the Administration may proceed with the

recommended expulsion.

- B. The Board may take disciplinary action for violations pertaining to the use or possession of illegal drugs or alcohol against any student with a disability who currently is engaging in the illegal use of drugs or alcohol to the same extent that such disciplinary action is taken against nondisabled students. Thus, when a student with a disability is recommended for expulsion based solely on the illegal use or possession of drugs or alcohol, the 504 team *shall not be required to meet* to review the relationship between the student's disability and the behavior that led to the recommendation for expulsion.

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

- A. Any student who commits an expellable offense and is subsequently placed in a juvenile detention center or any other residential placement for such offense may be expelled by the Board in accordance with the provisions of this section. The period of expulsion shall run concurrently with the period of placement in a juvenile detention center or any other residential placement.
- B. If a student who committed an expellable offense seeks to return to the district after participating in a diversionary program or having been placed in a juvenile detention center or other residential placement and such student has not been expelled by the Board 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. Disruptive Students

The school principal or other administrator must notify the parent or guardian of a student not later than twenty-four (24) hours after such student has engaged in behavior that has caused a serious disruption to the instruction of other students, self-harm to the student or physical harm to a teacher, another student or school employee. Such notice shall include, but not be limited to, informing such parent or guardian that the teacher of record in the classroom in which such behavior

occurred may request a behavior intervention meeting with the crisis intervention team.

Upon receipt of such request, the crisis team shall notify the parent or guardian and convene a behavior intervention meeting regarding the student. Not later than seven (7) days after the behavior intervention meeting, the crisis intervention team shall submit to the parent or guardian of such student, in the dominant language of such parent or guardian, a written summary of such meeting, including but not limited to, the resources and supports identified.

**XVII. Dissemination of Policy**

The district 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/Guardian(s) and/or guardian(s) of this policy.

**XVIII. Compliance with Documentation and Reporting Requirements**

- A. The district shall include on all disciplinary reports the individual student's state-assigned student identifier (SASID).
- B. The district shall report all suspensions and expulsions to the State Department of Education.
- C. If the Board expels a student for sale or distribution of a controlled substance, as defined in Conn. Gen. Stat. § 21a-240(9), whose manufacture, distribution, sale, prescription, dispensing, transporting, or possessing with the intent to sell or dispense, offering, or administration is the subject to criminal penalties under Conn. Gen. Stat. §§ 21a-277 and 21a-278, the district shall refer such student to an appropriate state or local agency for rehabilitation, intervention or job training and inform the agency of its action.
- D. If the Board expels a student for possession of a firearm, as defined in 18 U.S.C. § 921, or deadly weapon, dangerous instrument or martial arts weapon, as defined in Conn. Gen. Stat. § 53a-3, the district shall report the violation to the local police.

**Legal References:**

**Connecticut General Statutes:**

Public Act No. 21-46, "An Act Concerning Social Equity and the Health, Safety and Education of Children."

§ 10-16 Length of school year

§ 10-74j Alternative education

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

Act

- § 10-222d Safe school climate plans. Definitions. Safe school climate assessments
- §§ 10-233a through 10-233f Suspension and expulsion of students.
- § 10-233l Expulsion and suspension of children in preschool programs
- § 10-253 School privileges for children in certain placements, nonresident children, children in temporary shelters, homeless children and children in juvenile detention facilities. Liaison to facilitate transitions between school districts and juvenile and criminal justice systems.
- § 19a-342a Use of electronic nicotine delivery system or vapor product prohibited. Exceptions. Signage required. Penalties
- § 21a-240 Definitions
- § 21a-277 Penalty for illegal manufacture, distribution, sale, prescription, dispensing
- § 21a-278 Penalty for illegal manufacture, distribution, sale, prescription, or administration by non-drug-dependent person
- §§ 21a-408a through 408p Palliative use of marijuana
- § 29-35 Carrying of pistol or revolver without permit prohibited. Exceptions
- § 29-38 Weapons in vehicles
- § 53a-3 Definitions
- § 53-206 Carrying of dangerous weapons prohibited.
- § 53a-344 Sale or delivery of cigarettes or tobacco products to persons under twenty-one
- § 53-344b Sale and delivery of electronic nicotine delivery system or vapor products to persons under twenty-one years of age

*Packer v. Board of Educ. of the Town of Thomaston*, 717 A.2d 117 (Conn. 1998).

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

*State v. Guzman*, 955 A.2d 72 (Conn. App. Ct. 2008).

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

Federal law:

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

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

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

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

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

21 U.S.C. § 812(c) (identifying “controlled substances”)  
34 C.F.R. § 300.530 (defining “illegal drugs”)  
Gun-Free Schools Act, 20 U.S.C. § 7961  
*Honig v. Doe*, 484 U.S. 305 (1988)  
U.S. Department of Education Office for Civil Rights, U.S. Department of  
Justice Civil Rights Division, *Resource on Confronting Racial  
Discrimination in Student Discipline (May 2023)*

ADOPTED: 9/26/91  
REVISED: 5/8/98; 5/23/05; 1/27/05; 12/14/06; 06/14/07; 9/10/09; 9/10; 10/13/11; 9/13/12; 10/10/13;  
10/9/14; 11/12/15; 10/27/16; 6/7/18; 3/14/19; 6/11/20; 1/20/22; 2/8/24; 1/16/25

*Mansfield Board of Education Policy*

Section: INSTRUCTION

**Collection Development and Maintenance Policy**

Collection evaluation and maintenance is a priority for the library media specialist. The school library media center is a place for voluntary inquiry, the dissemination of information and ideas and the promotion of free expression and free access to ideas by students. The school library media center provides students with access to age-appropriate and grade-level appropriate material, provides access to library and other educational material that is relevant to the research, independent reading interests and educational needs of students based on their age, development and/or grade level. The library collection will undergo continuous evaluation in order to keep on target with its mission to ensure students and faculty are effective users of information by providing diverse opportunities for reading and learning to all of its patrons. Circulation reports will be used to determine how the collection is being used and how it should change for patron needs. The materials will be assessed for their physical condition and their use.

Through these ongoing methods the library media specialists will monitor the collection to see that it is serving its patrons.

Library and other educational materials should (A) be provided for the interest, information and enlightenment of all students, and (B) represent a wide range of varied and diverging viewpoints.

**Acquisitions Guidelines**

The needs of the library are based on the knowledge of the curriculum, the existing collection of the Mansfield Libraries (Mansfield Public Library, Mansfield Elementary School and Mansfield Middle School Library) and the interests of students. Materials that support voluntary inquiry, dissemination of a wide variety of information and ideas, and the promotion of free expression will be considered.

Selection is also based on student and staff survey results, advocacy committee recommendations, as well as close consultation between the library media specialist and the teachers. Requests for purchases are always welcome. The library media specialist is responsible for selecting materials and building and maintaining the collection.

Donations may be made for purchases for the library collection, but individual titles are selected by the library media specialist according to selection criteria.

## **Selection Criteria**

All library materials are evaluated and made accessible in accordance with the protections against discrimination set forth in section 10-15c of the general statutes, including, but not limited to, discrimination based on race, color, sex, gender identity and expression, religion, national origin, sexual orientation or disability.

The school library media specialist is professionally trained to curate and develop a collection that provides students with access to the widest array of age-appropriate and grade-level appropriate library and other education materials. Toward that end, the library media specialist will select resources in all formats for the library, utilizing but not limited to, the following criteria:

- ❖ Integral to the instructional goals, curricular, extracurricular programs of the school
- ❖ Appropriate for the reading level, understanding, and access abilities of students
- ❖ Reflect the creative interests and relevant needs of the students and faculty
- ❖ Warrant inclusion in the collection because of literacy, historical and/or artistic value and merit
- ❖ Present information with the greatest degree of currency, accuracy and clarity possible
- ❖ Represent a fair and unbiased presentation of information while also representing as many shades of opinion as possible in order that varying viewpoints are available to students based on quality and availability.

## **Selection Tools**

The library media specialist consults reputable, unbiased, professionally prepared review sources such as, but not limited to:

The School Library Journal  
Horn Book  
Booklist

## **Weeding Guidelines**

The library's collection will continually be evaluated by the certified school library media specialist, in accordance with professionally accepted standards, giving consideration to curriculum changes, new material formats, interests and needs of users, and changing instructional methods. Weeding is essential to maintain a relevant and attractive collection. Appropriate measures will be taken to dispose of discarded materials. Materials will be removed from the collection when items:

- ❖ Are in poor physical condition
- ❖ Have low circulation statistics
- ❖ Contain inaccurate information
- ❖ Contain obsolete subject matter
- ❖ Are superseded by more current information
- ❖ Are no longer needed to support the curriculum or student or faculty interests
- ❖ Have duplicate copies available

### Collection Display Policy

Throughout the year, the staff of the Mansfield School Libraries uses displays to highlight areas of our collection, promote events, and celebration months. Displays are to be provided for the interest, information and enlightenment of all students. These include displays for varied materials, resources, programs, etc. offered by the library, and represent a wide range of varied and diverging viewpoints. Displays can be seen throughout the library. Displays offer a resource for voluntary inquiry and dissemination of information and ideas and to promote free expression and access to ideas by students. School library media specialists are professionally trained to curate and develop displays and programs that provide students with access to the widest range of age-appropriate and grade-level-appropriate library and other education material. Displays are created by the staff who decide on the content and the location of the display.

Library staff use the same principles as found in the Collection Development Policy when determining what materials to display. Library staff recognizes that library and other educational materials should be provided for the interest, information and enlightenment of all students, and represent a wide range of varied and diverging viewpoints in the collection as a whole. Displays offer students access to age-appropriate and grade-level appropriate material and provide access to library and other educational material that are relevant to the research, independent reading interests and educational needs of students based on a student's age, development or grade level. Library staff selects the content and need for displays based on cultural, civic, and patron interests.

While patrons are welcome to recommend a display, the library staff has the sole purview as to when or where a display will take place. Any requests for reconsideration of a display will follow the same policy and procedures as for collection materials.

When creating displays for the library, the library does not discriminate on the basis of race, age, values, gender, sexual orientation, gender identity or expression, cultural or ethnic background, physical, sensory, cognitive or learning disability, economic status, religious beliefs, or views.

### Reconsideration of Library Material Policy

### ***Definitions***

“Library and other education materials” means any material belonging to, on loan to or otherwise in the custody of a school library media center, including, but not limited to, nonfiction and fiction books, magazines, reference books, supplementary titles, multimedia and digital material, software and other material not required as part of classroom instruction.

“School library staff member” means a school library media specialist, school librarian, any certificated or noncertificated staff member whose assignment is in the school library or any individual carrying out or assisting with the functions of a school library media specialist or school librarian.”

“Individual with a vested interest” means any school staff member employed by a local or regional board of education, parent or guardian of a student currently enrolled in a school at the time a reconsideration form is filed and any student currently enrolled in a school at the time a reconsideration form is filed.”

“Remove” means deliberately taking library material out of a library’s collection. “Remove” does not include the process of clearing such collection of any materials that are no longer useful.

### ***Process to Request Reconsideration of Library Materials***

If the District received a request to reconsider any library and other educational materials, displays or student program, from a current parent/guardian or student, the following procedure must be followed. This process shall neither favor nor disfavor any group based on protected characteristics and shall be completed within 60 days of registering the concern.

A request for reconsideration form may be submitted by a current parent/guardian or a current student to the principal of the school in which the library and other educational material is being challenged to initiate a review of such material. The form shall require such individual to specify which portion or portions of such material such individual objects to and provide an explanation of the reasons for such objection. Such individual shall not submit a request for reconsideration form without including such individual's full legal name, address and telephone number.

The principal, or the principal's designee, shall promptly forward the request for reconsideration to the superintendent of schools for the school district. The superintendent, or the superintendent's designee, shall appoint a review committee consisting of: (A) The superintendent, or the superintendent's designee, (B) the principal of the school in which the library and other educational material, display or student program is being challenged, or the principal's designee, (C) the director of curriculum, or a person in an equivalent position, employed by such board, (D) a representative from the local or regional board of education, (E)

at least one grade-level-appropriate teacher familiar with the library material, provided the teacher selected is not the individual who submitted the form, (F) a parent or guardian of a student age thirteen years or younger enrolled in the school district, provided the parent or guardian selected is not the individual who submitted the form, (G) a parent or guardian of a student age fourteen years or older enrolled in the school district, provided the parent or guardian selected is not the individual who submitted the form, and (H) a certified school librarian employed by such board or employed by another board of education in the state.

Any library and other educational material being challenged must remain available in the school library media center according to such material's catalog record and be available for a student to reserve, check out or access until a final decision is made by the review committee.

The review committee must evaluate the request for reconsideration form, read the challenged material in its entirety, evaluate the challenged material against the school district's collection development and maintenance policy and make a written decision on whether or not to remove the challenged material not later than sixty school days from the date of receiving such request. Minutes of the meeting will be kept and will be the responsibility of the chairperson. The review committee shall provide a copy of the committee's decision and report to the individual with a vested interest who submitted the form and to the principal of the school.

No library or other education material, display or program shall be removed from the library media center, or programs be cancelled, because of the origin, background or viewpoint expressed in such material, display or program, or because of the original, background or viewpoint of the creator of such material, display or program.

Library and other educational materials, displays and student programs shall only be excluded for legitimate pedagogical purposes or for professionally accepted standards of collection maintenance practices as adopted in the collection development and maintenance policy or the display and program policy.

The individual with a vested interest who submitted the request for reconsideration form may appeal the review committee's decision to the local or regional board of education for the school district. The board shall determine whether the reconsideration process was followed and publish the decision on the Internet web site of the school district.

Once a decision has been made by the review committee on any library and other educational material, such material cannot be subject to a new request for review and reconsideration for a period of three years.

The school district may consolidate any requests for review and reconsideration of the same challenged library and other educational material.

The school district may not remove, exclude or censor any book on the sole basis that a person with a vested interest finds such book offensive.

Any school library media specialist or school library staff member who, in good faith, implements the policies described in this section shall be immune from any liability, civil or criminal, that might otherwise be incurred or imposed and shall have the same immunity with respect to any judicial proceeding that results from such implementation.

Legal References:

Public Act 25-168

ADOPTED:

**Mansfield Public Schools**  
**Statement of Concern Regarding Library Material**

Title: \_\_\_\_\_

Author/Producer: \_\_\_\_\_

Location of Material (circle): MES MMS

What do you object to in the book or other material? Please be specific and cite specific pages, chapters, illustrations, etc.

Please state how this material as a whole goes against the goals of the district:

Have you read the entire book or work? If not, please note those pages/parts you did read.

Are you aware of the library's collection development policy?

What would you like the Library to do about this item?

\_\_\_\_\_ to consider my opinion; no other action is necessary

\_\_\_\_\_ to formally review the material

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

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

You represent: self      group (name) \_\_\_\_\_

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Request referred to: \_\_\_\_\_ Date: \_\_\_\_\_

Response to request: \_\_\_\_\_

Staff responding: \_\_\_\_\_ Date: \_\_\_\_\_

*Mansfield Board of Education Policy*

Section: STUDENTS

**Restorative Practices Response Policy**

The Mansfield Board of Education (the “Board”) is committed to identifying strategies to improve school climate, including responding to challenging behavior and implementing evidence- and research-based interventions, including restorative practices. Restorative practices may be implemented by school employees to address incidents of challenging behavior, bullying, and/or harassment within the school environment, as well as other forms of nonviolent student conflict that do not constitute a crime. Restorative practices shall not include the involvement of law enforcement officials unless such challenging behavior or other conflict escalates to violence and/or constitutes a crime. In addition, the Mansfield Public Schools (the “District”) shall address challenging behavior, bullying, and harassment in accordance with the Board’s Student Discipline policy, School Climate Policy and any other applicable Board policy, administrative regulations, and/or school rules.

For purposes of this policy:

“Bullying” means unwanted and aggressive behavior among children in grades kindergarten to twelve, inclusive, that involves a real or perceived power imbalance. “Bullying” includes “cyberbullying”, which means any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any other electronic communication.

“Challenging behavior” means behavior that negatively impacts school climate or interferes, or is at risk of interfering, with the learning or safety of a student or the safety of a school employee.

“Restorative practices” means evidence and research-based system-level practices that focus on (A) building high-quality, constructive relationships among the school community, (B) holding each student accountable for any challenging behavior, and (C) ensuring each such student has a role in repairing relationships and reintegrating into the school community.

“School climate” means the quality and character of the school life, with a particular focus on the quality of the relationships within the school community, and which is based on patterns of people’s experiences of school life and that reflects the norms, goals, values, interpersonal relationships, teaching, learning, leadership practices and organizational structures within the school community.

“School climate improvement plan” means a building-specific plan developed by the school climate committee, in collaboration with the school climate specialist, using school climate survey data and any other relevant information, through a process that engages all members of the school community and involves such members in a series of overlapping systemic improvements, school-wide instructional practices and relational practices that prevent, identify and respond to challenging behavior, including, but not limited to, alleged bullying and harassment in the school environment.

“School environment” means a school-sponsored or school-related activity, function or program, whether on or off school grounds, including at a school bus stop or on a school bus or other vehicle owned, leased or used by the Board, and may include other activities, functions or programs that occur outside of a school-sponsored or school-related activity, function or program if bullying at or during such other activities, functions or programs negatively impacts the school environment.

Restorative practices in the District should be guided by the Connecticut School Climate Standards as set forth in the District’s School Climate Policy. These include:

1. a shared vision and plan for promoting and sustaining a positive school climate that focuses on prevention, identification, and response to all challenging behavior;
2. policies and procedures that promote a school environment that develops and sustains academic, social, emotional, ethical, civic, and intellectual skills;
3. a restorative school environment focused on overcoming barriers to teaching and learning by building and supporting meaningful school-wide relationships, and intentionally re-engaging any disengaged students, educators, and families of students in the school community; and
4. practices that are identified, prioritized and supported to (a) promote learning and the positive academic, social, emotional, ethical, and civic development of students, (b) enhance engagement in teaching, learning, and school-wide activities, (c) address barriers to teaching and learning; and, (d) develop and sustain a restorative infrastructure that builds capacity, accountability, and sustainability.

The Board directs the administration of the District to develop a continuum of strategies to prevent, identify, and respond to challenging behavior, bullying, and harassment. Such strategies shall include research-based interventions, including restorative practices, and may be included in each school’s school climate improvement plan. Such strategies shall be shared with the school community, including, but not limited to, through publication in the relevant student handbook.

The Board further directs the Superintendent or designee to collect and maintain data regarding types of challenging behavior addressed using the Restorative Practices Response Policy and data concerning the implementation of restorative practices.

This policy and its accompanying regulations shall be posted on the District’s website and the website of each school and a copy shall be available in the school’s administration office.

Legal References:

Conn. Gen. Stat. § 10-222aa  
Conn. Gen. Stat. § 10-222dd  
Conn. Gen. Stat. § 10-222jj

ADOPTED: