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**(US) 1-478-331-6100 PIN 304 949 256**

Regular BOE Agenda  
November 19, 2024

Council Chambers  
3 Primrose St.  
Newtown, CT 06470  
7:00 PM

*As citizens of our community, we will conduct ourselves in accordance with Newtown's Core Character Attributes as displayed in our character tree. We will be responsible for our actions and show respect for each other. We will interact peacefully, productively, and politely. We will be trustworthy and honest and show compassion toward others. Newtown's continued success is contingent upon our ability to persevere, to follow through with our commitments, and to stay focused on the greater good.*

## AGENDA

1. PLEDGE OF ALLEGIANCE
2. CONSENT AGENDA
  - Donation to Head O'Meadow School
  - Donation to the PAL Program and a Kindergarten Class at Middle Gate School
  - Newtown Middle School Trips to France and Peru
  - Newtown High School Trip to Greece
  - Correspondence Report
3. \*\*PUBLIC PARTICIPATION
4. REPORTS
  - Chair Report
  - Superintendent's Report
  - Committee and Liaison reports
  - Student Representatives Report
  - Action on Financial Report for Month ending October 31, 2024
5. PRESENTATIONS
  - Operational Goals
  - Superintendent's Goals
6. OLD BUSINESS
  - Policies for Second Read and Approval
    1. 1050 Non-Discrimination (Community Members)

2. 4118.11/4218.11 Non-Discrimination (Personnel)
  3. 4118.112/4218.112 Prohibition of Sex-Discrimination, Including Sex-Based Harassment
  4. 4118.14/4218.14 Employees and Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990
  5. 4135/4235 Reports of Suspected Abuse or Neglect of Children or Reports of Sexual Assault of Students by School Employees
  6. 5119 Student Transportation
  7. 5120 Meal Charging
  8. 5125 Confidentiality and Access of Education Records
  9. 5128 Child Sexual Abuse and Assault Response Policy and Reporting Procedure
  10. 5144.1 Physical Restraint and Seclusion of Students and Use of Exclusionary Time Out
  11. 5134 Policy Concerning Sunscreen Application in School
- Policies to Rescind (These policies are on the District website for review.)
    1. 0521 Mission-Goals-Objectives, Nondiscrimination
    2. 3171.1 Non-Lapsing Education Fund
    3. 3541 Transportation
    4. 3541.21 Transportation—Responsibilities and Duties of Board of Education
    5. 3541.5 Transportation - Complaints and Reports
    6. 3541.51 Transportation-Procedure for Transportation Hearings
    7. 4111.1/4211.1 Equal Employment Opportunity (Affirmative Action)
    8. 4118.11/4218.11 Nondiscrimination
    9. 4118.112/4218.112 Sex Discrimination and Sexual Harassment
    10. 4118.14/4218.14 Nondiscrimination on the Basis of Disabilities
    11. 5117 School Attendance Areas
    12. 5121.3 Academic Dishonesty: Cheating/Plagiarism
    13. 5122 Assigning Students to a Teacher in Grades K-12
    14. 5122.3 Assignment of Former Home-Schooled Students
    15. 5131.91 Hazing
    16. 5141 Student Health Services
    17. 5141.24 Students/Staff with HIV, ARC (Aids Related Complex) or AIDS
    18. 5141.251 Accommodating Students with Special Dietary Needs
    19. 5141.4 Reporting Child Abuse, Neglect and Sexual Assault
    20. 5145.42 Racial Harassment of Students
    21. 5144.1 Use of Force, Physical Restraint/Seclusion/Exclusionary/Time Out

22. 5145.511 Exploitation; Sexual Harassment

23. 5145.53 Transgender and Gender Non-Conforming Youth

24. 6121 Nondiscrimination in the Instructional Program

- Items of Information - Administrative Regulations (There are 3 stand-alone adm. regs. and the rest are attached to a policy.) A list of these regulations is attached to this agenda.

## 7. NEW BUSINESS

- Policies for First Read

1. 1010 Automatic External Defibrillators

2. 5114 Student Discipline

3. 5115 Student Use of the District's Computer Systems and Internet Safety

4. 5127 Fundraising Activities

5. 5129 Field Trips

6. 5137 Bullying Prevention and Intervention

7. 5141.2 Administration of Student Medications in the Schools

8. 5145.12 Search and Seizure

9. 5146 Policy to Improve Completion Rates of the Free Application for Federal Student Aid (FAFSA)

Policies to Rescind-First Read (Please note these policies are on the District website for review.)

1. 1314/1324 Fundraising and Solicitation-Guidelines Pertaining to 7-12 Athletics

2. 3281 School Fundraisers

3. 3281.2 School Fund Raisers, Online Fundraising Campaigns-Crowdfunding

4. 5114 Suspension and Expulsion/Due Process

5. 5131.5 Vandalism

6. 5131.7 Weapons and Dangerous Instruments

7. 5131.8 Off School Grounds Misconduct

8. 5131.82 Restrictions on Publications and Written or Electronic Material

9. 5131.911 Bullying Prevention and Intervention

10. 5131.914 Safe School Climate Plan

11. 5141.27 Use of External Automatic Defibrillators

12. 5141.29 School Based Health Center

13. 5145.111 Probation/Police/Courts

14. 5145.12 Search and Seizure

15. 5145.122 Use of Dogs to Search School Property

16. 5145.124 Breathalyzer Testing

17. 5145.14 On-Campus Recruitment

18. 5145.2 Activism and Dissent

19. 5145.21 Middle School/High School Student Governance

20. 5145.31 Gambling

21. 6141.321 Responsible Computer, Network and Internet Use

22. 6153 Field Trips

Items of Information - Administrative Regulations - first read (These are all attached to a policy.) A list of these regulations is attached to this agenda.

----Discussion and Possible Action on Reallocation of Middle School HVAC Funds

----Action on Minutes of October 29, 2024

## 8. PUBLIC PARTICIPATION

## 9. ADJOURNMENT

*\*\*During the first Public Participation, the Board welcomes commentary regarding items on the agenda. After being recognized, please state your name and address for the record. We request that speakers be respectful and limit comments to not more than three minutes. The Board of Education does not discuss personnel items or student matters in public. During the second Public Participation, commentary may address the agenda or may introduce issues for the Board to consider in the future. The Board does not engage in dialogue during either public comment period. If you desire more information or answers to specific questions, please email the BOE: NewtownBOE@newtown.k12.ct.us*



**Head O'Meadow School  
94 Boggs Hill Road  
Newtown, CT 06470  
203-426-7670**

To: Newtown Board of Education

From: Tim Napolitano

Date: November 4th, 2024

The Head O Meadow PTA and parents have generously donated \$1,465.80 to offset the costs of our annual "One School, One Read" book purchases. Each student and staff member will receive a copy of the book which has been chosen by committee. The book will be read in January in classrooms and homes.

Please consider accepting this donation.

Thank You,

Tim Napolitano  
Principal

November 15, 2024

Board Members:

Please approve the donation of \$1,000 for the PAL Program and \$500 for a kindergarten class at Middle Gate School.

Thank you.

Kathy June

# NMS Spring Break International Travel Form for BOE Approval

**Type of trip:** Cultural and Language Immersion, Spring Break 2026

**Country:** France

**Dates of Trip:**

9 days: Spring Break 2026

**Tentative number of students:** 24-30

**Students Tentative Itinerary:** See below

**Chaperones:** Kimberly Pereira and other teachers from NMS (TBD—based on a ratio of students to teachers 6:1)

**Links to academic learning:**

International travel offers unparalleled learning opportunities. The tour will take place as an engaging partnership with an accredited institution, EF Tours, who are experts in global travel for students, that will lead us to France for Spring Break 2026. The intent is that students will have the opportunity to practice their language through cultural immersion. Students will also grow as global citizens through the opportunity to travel abroad with classmates and teachers in a way that fosters personal independence and a personal world-view.

This itinerary offers an enriching exploration of France's historical, cultural, and architectural landmarks. Starting in Paris, travelers meet their Tour Director and embark on a walking tour that highlights the significance of Île de la Cité, home to the historic Conciergerie and the stunning Sainte-Chapelle. Here, participants learn about Gothic architecture and the historical context of these landmarks, including the impactful role of Notre-Dame Cathedral. This initial experience sets the stage for understanding the artistic and historical depth of Paris, emphasizing the city's enduring legacy.

The following days deepen this educational experience as travelers venture to the opulence of Versailles and the picturesque Loire Valley. A guided tour of the State Apartments and the Hall of Mirrors at Versailles reveals the grandeur of French royalty, while the gardens showcase the era's landscape design principles. In the Loire Valley, visits to Château de Chambord and Château de Chenonceau highlight Renaissance architecture and the region's historical significance. Engaging with local cuisine in a Troglodyte restaurant adds a sensory dimension to the learning experience, connecting culinary traditions to the region's culture.

The journey continues to Normandy, where historical education takes a poignant turn. Visits to sites like Pointe du Hoc and the American Cemetery in Colleville immerse travelers in the profound narratives of World War II, fostering an understanding of sacrifice and remembrance. The trip concludes with a scavenger hunt through the Louvre, home to countless masterpieces, allowing participants to discover the great works of art and culture housed in one of the world's most impressive art museums.

Each destination and activity on this tour is designed to enrich knowledge of France's diverse heritage, making this itinerary not only a travel experience but also an immersive educational journey.

**Insurance:** Accident and health insurance coverage is included in the fees for students and chaperones to protect against bodily injury, disability, or death while participating in the tour. Each student participating in the tour must provide an Emergency Treatment waiver signed by the parent or guardian.

EF Tours also provides that all Group Leaders, schools, and districts who travel with EF are added as additional insureds under our \$50 million General Liability Policy, whether or not the tour is considered a school event. This policy helps safeguard Group Leaders, schools, and districts in case of claims related to covered on-tour incidents such as third party personal injury or property damage and provides a legal defense and covers associated legal fees.

### **Tentative Itinerary**

Day 1

Fly overnight to Paris, France

Day 2

Meet your Tour Director at the airport

Take a walking tour of Paris

With your Tour Director you will see:

- Île de la Cité
- Conciergerie
- Sainte-Chapelle
- Catch a glimpse of Notre-Dame Cathedral

Day 3

Take a guided tour of Paris

With your expert local guide you will see:

- Place de la Concorde
- Champs-Élysées
- Arc de Triomphe
- Les Invalides
- Eiffel Tower



Take a guided tour of Versailles

With your expert local guide, you will see:

- State Apartments
- Hall of Mirrors
- Gardens
- Visit Versailles gardens

Enjoy a Seine River cruise

Day 4

Travel to the Loire Valley

Visit the Chartres Cathedral

Visit Château de Chambord

Day 5

Tour the Loire Valley with an expert local guide

Visit the Château de Chenonceau

Visit the Château d'Amboise

Enjoy a meal in a Troglodyte restaurant

Day 6

Travel to St. Malo

Visit Mont Saint Michel Abbey

Walking tour of St. Malo

Visit St. Vincent Cathedral

Day 7

Take a tour of Normandy

With your Tour Director, you will see:

- Pointe du Hoc
- American Cemetery in Coleville
- Arromanches

Travel to the Normandy region

Visit the Caen Memorial

Visit the American Cemetery in Colleville

Visit the Normandy beaches

Visit Pointe du Hoc

Day 8

Travel to Paris

Visit the Louvre

Day 9

Depart for home

## **NMS Summer International Travel Form for BOE Approval**

**Type of trip:** Cultural and Language Immersion, June 2026

**Country:** Peru

**Dates of Trip:**

11 days: June 18, 2026 – June 28, 2026

**Tentative number of students:** 24-30

**Students Tentative Itinerary:** See below

**Chaperones:** Kimberly Pereira and other teachers from NMS (TBD–based on a ratio of students to teachers 6:1)

**Links to academic learning:**

International travel offers unparalleled learning opportunities. The tour will take place as an engaging partnership with an accredited institution, EF Tours, who are experts in global travel for students, that will lead us to Peru at the beginning of summer break 2026. The intent is that students will have the opportunity to practice their language through cultural immersion. Students will also grow as global citizens through the opportunity to travel abroad with classmates and teachers in a way that fosters personal independence and a personal world-view.

This itinerary offers a comprehensive educational experience that immerses participants in the rich history, diverse cultures, and stunning natural landscapes of Peru. In Lima, the guided tour provides insight into the country's colonial history and governance through visits to significant landmarks such as the Government Palace, Lima Cathedral, and the Archbishop's Palace. Participants will gain a deeper understanding of the architectural styles and historical contexts of these sites, enhancing their cultural literacy. A visit to the Larco Herrera Museum allows for engagement with pre-Columbian artifacts, deepening knowledge of ancient civilizations and their contributions to modern culture. The exploration of the San Francisco Monastery further enriches this experience by showcasing the influence of Christianity in Peru and its interactions with indigenous beliefs. Finally, a walking tour of Miraflores exposes participants to contemporary urban culture, fostering an understanding of the city's modern identity and social dynamics.

Traveling to Cuzco and the Sacred Valley, participants can explore the area independently, promoting critical thinking and personal engagement with the local environment and history. A guided tour of the Korikancha Temple offers insights into Incan spirituality and architecture,

allowing for a deeper appreciation of indigenous cultures and their legacies. The weaving demonstration highlights the importance of traditional crafts, showcasing the cultural significance of artisanal skills in the region. Additionally, visits to the Maras salt ponds and Ollantaytambo emphasize sustainable agricultural practices and the historical importance of these sites, providing valuable lessons in environmental stewardship.

The journey to Machu Picchu is another highlight, where the train ride to Aguas Calientes culminates in a guided tour of this iconic site. Participants will learn about Incan engineering, astronomy, and societal organization, emphasizing the significance of preserving such cultural heritage for future generations.

The trip continues in Iquitos and the Amazon, where travel to a jungle lodge introduces participants to biodiversity and environmental studies. Guided hikes and wildlife observations, such as spotting exotic animals in their natural habitats, cultivate a connection to conservation issues. Visiting a Yagua village allows for firsthand engagement with indigenous communities, providing insights into their lifestyles, traditions, and challenges. This interaction promotes cultural sensitivity and awareness, making participants more informed global citizens.

Overall, this itinerary not only showcases Peru's historical and cultural richness but also fosters environmental awareness and social responsibility. By incorporating hands-on learning experiences such as scavenger hunts and community visits, participants are encouraged to actively engage with their surroundings, think critically, and collaborate with one another. This holistic educational experience equips them with a deeper understanding of Peru's diverse heritage and the interconnectedness of culture, history, and the environment.

**Insurance:** Accident and health insurance coverage is included in the fees for students and chaperones to protect against bodily injury, disability, or death while participating in the tour. Each student participating in the tour must provide an Emergency Treatment waiver signed by the parent or guardian.

EF Tours also provides that all Group Leaders, schools, and districts who travel with EF are added as additional insureds under our \$50 million General Liability Policy, whether or not the tour is considered a school event. This policy helps safeguard Group Leaders, schools, and districts in case of claims related to covered on-tour incidents such as third party personal injury or property damage and provides a legal defense and covers associated legal fees.

## **Tentative Itinerary**

### **Fly to Peru**

Day 1

Lima

Day 2

Take a guided tour of Lima

With your expert local guide you will see:

- Government Palace

- Archbishop's Palace
- City Hall
- Lima Cathedral

Visit the Larco Herrera Museum  
 Visit the San Francisco Monastery  
 Take a walking tour of Miraflores

## Lima • Cuzco • Sacred Valley

### Day 3

Fly to Cuzco  
 Travel to the Sacred Valley  
 Explore Cuzco in small groups  
 Tour Korikancha Temple with an expert local guide

## Sacred Valley

### Day 4

Enjoy a weaving demonstration  
 Visit the Maras salt ponds  
 Tour Ollantaytambo with an expert local guide

## Sacred Valley • Machu Picchu

### Day 5

Travel by train to Aguas Calientes  
 Tour Machu Picchu with an expert local guide

## Machu Picchu • Sacred Valley • Cuzco

### Day 6

Travel by train to Ollantaytambo  
 Travel via Pisac to Cuzco  
 Visit the Pablo Seminario ceramics workshop  
 Visit Pisac Market

## Cuzco

### Day 7

Visit a local community  
 Tour the Sacsayhuaman Fortress with an expert local guide  
 Take a walking tour of a local market and compete in a scavenger hunt

## Cuzco • Iquitos • Amazon Lodge

### Day 8

Travel to Cuzco  
 Fly to Iquitos

Travel by boat to a jungle lodge on the banks of the Amazon River  
Hike through the jungle to observe exotic animals in their natural habitats  
Enjoy an evening boat ride on the Amazon River

## Amazon Lodge

Day 9

Visit a Yagua Village

Discover some of the Amazon River's most unique wildlife on a boating excursion, including piranhas and pink river dolphins

## Amazon Lodge • Iquitos • Lima • Depart for home

Day 10

Visit a local community

Travel by boat to Iquitos

Fly to Lima

Explore Lima on your own

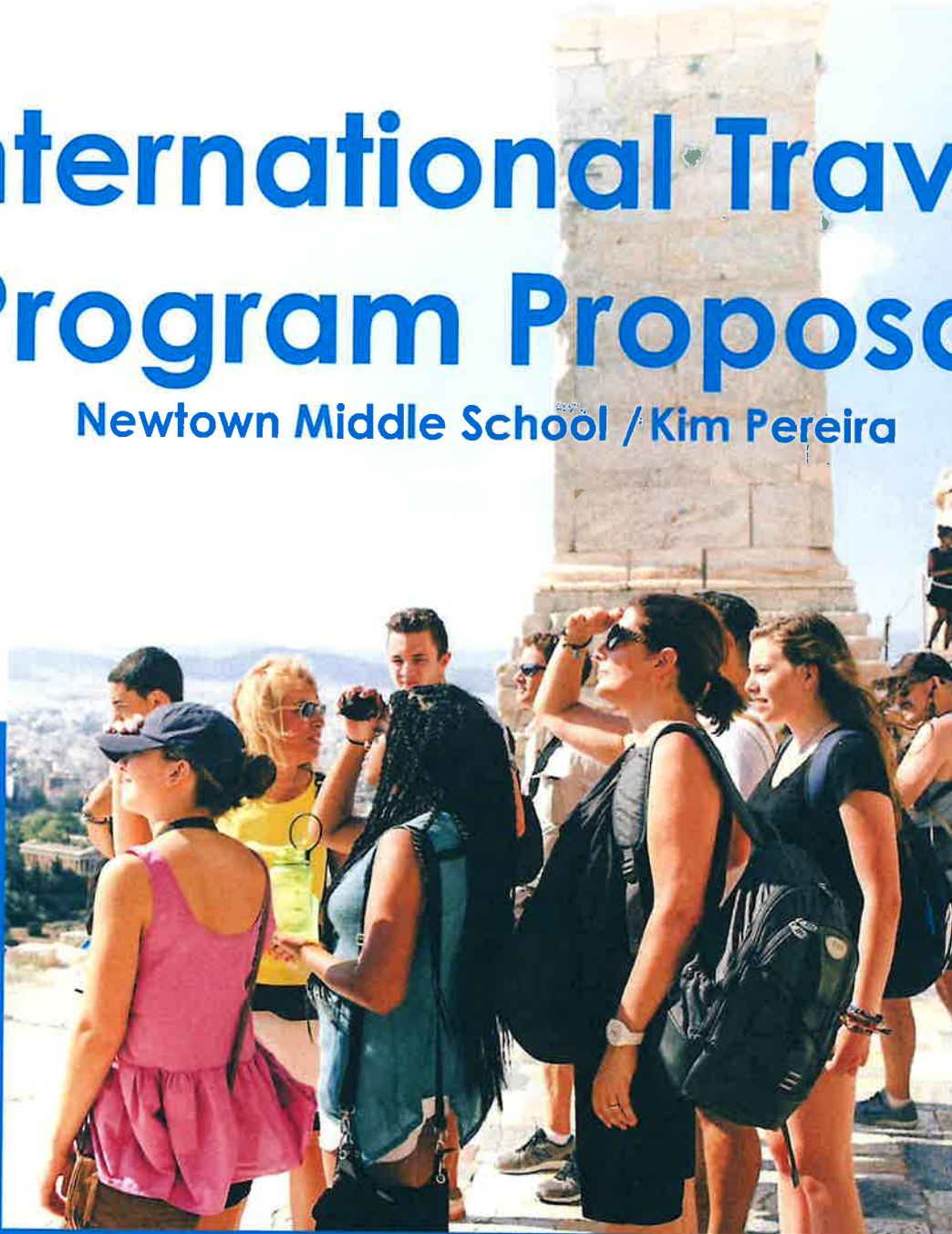
Arrive home



EDUCATIONAL  
TOURS

# International Travel Program Proposal

Newtown Middle School / Kim Pereira



Peru: Land of the Inca – Summer 2026

[eftours.com/PEX](http://eftours.com/PEX)

# Your partner in travel-based learning

EF Education First is the world leader in international education. For over 55 years, we've partnered with educators around the world to help more than 15 million students gain new perspectives and build skills for the future through experiential learning.

Our mission is to empower educators to do their best work. At EF Educational Tours, we're working to define the modern educational tour experience. Our itineraries are more than places to go and things to see. We build programs that challenge assumptions, spark connections, and inspire curiosity in young students. Students will expand their knowledge of the world around them, discover more about themselves, grow more confident and independent, and understand new people, places, and cultures.

We take care of every last detail of the tour experience—transportation and lodging, meal reservations and menus, museum tickets and local tour guides, and much more. That also includes behind-the-scenes elements, like safety checks at hotels and background checks on adult travelers. With all that taken care of, educators and students can focus on the bigger picture.

You'll find all the details and more on the next few pages.

## What's contained in this document

- Pg. 2** Safety
- Pg. 4** Liability protection
- Pg. 6** Affordability
- Pg. 7** Educational value
- Pg. 8** Itinerary specifics
- Pg. 8** Cost and payment options
- Pg. 9** Sample hotels
- Pg. 10** Sample meals
- Pg. 11** Next steps

This proposal is property of EF Education First and the educator/school for which it was intended. Distributing, copying, and/or sharing it are prohibited. The proposal, including pricing, is valid for the educator, tour, and date(s) specifically mentioned herein. For additions, subtractions, or modifications, please contact your EF Tour Consultant.

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# Safety

**Your students' safety is our number one priority. We would never send a traveler to a location we believe to be unsafe—and with our extensive global presence, our best-in-the-industry experience, and our close working relationships with U.S. and international authorities, that's a statement we can back up with real insight. Whether it's a worldwide pandemic or a sprained ankle, a missed flight or confusing medical paperwork, we make sure every situation is taken care of.**

## **Worldwide presence**

EF's global presence is truly unmatched. We have staff on the ground 365 days a year in over 50 countries. And we don't just work in those countries—we call them home. EF team members live in nearly every one of our tour destinations, meaning we have the local knowledge to help keep our groups safe. That presence allows us to be there to support you on the ground wherever and whenever you need us.

## **24/7 emergency support**

In the event that anything on tour goes wrong, EF staff is always available to help. Your Tour Director is your group's constant companion and first point of contact in an emergency. Additionally, our fully trained support teams are on hand 24/7 to walk teachers through any issues and provide the resources necessary to get things back on track. Our Safety and Incident Response Team—comprised of industry experts, healthcare experts, and even former FBI personnel—is ready to spring into action 24 hours a day, 365 days a year. And when they aren't directly helping EF travelers, they're actively innovating on and shaping the new worldwide standards for cleanliness and safety.



## Your team

This group is fully committed to your school's trip and the safety of every traveler.

**Operations Safety & Incident Response Team** – This team is strategically based in our Boston, Panama, Tokyo, and Zurich offices to accommodate for all time zones. Available 24 hours a day, every day of the year, they are trained to react quickly if travelers need help. The team uses a combination of extensive training, simulations, incident response planning, and previous experience to manage emergencies. As needed, they can facilitate additional support for groups on tour, solve operational issues, arrange assistance from outside specialists, and liaise with local and international authorities.

**Emergency Services & Support Team** – Our support team is available 24/7 to help resolve any issue, from a missed flight to a lost passport to more serious on-tour incidents. They also facilitate communication between travelers and families in the event of an emergency at home. The team is made up of highly trained and dedicated EF staff in our Boston and Denver offices who are equipped to solve problems and answer questions that may come up, even outside of regular business hours.

**Tour Director** – Assigned exclusively to your tour for the length of the stay at your destination, your Tour Director meets your group at the airport and travels with you until your departure. All Tour Directors undergo a background check as permissible by local law every two years and are required to participate in ongoing EF safety trainings. They're the first point of contact in an emergency and also communicate information to help travelers stay safe in a foreign destination. Tour Directors assist Group Leaders with hotel check-ins, coordinate meals, facilitate excursions with local guides, and much more. They're also culturally connected and expertly trained to support impactful learning experiences.

**EF Travel Team** – This team is your point of contact at EF. This team is a dynamic duo, made up of a Tour Consultant and an Experience Specialist. Your Tour Consultant is an itinerary whiz & is devoted to the growth of your students. They are your school's partner, working with you on everything from finding the perfect tour and enrolling students to creating long-term travel programs for your school community. Your Experience Specialist is here to dive into all the little details that make your experience with EF special. They will work directly alongside the Group Leader (a.k.a. local teacher), right up until the moment of departure to make sure everything goes smoothly.

**Traveler Support** – Our team of support specialists are readily available to walk families through insurance inquiries, payment plans, food allergy issues, and any other topics that arise.

**Chaperones** – For every six travelers who enroll on your school's tour, your group is eligible to bring along a chaperone for free (the first spot goes to the Group Leader). This allows for a 6:1 ratio of students to chaperones, who assist Group Leaders with supervision of students to help keep them safe

# Protection for travelers, schools, and districts

**We understand that unpredictable things can happen, either on tour or before departure. We offer a variety of protections, programs, and policies to make sure that, no matter what happens, travelers, schools, and districts are covered. We're doing everything we can to make planning for the future as flexible as possible.**

## General liability insurance

All Group Leaders, schools, and districts who travel with EF are automatically added as additional insureds under our **\$50 million General Liability Policy**, regardless of whether or not the tour is affiliated with the school. EF's liability coverage is primary and non-contributory for covered third-party claims. The policy helps safeguard Group Leaders and their schools for covered third-party claims related to bodily injury or property damage, which includes providing a legal defense and covering legal costs for such claims. In addition, all travelers are required to sign EF's Release and Agreement, which includes a release of liability of their Group Leader, school, and school board.

## Flexibility to change tours

The world is always changing. And while our belief in the positive impact of travel is unwavering, it can feel hard to predict what life, here in the U.S. and abroad, will look like several months, a year, or even two years from now. When you decide to travel with EF, we want you to feel secure in that decision. That's why these benefits are built into every EF program.

### *Peace of Mind*

#### *Provided to all groups*

We understand that plans can change due to unforeseen circumstances. EF provides this exclusive program to account for such situations. It provides groups with flexibility to change the dates and destination of their tours in uncertain times. This program accounts for such circumstances and can be enacted up to 45 days prior to departure at the group level for any reason, including terrorism or other world events.

## **Protection for individual travelers**

Travelers can help protect their investment and themselves from certain unexpected events and expenses while on tour with the Global Travel Protection Plan and Global Travel Protection Plan Plus.

### ***Global Travel Protection Plan***

*Available to all travelers*

Designed specifically with EF travelers in mind, this plan provides both pre-departure and post-departure benefits, including medical expense coverage that may apply on tour and tour cancellation for specified reasons.

### ***Global Travel Protection Plan Plus***

*Available to all travelers*

To further protect your investment from the unexpected, this plan provides all of the benefits included in the Global Travel Protection Plan as well as expanded cancellation protection.

## **Background checks for adult travelers**

EF requires all adults (20 years and older) to pass a criminal background check before traveling on our student tours. This provides a safer tour experience for all travelers and aligns with the process and expectations of many school districts for adults who volunteer in schools or chaperone school activities. The secure process, provided by a leading professional provider, only identifies those individuals who could present a risk to student travelers while on tour.

# Affordability

**We believe every student should have the opportunity to travel. That's why we're dedicated to providing the lowest prices possible and giving travelers multiple resources for managing payments.**

**Tour Consultants work closely with teachers to build a tour that's exactly right for your students. Through discussions with your teacher, they take into account learning objectives, cost, timing considerations, and any other factors to craft a tour that's accessible to as many students as possible.**

## Resources for managing cost and payments

***Automatic Payment Plan*** – Our recommended payment plan offers the ability to break the tour fee into smaller installments. With most tours planned well in advance, travelers can enroll for only \$95, then pay over a long period of time—often up to 18 months or two years—with final payment due 30 days before departure. Families make payments directly to EF, with no payments going through the school.

***Fundraising pages*** – Each student has access to their own unique and customizable fundraising page. The easy-to-share page makes it simple for friends and family to contribute a little something that is automatically applied to the balance of the tour, with no fees whatsoever.

***Global Citizen Scholarship Fund*** – EF Educational Tours provides \$100,000 worth of scholarships to students across the country every year. Any student is able to apply for the Global Citizen Scholarship, which is awarded on both a merit and need basis.

***Risk-free enrollment period*** - New travelers who enroll by their Enrollment Deadline can cancel for any reason up to 7 days after enrollment for a full refund of 100% of the money paid to EF. Travelers must pay in full or enroll in our Automatic Payment Plan at the time of program enrollment and must remain either paid in full or enrolled in our Automatic Payment Plan and in good financial standing at the time of cancellation to remain eligible. To be eligible, the traveler must enroll on a tour at least 110 days prior to the scheduled departure date.

# Educational value

Our tours help prepare students for the future by teaching them more about the world, themselves, and the impact they can have on the world. Combining the power of experiential learning with the thrill of global travel, our tours help students:

- Expand their knowledge of the world around them
- Grow more confident and independent
- Understand new people, places, and cultures
- Discover more about themselves

To learn more about EF's educational philosophy, visit <https://www.eftours.com/our-story/educational-approach>

## EF is an accredited institution

We echo your commitment to education. Our travel-based learning approach is designed to blend classroom and experiential learning. This allows us to meet the same rigorous standards as schools like yours, ensuring students gain valuable experiences that transform the way they look at the world.



## Earning credit for new experiences

EF makes it easy for students to turn their tour experience into high school credit, college credit, or to get a head start on their college essays—all while making their travel experience even more engaging.

- Students in grades 6 - 12 can earn .5 elective high school credit by successfully completing the final project as part of EF's Personalized Learning Guide. Tuition is free.
- Students in grades 9 - 12 can earn 3.0 undergraduate credits, along with the confidence that comes with taking a college course, by completing a series of assignments and a final research project with our partner, Southern New Hampshire University—all for just \$360.
- Educators traveling on student tours may earn up to 45 free hours toward relicensure OR 3 or 6 graduate level credits (\$360/\$720) through Southern New Hampshire University.

# Itinerary specifics

For more robust details, the complete itinerary is attached to this document. It includes specific locations, each day's activities, travel plans, and more.

## Price of the proposed tour

The tour program price covers a wide range of services that ensure students have an incredible experience. It includes all the planning and preparation that leads up to departure, travel and accommodations, plus logistical support and details once the group reaches their destination.

**Full flexible travel window:** June 15 - July 1

**Requested travel dates:** June 18 - June 28

## Price details

*Peru: Land of the Inca*

Program Price* †	\$4,759
Includes	
• Round-trip airfare and on tour transportation	
• Hotels with private bathrooms	
• Breakfast and dinner (see your itinerary for meal details)	
• Full-time Tour Director	
• Daily activities, tours and entrances to attractions	
• 2-day extension in the Amazon	
Global Travel Protection	\$190
Early Enrollment Discount	-\$200
EF Promo	-\$100
EF's Peace of Mind Program *	Free
<b>Total for Students (under 20)</b>	<b>\$4,649</b>
20 monthly payments	\$228/mo

## Sample hotels

Every hotel we work with must meet our high standards for safety, quality, and cleanliness. Hotels are vetted by our team to make sure they meet our requirements and are subsequently inspected regularly to ensure they continue to satisfy those parameters. Please note that hotels abroad may have different amenities than travelers are accustomed to in the United States.

Here are some examples of hotels students might stay in on tour:

### Sacred Valley, Peru

Hotels in Peru can vary quite a bit in style—meaning anything from larger, Western-style hotels to smaller hotels with less than 30 rooms. Some may have swimming pools. Since hot water in most hotels in Peru is limited, showers should be kept brief. Heating and room temperatures in Peruvian hotels are generally cooler than in the U.S., and extra blankets are usually provided at hotels. Electrical voltage and outlets in Peru are the same as in the U.S., so you will not need an adapter or converter.

### Tunupa Lodge

<http://www.tunupalodge.com/en/home/>

### Cuzco, Peru

Hotels in Peru can vary quite a bit in style—meaning anything from larger, Western-style hotels to smaller hotels with less than 30 rooms. Some may have swimming pools. The hotels in Cuzco are commonly family-run or smaller residences that have a rustic feel to them. Hotels in Aguas Calientes are very basic, but centrally located in the town. We recommend that students bring books, games, music, or other forms of entertainment for evenings spent at the hotels after dinner. Since hot water in most hotels in Peru is limited, showers should be kept brief. Heating and room temperatures in Peruvian hotels are generally cooler than in the U.S., and extra blankets are usually provided at hotels. Electrical voltage and outlets in Peru are the same as in the U.S., so you will not need an adapter or converter.

### De La Villa Hermoza

<http://www.hotelesdelavillahermoza.com/>

# Sample meals

Meals are selected to establish a more immersive cultural experience and give students an idea of how locals eat. Below are some examples of local dishes travelers may try at the destination that your teacher has chosen, but please note that meals can vary from tour to tour.

On tour, breakfast generally is simple and will be at the hotel; it could be plated or buffet-style. **Lunch** typically is your chance to make culinary discoveries of your own. **Dinners** will be a mix of familiar dishes and local specialties. All meals will be a mix of familiar dishes and local specialties all served from a pre-set group menu.



## Peru: Sample Meals

Lomo Saltado (beef in local soy sauce with fried vegetables), seafood or ceviche

Aji de Gallina (chicken in locally flavored sauce with rice), potatoes and corn



# How I can help with next steps

My name is Rachel Wasserman and I am Newtown Middle School's dedicated Tour Consultant. That means I'll be working with Kim Pereira every step of the way to make sure everything is perfectly planned.

I hope this overview has given you the information you need to feel confident in EF as an educational travel provider. Should you have any questions or need any additional information, please don't hesitate to reach out to me directly. EF is excited to partner with your school to bring this life-changing experiential learning opportunity to your students.

Sincerely,  
Rachel Wasserman  
Educational Tour Consultant  
[rachel.wasserman@ef.com](mailto:rachel.wasserman@ef.com)

**“I am now more confident than ever in the safety and experiences of my students after working with EF on this trip. As a leader, I am committed to ensuring a global mindset throughout my district and student/teacher travel.”**

**Angela M., Administrator, Brunswick, ME**

**“I advocate for travel because the world is vast and diverse. If we want to truly understand our neighbors in other states or countries, we must reach out and meet them where they live. Travel provides a glimpse into another world that our students may have Googled or watched on a device, but living it with the smells, food, smiles, and various challenges teaches flexibility, tolerance, understanding, and empathy.”**

**- Chuck C., Group Leader, Central, SC**

### **From a single tour to a whole program**

A single tour can open up endless possibilities for a small group of students. Our goal at EF is to bring that experience to as many students as possible, including the broadest collection of students at your school. By progressing from a single tour to a consistent travel program, you'll not only build a culture of exploration, but you'll provide the opportunity of travel to even more students. We can work directly with you and your staff to establish a framework for your travel program that's tailored specifically to your school's needs and goals.



## **Newtown High School**

**12 Berkshire Road  
Sandy Hook, CT 06482**

**(203) 426-7646**

**FAX (203) 426-6573**

October 29, 2024

Dear School Board Members,

My name is Elizabeth Mouchantat. I have been teaching social studies at Newtown High School for 5 years including Government, Economics, U.S. History, World Religions, Asian Studies, and Western Studies. In addition, I am an alumni who graduated with the class of 2012.

This past April I brought 28 students to Italy with ACIS (American Council for International Studies) and currently have 21 students signed up to go to Paris, Switzerland, and Munich this coming April. In order to allow more students the opportunity, and families to financially plan ahead, I am working to plan these Europe trips farther in advance so writing for your approval to run a trip to Greece in April of 2026.

ACIS is the country's leading sponsor of educational tours. Its programs are fully insured, and its nationwide reputation is based on 35 years of experience with more than 500,000 student and adult travelers. They have a 24-hour, 365-day support network staffed by ACIS employees, both in the U.S. and overseas. They use only three-star and four-star hotels in popular and safe areas and the best sources of local transportation. Newtown High School has traveled with ACIS 7 times over the past 11 years.

Our group will have an ACIS Tour Manager who is a highly-trained, multilingual guide and educator. Our tour manager will not only explain what we are seeing, but how it came to be and why it matters. ACIS Tour Managers are renowned for bringing a unique perspective to their tours, combined with a love of teaching and an irresistible enthusiasm for the regions they describe. Our tour manager will serve as an accessible, authoritative source of information, helping students form a basis for exploration. His or her expertise will certainly enhance all that my colleagues and I have taught our students at home.

This nine day trip will explore the highlights of Ancient Greece while introducing students to today's culture. Cities we visit will include Athens, Kalambaka, Delphi, and Olympia. We will have the opportunity to learn about Greece's past and present while we take an ancient style ceramics class, traditional Greek Cooking class and explore the Acropolis, first Olympic arena, and other Ancient locations that students were introduced to in Western Studies. The planned activities and tours will help students explore Greece in a cross disciplinary way, connecting fine arts, architecture, history, sociology and more. It is a wonderful experience to allow them to see firsthand what they have learned over their time at Newtown High School.

My experience with ACIS has shown me they are experts in international travel and will support our students and chaperones leading up to and throughout our trip. I had no concerns while traveling with students and when a student needed any help our tour manager was there! The continued support of the Newtown Board of Education is what makes these once in a lifetime trips so accessible to students and I ask you to approve this travel request for April Break of 2026. If you have any additional questions or concerns, please feel free to contact me at [mouchantate@newtown.k12.ct.us](mailto:mouchantate@newtown.k12.ct.us).

Sincerely,

Elizabeth Mouchantat  
NHS Social Studies Department



## **HEROES OF GREECE TRIP**

### **Itinerary and Included Experiences**

**Day 1: Depart from NHS**

**Day 2-3: Athens**

- Guided Sightseeing tour of Athens
- Tour of the Acropolis and Parthenon
- Traditional Greek Cooking Lesson

**Day 4: Olympia**

- Explore Mycenae and take a Ceramic lesson to create and decorate pottery like the Ancient Mycenaeans
- Guided tour of Olympia including original Olympic Stadium

**Day 5 Delphi**

- Guided tour of Delphi
- See the Temple of Apollo

**Day 6 Kalambaka**

- Visit the Varlaam and Great Meteoron Monasteries on top of Sandstone cliffs
- See Thermopylae where the Ancient Greeks defeated the Persians

**Day 7-8: Athens**

- Leisurely explore Athens and its markets, food, and other cultural sites
- Cruise to the island of Hydra and spend the day relaxing on the beach and exploring the island

**Day 9: Depart for the US**

### **9 Day Tour Cost**

**Trip Cost - \$5,382**

**Includes Ultimate + Insurance\***

If Registered by 1/1/25

#### **Cost Includes**

- Round Trip Tickets
- Breakfast and Dinners
- Hotels
- All local transportation
- Tour Guides
- All Museum and Entrance Tickets listed in Itinerary
- Tip for guides and drivers

#### **Not Included in Cost**

- Lunches (est. 10-15 Euro per lunch)
- Souvenirs/Spending money/Extras the group/student decides to do
- Transportation to/from NHS and airport
  - depends on the number of students traveling (Estimated \$100-200)

### **\*Ultimate Plus Protection Plan**

#### **Health Coverage**

24/7 medical assistance, consultation, monitoring, and emergency evacuation where deemed necessary

- Coverage up to \$50,000 no deductible
- Team Assists will pay up to \$1,500 for immediate family member to travel to trip destination in the event a participant under 21 is hospitalized more than 48 hours

#### **Cancellation Protection**

Cancel for any reason and receive 100% cash refund (minus the cost of the plan) up to 4 days before departure



**NEWTOWN BOARD OF EDUCATION  
MONTHLY FINANCIAL REPORT  
OCTOBER 31, 2024**

**SUMMARY**

The fourth financial report for the year continues to provide year to date expenditures, encumbrances and information for anticipated obligations. However, it is still early in the year and we have not yet completed our account-by-account analysis; therefore, the projected year-end balance is anticipated to fluctuate. This report also includes a “full-spend” in a majority of our major objects in order to provide a more realistic view of our anticipated year-end balance. The amounts are found in our anticipated obligations column.

**The current year-end projected balance now shows \$66,279.** The majority of our balance can be found in the salary accounts; specifically, the non-certified salary line as our district continues to experience a shortage in paraeducators and behavioral techs.

*At this time, we are also experiencing a large deficit in our electricity account.* This is of major concern as we may be faced with a very large shortfall. This account is being closely monitored and discussions have begun around the implementation of a “soft freeze.”

During the month of October, the district spent approximately \$8.6M for operations. About \$6.6M was spent on salaries (we had three pay-periods within the month) with the remaining balance of \$2.0M spent on all other objects. These expenditures appear normal at this time.

**This report also includes transfer requests totaling \$1,140,764**

This transfer request is typical for this time of year as many certified positions have been reclassified.

- \$1,121,980 to be transferred across salary accounts in object code 100. This transfer is for the realignment and reclassification within our certified salaries, changes in administration and salary adjustments for our non-affiliated group (these adjustments were approved by the Board last May). Remaining salary adjustments will be reviewed and transfers will be made within the upcoming months.
- \$18,784 – transfer requests initiated by our Principals. This year we have re-instated transfer requests at the school and director level in order for these areas to have better oversight and control over their budgetary needs. These transfers vary in amounts and objects; however, they are all relatively small, ranging from \$232 to \$5,500.

**SALARY ACCOUNTS**

The overall salary object currently displays a positive position; however, our certified accounts are presenting a negative position while our non-certified accounts are in the positive, mostly due to vacancies.

- **Teacher salary accounts** – This year we experienced the usual amount of turnover, resulting in 26 leaves (8 retirements and 18 resignations). However, we did not hit our budgeted dollar amount of anticipated turnover. Each year we enter a negative dollar amount into the budget

that accounts for the salary change in certified staff. For example, if a teacher retires and the replacement comes in on a lower step, that “savings” has already been built into our budget by way of our “turnover account.” Currently, we are short by about \$140,000, only recouping approximately \$360,000 in certified turnover savings. All of our certified positions have been filled at this time; therefore, it is expected that we will not meet our budget. We also experienced higher rate changes than normal, having to fulfill a Memorandum of Understanding (MOU) that precipitated last year during our prior superintendent’s tenure. However, it is still early in the year and it is possible that we will experience some residual turnover or savings in other certified areas.

- **Non-certified accounts** – Once again, we are currently experiencing a large surplus in our para professional account; having 10 openings in special education. However, it’s important to keep in mind that this year we implemented a “savings in turnover” account for our non-certified staff. This account is designed to work exactly as the certified turnover account, representing a negative offset to our non-certified salary line. The budgeted amount here is -\$120,000 and can be found in the “Non-Cert Adj” account. This account holds a combination or non-cert turnover, non-affiliated salary adjustments and the para-equity adjustment that was approved by the Board last year.
- The Special Education Services line item also display a large surplus of over \$130,000. The majority of this is due to the unfilled Behavioral Tech positions. As with prior years, we have had to outsource these positions which has become extremely costly. These BT’s are required as outlined in the student’s IEP (Individualized Education Program) and therefore mandated by law. Currently we have five openings and next month, we will transfer some of this surplus to cover the cost of the outside contracted service.

## **OTHER PURCHASED SERVICES**

The overall position of this object now displays a negative balance of -\$142,925. This negative position can be attributed to the outside service (as described above) that’s required to cover for our Behavioral Techs.

- **Out-of-District Tuition**  
As you are aware, this area of the budget can be highly volatile as students are unexpectedly outplaced into high cost educational facilities. As of now, we have fully encumbered or captured all anticipated costs for this line item; however, it is still early in the year and we anticipate more changes to come.

On December 1<sup>st</sup> we will be submit the first estimate to the state for our Excess Cost Grant. Once submitted, we will update this report to reflect a more accurate reimbursement of our high-cost tuition. We are currently carrying the budgeted revenue number as an offset, accounting for a 70% reimbursement rate. However, last year the State only reimbursed us 67% due to underfunding.

## SUPPLIES

*Our electricity account is currently a large concern.* Due to an unforeseen change in PURA regulations, we have experienced a **42% increase in our demand costs**. As a result, we could be faced with a deficit of over \$200,000 in demand costs alone. In addition to this unprecedented increase in our utility bills, the credit offsets that we receive from Eversource for our “solar farm” (a.k.a. virtual net metering program) has decreased due to lower utility supply rates. If you recall, last year Eversource increased their supply rate to an all-time high of over \$.20 cents per Kilowatt of energy. When the supply rate is high, our virtual net metering (VVM) credits will increase. However, on the flip side, when the utility supply rates are low, our credit offsets are reduced. This year, the utility supply rate is at about \$.08 cents per Kilowatt; thus, reducing our VNM credit by over 50%. The current projected loss of credit is over \$200,000. **Combined, this is a deficit of \$400,000 in our electricity account.**

It is still early in the year and Eversource will most likely increase their utility rates in January. If this happens, we will see an increase in our VNM credits. There is also some indication that demand rates may lesson at the same time. **The anticipation of these favorable changes has not been included in this forecast.** However, this deficit is a large concern that we will be monitoring closely. We will keep the Board apprised of all changes that occur.

## ALL OTHER OBJECTS

Our account-by-account analysis will continue in the upcoming months and will provide more of an in-depth look at each account as more data becomes available. We will keep the board apprised of any issues or concerns as they arise.

### Revenue Received

Year-to-date, the Board has received \$8,465.85 in regular tuition income and \$1,222.51 in miscellaneous revenue.

### Emergency Repairs

There were no emergency repairs over \$5,000 for the month of October

Tanja Gouveia  
Director of Business & Finance  
November 14, 2025

**NEWTOWN BOARD OF EDUCATION  
2024-25 BUDGET SUMMARY REPORT  
FOR THE MONTH ENDING OCTOBER 31, 2024**

OBJECT CODE	EXPENSE CATEGORY	EXPENDED 2023 - 2024	2024- 2025 APPROVED BUDGET	YTD TRANSFERS 2024- 2025	CURRENT BUDGET	YTD EXPENDITURE	ENCUMBER	BALANCE	ANTICIPATED OBLIGATIONS	PROJECTED BALANCE	% EXP
<b>GENERAL FUND BUDGET</b>											
100	SALARIES	\$ 54,869,892	\$ 56,415,958	\$ -	\$ 56,415,958	\$ 14,012,181	\$ 40,516,230	\$ 1,887,547	\$ 1,451,343	\$ 436,204	99.23%
200	EMPLOYEE BENEFITS	\$ 12,834,863	\$ 13,673,917	\$ -	\$ 13,673,917	\$ 6,581,610	\$ 5,354,752	\$ 1,737,555	\$ 1,715,915	\$ 21,640	99.84%
300	PROFESSIONAL SERVICES	\$ 757,057	\$ 672,930	\$ -	\$ 672,930	\$ 176,851	\$ 78,225	\$ 417,854	\$ 417,854	\$ -	100.00%
400	PURCHASED PROPERTY SERV.	\$ 1,702,959	\$ 1,890,644	\$ -	\$ 1,890,644	\$ 582,105	\$ 414,244	\$ 894,295	\$ 892,601	\$ 1,695	99.91%
500	OTHER PURCHASED SERVICES	\$ 10,905,469	\$ 11,047,142	\$ -	\$ 11,047,142	\$ 3,046,366	\$ 7,313,788	\$ 686,988	\$ 829,913	\$ (142,925)	101.29%
600	SUPPLIES	\$ 3,344,907	\$ 3,170,329	\$ -	\$ 3,170,329	\$ 1,117,628	\$ 178,845	\$ 1,873,856	\$ 2,223,856	\$ (350,000)	111.04%
700	PROPERTY	\$ 349,252	\$ 357,069	\$ -	\$ 357,069	\$ 236,111	\$ 13,239	\$ 107,718	\$ 108,054	\$ (335)	100.09%
800	MISCELLANEOUS	\$ 76,349	\$ 81,077	\$ -	\$ 81,077	\$ 61,118	\$ 3,053	\$ 16,906	\$ 16,906	\$ -	100.00%
910	SPECIAL ED CONTINGENCY	\$ -	\$ 100,000	\$ -	\$ 100,000	\$ -	\$ -	\$ 100,000	\$ -	\$ 100,000	0.00%
<b>TOTAL GENERAL FUND BUDGET</b>		<b>\$ 84,840,747</b>	<b>\$ 87,409,066</b>	<b>\$ -</b>	<b>\$ 87,409,066</b>	<b>\$ 25,813,970</b>	<b>\$ 53,872,377</b>	<b>\$ 7,722,720</b>	<b>\$ 7,656,441</b>	<b>\$ 66,279</b>	<b>99.92%</b>
900	TRANSFER NON-LAPSING (unaudited)	\$ 228,904									
		<i>this amount has been recommended for transfer into the BoE's Non-Lapsing Fund</i>									
<b>GRAND TOTAL</b>		<b>\$ 85,069,651</b>	<b>\$ 87,409,066</b>	<b>\$ -</b>	<b>\$ 87,409,066</b>	<b>\$ 25,813,970</b>	<b>\$ 53,872,377</b>	<b>\$ 7,722,720</b>	<b>\$ 7,656,441</b>	<b>\$ 66,279</b>	<b>99.92%</b>



**NEWTOWN BOARD OF EDUCATION  
2024-25 BUDGET SUMMARY REPORT  
FOR THE MONTH ENDING OCTOBER 31, 2024**

OBJECT CODE	EXPENSE CATEGORY	EXPENDED 2023 - 2024	2024- 2025 APPROVED BUDGET	YTD TRANSFERS 2024- 2025	CURRENT BUDGET	YTD EXPENDITURE	ENCUMBER	BALANCE	ANTICIPATED OBLIGATIONS	PROJECTED BALANCE	% EXP
<b>100</b>	<b>SALARIES</b>										
	Administrative Salaries	\$ 4,341,348	\$ 4,415,759	\$ -	\$ 4,415,759	\$ 1,430,755	\$ 2,862,695	\$ 122,309	\$ 137,000	\$ (14,691)	100.33%
	Teachers & Specialists Salaries	\$ 35,054,141	\$ 35,746,541	\$ -	\$ 35,746,541	\$ 8,390,086	\$ 27,564,340	\$ (207,885)	\$ (163,200)	\$ <b>(44,685)</b>	100.13%
	Early Retirement	\$ 13,000	\$ 13,000	\$ -	\$ 13,000	\$ 13,000	\$ -	\$ -	\$ -	\$ -	100.00%
	Continuing Ed./Summer School	\$ 115,676	\$ 124,447	\$ -	\$ 124,447	\$ 91,084	\$ 36,602	\$ (3,239)	\$ (1,609)	\$ (1,630)	101.31%
	Homebound & Tutors Salaries	\$ 159,491	\$ 184,110	\$ -	\$ 184,110	\$ 27,767	\$ 81,277	\$ 75,066	\$ 61,017	\$ 14,049	92.37%
	Certified Substitutes	\$ 749,519	\$ 830,665	\$ -	\$ 830,665	\$ 180,152	\$ 380,940	\$ 269,573	\$ 247,695	\$ 21,878	97.37%
	Coaching/Activities	\$ 728,440	\$ 701,036	\$ -	\$ 701,036	\$ 1,500	\$ -	\$ 699,536	\$ 699,536	\$ -	100.00%
	Staff & Program Development	\$ 103,564	\$ 102,950	\$ -	\$ 102,950	\$ 15,375	\$ -	\$ 87,575	\$ 85,600	\$ 1,975	98.08%
	<b>CERTIFIED SALARIES</b>	\$ 41,265,178	\$ 42,118,508	\$ -	\$ 42,118,508	\$ 10,149,720	\$ 30,925,853	\$ 1,042,935	\$ 1,066,039	\$ (23,104)	100.05%
	Supervisors & Technology Salaries	\$ 1,043,860	\$ 1,029,988	\$ -	\$ 1,029,988	\$ 333,989	\$ 616,266	\$ 79,734	\$ 79,734	\$ (1)	100.00%
	Clerical & Secretarial Salaries	\$ 2,488,988	\$ 2,411,941	\$ -	\$ 2,411,941	\$ 709,369	\$ 1,663,033	\$ 39,539	\$ 23,085	\$ 16,454	99.32%
	Paraeducators	\$ 2,790,191	\$ 3,056,971	\$ -	\$ 3,056,971	\$ 664,803	\$ 2,287,529	\$ 104,640	\$ -	\$ <b>104,640</b>	96.58%
	Nurses & Medical Advisors	\$ 946,366	\$ 1,018,820	\$ -	\$ 1,018,820	\$ 226,527	\$ 719,159	\$ 73,134	\$ 50,418	\$ 22,716	97.77%
	Custodial & Maint. Salaries	\$ 3,382,650	\$ 3,545,200	\$ -	\$ 3,545,200	\$ 1,150,527	\$ 2,356,187	\$ 38,486	\$ 4,708	\$ 33,778	99.05%
	Non-Certied Adj	\$ -	\$ 171,650	\$ -	\$ 171,650	\$ -	\$ -	\$ 171,650	\$ 42,618	\$ 129,032	24.83%
	Career/Job Salaries	\$ 155,653	\$ 206,773	\$ -	\$ 206,773	\$ 59,700	\$ 178,613	\$ (31,541)	\$ (31,443)	\$ (98)	100.05%
	Special Education Svcs Salaries	\$ 1,635,815	\$ 1,738,248	\$ -	\$ 1,738,248	\$ 442,883	\$ 1,223,272	\$ 72,094	\$ (60,156)	\$ <b>132,250</b>	92.39%
	Security Salaries & Attendance	\$ 720,650	\$ 727,212	\$ -	\$ 727,212	\$ 174,691	\$ 529,620	\$ 22,901	\$ 2,364	\$ 20,537	97.18%
	Extra Work - Non-Cert.	\$ 131,774	\$ 122,647	\$ -	\$ 122,647	\$ 45,620	\$ 16,700	\$ 60,327	\$ 60,327	\$ -	100.00%
	Custodial & Maint. Overtime	\$ 273,517	\$ 236,000	\$ -	\$ 236,000	\$ 48,388	\$ -	\$ 187,612	\$ 187,612	\$ -	100.00%
	Civic Activities/Park & Rec.	\$ 35,249	\$ 32,000	\$ -	\$ 32,000	\$ 5,964	\$ -	\$ 26,036	\$ 26,036	\$ -	100.00%
	<b>NON-CERTIFIED SALARIES</b>	\$ 13,604,713	\$ 14,297,450	\$ -	\$ 14,297,450	\$ 3,862,461	\$ 9,590,377	\$ 844,612	\$ 385,304	\$ 459,308	96.79%
	<b>SUBTOTAL SALARIES</b>	\$ <b>54,869,892</b>	\$ <b>56,415,958</b>	\$ -	\$ <b>56,415,958</b>	\$ <b>14,012,181</b>	\$ <b>40,516,230</b>	\$ <b>1,887,547</b>	\$ <b>1,451,343</b>	\$ <b>436,204</b>	<b>99.23%</b>
<b>200</b>	<b>EMPLOYEE BENEFITS</b>										
	Medical & Dental Expenses	\$ 9,549,973	\$ 10,305,448	\$ -	\$ 10,305,448	\$ 5,149,197	\$ 5,134,327	\$ 21,924	\$ 21,924	\$ -	100.00%
	Life Insurance	\$ 88,377	\$ 92,000	\$ -	\$ 92,000	\$ 37,439	\$ -	\$ 54,561	\$ 54,561	\$ -	100.00%
	FICA & Medicare	\$ 1,709,986	\$ 1,768,360	\$ -	\$ 1,768,360	\$ 458,336	\$ -	\$ 1,310,024	\$ 1,310,024	\$ -	100.00%
	Pensions	\$ 965,625	\$ 999,360	\$ -	\$ 999,360	\$ 713,054	\$ 8,500	\$ 277,806	\$ 277,806	\$ -	100.00%
	Unemployment & Employee Assist.	\$ 105,555	\$ 81,600	\$ -	\$ 81,600	\$ 9,830	\$ 20,170	\$ 51,600	\$ 51,600	\$ -	100.00%
	Workers Compensation	\$ 415,349	\$ 427,149	\$ -	\$ 427,149	\$ 213,753	\$ 191,755	\$ 21,640	\$ -	\$ 21,640	94.93%
	<b>SUBTOTAL EMPLOYEE BENEFITS</b>	\$ <b>12,834,863</b>	\$ <b>13,673,917</b>	\$ -	\$ <b>13,673,917</b>	\$ <b>6,581,610</b>	\$ <b>5,354,752</b>	\$ <b>1,737,555</b>	\$ <b>1,715,915</b>	\$ <b>21,640</b>	<b>99.84%</b>

**NEWTOWN BOARD OF EDUCATION  
2024-25 BUDGET SUMMARY REPORT  
FOR THE MONTH ENDING OCTOBER 31, 2024**

OBJECT CODE	EXPENSE CATEGORY	EXPENDED 2023 - 2024	2024- 2025 APPROVED BUDGET	YTD TRANSFERS 2024- 2025	CURRENT BUDGET	YTD EXPENDITURE	ENCUMBER	BALANCE	ANTICIPATED OBLIGATIONS	PROJECTED BALANCE	% EXP
<b>300</b>	<b>PROFESSIONAL SERVICES</b>										
	Professional Services	\$ 603,797	\$ 439,743	\$ -	\$ 439,743	\$ 80,391	\$ 35,973	\$ 323,379	\$ 323,379	\$ -	100.00%
	Professional Educational Serv.	\$ 153,260	\$ 233,187	\$ -	\$ 233,187	\$ 96,460	\$ 42,252	\$ 94,475	\$ 94,475	\$ -	100.00%
	<b>SUBTOTAL PROFESSIONAL SERV.</b>	<b>\$ 757,057</b>	<b>\$ 672,930</b>	<b>\$ -</b>	<b>\$ 672,930</b>	<b>\$ 176,851</b>	<b>\$ 78,225</b>	<b>\$ 417,854</b>	<b>\$ 417,854</b>	<b>\$ -</b>	<b>100.00%</b>
<b>400</b>	<b>PURCHASED PROPERTY SERV.</b>										
	Buildings & Grounds Contracted Svc.	\$ 611,768	\$ 711,000	\$ -	\$ 711,000	\$ 374,723	\$ 231,718	\$ 104,559	\$ 104,559	\$ -	100.00%
	Utility Services - Water & Sewer	\$ 94,774	\$ 128,315	\$ -	\$ 128,315	\$ 40,758	\$ -	\$ 87,557	\$ 77,557	\$ 10,000	92.21%
	Building, Site & Emergency Repairs	\$ 533,666	\$ 495,000	\$ -	\$ 495,000	\$ 80,525	\$ 7,119	\$ 407,356	\$ 407,356	\$ -	100.00%
	Equipment Repairs	\$ 222,475	\$ 268,994	\$ -	\$ 268,994	\$ 27,617	\$ 9,102	\$ 232,274	\$ 232,274	\$ -	100.00%
	Rentals - Building & Equipment	\$ 240,275	\$ 287,335	\$ -	\$ 287,335	\$ 58,481	\$ 166,305	\$ 62,549	\$ 70,854	\$ (8,305)	102.89%
	Building & Site Improvements	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-
	<b>SUBTOTAL PUR. PROPERTY SERV.</b>	<b>\$ 1,702,959</b>	<b>\$ 1,890,644</b>	<b>\$ -</b>	<b>\$ 1,890,644</b>	<b>\$ 582,105</b>	<b>\$ 414,244</b>	<b>\$ 894,295</b>	<b>\$ 892,601</b>	<b>\$ 1,695</b>	<b>99.91%</b>
<b>500</b>	<b>OTHER PURCHASED SERVICES</b>										
	Contracted Services	\$ 1,040,758	\$ 1,005,847	\$ -	\$ 1,005,847	\$ 581,114	\$ 295,527	\$ 129,205	\$ 292,017	\$ (162,811)	116.19%
	Transportation Services	\$ 4,990,431	\$ 5,130,320	\$ -	\$ 5,130,320	\$ 686,923	\$ 3,350,693	\$ 1,092,704	\$ 1,092,704	\$ -	100.00%
	Insurance - Property & Liability	\$ 435,965	\$ 461,988	\$ -	\$ 461,988	\$ 237,540	\$ 184,292	\$ 40,156	\$ 37,835	\$ 2,321	99.50%
	Communications	\$ 189,179	\$ 188,915	\$ -	\$ 188,915	\$ 65,074	\$ 113,825	\$ 10,017	\$ 9,873	\$ 144	99.92%
	Printing Services	\$ 24,329	\$ 27,700	\$ -	\$ 27,700	\$ 564	\$ -	\$ 27,136	\$ 27,136	\$ -	100.00%
	Tuition - Out of District	\$ 4,011,238	\$ 3,989,164	\$ -	\$ 3,989,164	\$ 1,376,255	\$ 3,356,472	\$ (743,563)	\$ (760,985)	\$ 17,422	99.56%
	Student Travel & Staff Mileage	\$ 213,569	\$ 243,208	\$ -	\$ 243,208	\$ 98,896	\$ 12,979	\$ 131,333	\$ 131,333	\$ -	100.00%
	<b>SUBTOTAL OTHER PURCHASED SERV.</b>	<b>\$ 10,905,469</b>	<b>\$ 11,047,142</b>	<b>\$ -</b>	<b>\$ 11,047,142</b>	<b>\$ 3,046,366</b>	<b>\$ 7,313,788</b>	<b>\$ 686,988</b>	<b>\$ 829,913</b>	<b>\$ (142,925)</b>	<b>101.29%</b>
<b>600</b>	<b>SUPPLIES</b>										
	Instructional & Library Supplies	\$ 823,882	\$ 857,256	\$ -	\$ 857,256	\$ 359,587	\$ 85,303	\$ 412,365	\$ 412,365	\$ -	100.00%
	Software, Medical & Office Supplies	\$ 203,661	\$ 230,186	\$ -	\$ 230,186	\$ 87,511	\$ 57,788	\$ 84,887	\$ 84,887	\$ -	100.00%
	Plant Supplies	\$ 344,916	\$ 343,000	\$ -	\$ 343,000	\$ 112,265	\$ 29,406	\$ 201,329	\$ 201,329	\$ -	100.00%
	Electric	\$ 941,701	\$ 923,681	\$ -	\$ 923,681	\$ 373,203	\$ -	\$ 550,478	\$ 950,478	\$ (400,000)	143.30%
	Propane & Natural Gas	\$ 340,574	\$ 496,657	\$ -	\$ 496,657	\$ 41,158	\$ -	\$ 455,499	\$ 405,499	\$ 50,000	89.93%
	Heating Oil	\$ 83,874	\$ 52,065	\$ -	\$ 52,065	\$ 7,473	\$ -	\$ 44,592	\$ 44,592	\$ -	100.00%
	Fuel for Vehicles & Equip.	\$ 143,424	\$ 140,930	\$ -	\$ 140,930	\$ 38,663	\$ -	\$ 102,267	\$ 102,267	\$ -	100.00%
	Textbooks	\$ 462,875	\$ 126,554	\$ -	\$ 126,554	\$ 97,767	\$ 6,348	\$ 22,439	\$ 22,439	\$ -	100.00%
	<b>SUBTOTAL SUPPLIES</b>	<b>\$ 3,344,907</b>	<b>\$ 3,170,329</b>	<b>\$ -</b>	<b>\$ 3,170,329</b>	<b>\$ 1,117,628</b>	<b>\$ 178,845</b>	<b>\$ 1,873,856</b>	<b>\$ 2,223,856</b>	<b>\$ (350,000)</b>	<b>111.04%</b>

**NEWTOWN BOARD OF EDUCATION  
2024-25 BUDGET SUMMARY REPORT  
FOR THE MONTH ENDING OCTOBER 31, 2024**

OBJECT CODE	EXPENSE CATEGORY	EXPENDED 2023 - 2024	2024- 2025 APPROVED BUDGET	YTD TRANSFERS 2024- 2025	CURRENT BUDGET	YTD EXPENDITURE	ENCUMBER	BALANCE	ANTICIPATED OBLIGATIONS	PROJECTED BALANCE	% EXP
<b>700</b>	<b>PROPERTY</b>										
	Technology Equipment	\$ 307,106	\$ 315,083	\$ -	\$ 315,083	\$ 221,756	\$ 1,899	\$ 91,428	\$ 91,428	\$ -	100.00%
	Other Equipment	\$ 42,146	\$ 41,986	\$ -	\$ 41,986	\$ 14,355	\$ 11,340	\$ 16,291	\$ 16,626	\$ (335)	100.80%
	<b>SUBTOTAL PROPERTY</b>	<b>\$ 349,252</b>	<b>\$ 357,069</b>	<b>\$ -</b>	<b>\$ 357,069</b>	<b>\$ 236,111</b>	<b>\$ 13,239</b>	<b>\$ 107,718</b>	<b>\$ 108,054</b>	<b>\$ (335)</b>	<b>100.09%</b>
<b>800</b>	<b>MISCELLANEOUS</b>										
	Memberships	\$ 76,349	\$ 81,077	\$ -	\$ 81,077	\$ 61,118	\$ 3,053	\$ 16,906	\$ 16,906	\$ -	100.00%
	<b>SUBTOTAL MISCELLANEOUS</b>	<b>\$ 76,349</b>	<b>\$ 81,077</b>	<b>\$ -</b>	<b>\$ 81,077</b>	<b>\$ 61,118</b>	<b>\$ 3,053</b>	<b>\$ 16,906</b>	<b>\$ 16,906</b>	<b>\$ -</b>	<b>100.00%</b>
<b>910</b>	<b>SPECIAL ED CONTINGENCY</b>	\$ -	\$ 100,000	\$ -	\$ 100,000	\$ -	\$ -	\$ 100,000	\$ -	\$ 100,000	0.00%
	<b>TOTAL LOCAL BUDGET</b>	<b>\$ 84,840,747</b>	<b>\$ 87,409,066</b>	<b>\$ -</b>	<b>\$ 87,409,066</b>	<b>\$ 25,813,970</b>	<b>\$ 53,872,377</b>	<b>\$ 7,722,720</b>	<b>\$ 7,656,441</b>	<b>\$ 66,279</b>	<b>99.92%</b>
<b>900</b>	Transfer to Non-Lapsing										
	<b>GRAND TOTAL</b>	<b>\$ 84,840,747</b>	<b>\$ 87,409,066</b>	<b>\$ -</b>	<b>\$ 87,409,066</b>	<b>\$ 25,813,970</b>	<b>\$ 53,872,377</b>	<b>\$ 7,722,720</b>	<b>\$ 7,656,441</b>	<b>\$ 66,279</b>	<b>99.92%</b>

**NEWTOWN BOARD OF EDUCATION  
2024-25 BUDGET SUMMARY REPORT  
FOR THE MONTH ENDING OCTOBER 31, 2024**

OBJECT CODE	EXPENSE CATEGORY	EXPENDED 2023 - 2024	2024- 2025 APPROVED BUDGET	YTD TRANSFERS 2024- 2025	CURRENT BUDGET	YTD EXPENDITURE	ENCUMBER	BALANCE	ANTICIPATED OBLIGATIONS	PROJECTED BALANCE	% EXP
<b><u>SPECIAL REVENUES</u></b>											
<b>EXCESS COST GRANT REVENUE</b>		<b>EXPENDED 2023-2024</b>	<b>APPROVED BUDGET @ 70%</b>	<b>SUBMITTED Dec 1 @ 67%</b>	<b>SUBMITTED March 1 @ 67%</b>	<b>STATE ESTIAMTE March 1 @ %</b>	<b>ESTIMATED Total</b>	<b>VARIANCE to Budget</b>	<b>FEB DEPOSIT</b>	<b>MAY DEPOSIT</b>	<b>% TO BUDGET</b>
51266	Special Education Svcs Salaries ECG	\$ (48,339)	\$ (45,000)				\$ (45,000)	\$ -			100.00%
54116	Transportation Services - ECG	\$ (386,778)	\$ (398,936)				\$ (398,936)	\$ -			100.00%
54160	Tuition - Out of District ECG	\$ (1,311,846)	\$ (1,133,368)				\$ (1,133,368)	\$ -			100.00%
	<b>Total</b>	\$ (1,746,963)	\$ (1,577,304)	\$ -	\$ -	\$ -	\$ (1,577,304)	\$ -	\$ -	\$ -	100.00%
				\$0	\$0	\$0	Difference from 12/1 submission \$ 1,577,304		Total*	\$ -	
									*75% of Jan Proj		
	<b>SDE MAGNET TRASNPORTATION GRANT</b>	\$ (13,000)		\$ (15,600)			\$ (15,600)	\$ -			100.00%
<b><u>OTHER REVENUES</u></b>											
<b><u>BOARD OF EDUCATION FEES &amp; CHARGES - SERVICES</u></b>					<b>APPROVED BUDGET</b>	<b>ANTICIPATED</b>	<b>RECEIVED</b>	<b>BALANCE</b>	<b>% RECEIVED</b>		
	LOCAL TUITION				\$33,325	\$33,325	\$8,466	\$24,859	25.40%		
	HIGH SCHOOL FEES FOR PARKING PERMITS				\$30,000	\$30,000		\$30,000	0.00%		
	MISCELLANEOUS FEES				\$6,000	\$6,000	\$1,223	\$4,777	20.38%		
	<b>TOTAL SCHOOL GENERATED FEES</b>				\$69,325		\$9,688	\$59,637	13.98%		
<b><u>OTHER GRANTS</u></b>				<b>TOTAL BUDGET</b>	<b>21-22 EXPENSED</b>	<b>22-23 EXPENSED</b>	<b>ENCUMBER</b>	<b>BALANCE</b>	<b>% EXPENSED</b>		
214											
218											

**2024 - 2025**  
**NEWTOWN BOARD OF EDUCATION**  
**DETAIL OF TRANSFERS RECOMMENDED**  
**OCTOBER 31, 2023**

		FROM			TO		
OBJECT CODE	AMOUNT			OBJECT CODE	AMOUNT		
<b>ADMINISTRATIVE</b>							
100	\$5,190	ADMINISTRATIVE SALARIES		100	\$5,190	ADMINISTRATIVE SALARIES	
		\$5,190 001750500000-51112 SP ED - ADMIN.	ADMINISTRATORS - SCHOOLS			\$5,190 001820820000-51111 DISTRICT - SUPERINTENDENT	ADMINISTRATORS - CO
100	\$16,968	TEACHERS & SPECIALISTS SALARIES		100	\$16,968	ADMINISTRATIVE SALARIES	
		\$16,968 001840880000-51151 DISTRICT - OTHER SERV	CERTIFIED SALARY ADJ			\$11,868 001820820000-51111 DISTRICT - SUPERINTENDENT	ADMINISTRATORS - CO
						\$5,100 001840860000-51111 DISTRICT - BUS SERV	ADMINISTRATORS - CO
100	\$1,038,901	TEACHERS & SPECIALISTS SALARIES		100	\$1,038,901	TEACHERS & SPECIALISTS SALARIES	
		\$560 001200200000-51131 S.H. - MATH/SCI	SPECIALISTS			\$9,088 001100020000-51121 HAW. - ART	TEACHERS
		\$18,087 001200240000-51121 S.H. - P.E.	TEACHERS			\$1,741 001100200000-51131 HAW. - MATH/SCI	SPECIALISTS
		\$13,368 001200340000-51131 S.H. - LIBRARY	SPECIALISTS			\$1,827 001100260000-51131 HAW. - READING	SPECIALISTS
		\$50,239 001200380000-51121 S.H. - CLASSROOM	TEACHERS			\$37,454 001100380000-51121 HAW. - CLASSROOM	TEACHERS
		\$31,562 001300240000-51121 M.G. - P.E.	TEACHERS			\$24,410 001200260000-51121 S.H. - READING	TEACHERS
		\$65,298 001400380000-51121 HOM. - CLASSROOM	TEACHERS			\$1,827 001200260000-51131 S.H. - READING	SPECIALISTS
		\$90,731 001450380000-51121 RIS. - CLASSROOM	TEACHERS			\$1,741 001300200000-51131 M.G. - MATH/SCI	SPECIALISTS
		\$63,669 001500100000-51121 M.S. - ENGLISH	TEACHERS			\$399 001300260000-51121 M.G. - READING	TEACHERS
		\$2,962 001500220000-51121 M.S. - MUSIC	TEACHERS			\$1,777 001300260000-51131 M.G. - READING	SPECIALISTS
		\$324 001500300000-51121 M.S. - SOC STUDIES	TEACHERS			\$21,352 001300380000-51121 M.G. - CLASSROOM	TEACHERS
		\$9,572 001600040000-51121 H.S. - BUSINESS ED	TEACHERS			\$9,088 001400020000-51121 HOM. - ART	TEACHERS
		\$110 001600100000-51121 H.S. - ENGLISH	TEACHERS			\$1,760 001400200000-51131 HOM. - MATH/SCI	SPECIALISTS
		\$82,841 001600280000-51121 H.S. - SCIENCE	TEACHERS			\$18,086 001400240000-51121 HOM. - P.E.	TEACHERS
		\$56,491 001600380000-51121 H.S. - CLASSROOM	TEACHERS			\$1,777 001400260000-51131 HOM. - READING	SPECIALISTS
		\$24,009 001600400000-51131 H.S. - GUIDANCE	SPECIALISTS			\$2,419 001450020000-51121 RIS. - ART	TEACHERS
		\$31,431 001750580000-51131 SP ED - SPEECH & HEAR	SPECIALISTS			\$40,860 001500140000-51121 M.S. - HEALTH ED	TEACHERS
		\$37,995 001750610000-51122 SP ED - PREK-8 SP ED	TEACHERS - S.H.			\$700 001500200000-51121 M.S. - MATH	TEACHERS
		\$161,625 001750610000-51123 SP ED - PREK-8 SP ED	TEACHERS			\$2,026 001500240000-51121 M.S. - P.E.	TEACHERS
		\$510 001750610000-51124 SP ED - PREK-8 SP ED	TEACHERS - HOM.			\$3,021 001600020000-51121 H.S. - ART	TEACHERS
		\$113,014 001750610000-51126 SP ED - PREK-8 SP ED	TEACHERS - M.S.			\$78,292 001600080000-51121 H.S. - CWE	TEACHERS
		\$123,808 001750630000-51121 SP ED - H.S. SP ED	TEACHERS			\$7,874 001600120000-51121 H.S. - WORLD LANG	TEACHERS
		\$1,968 001760560000-51133 PUPIL SERV - PSYCH	SPECIALISTS - ELEM			\$1,581 001600180000-51121 H.S. - TECH ED	TEACHERS
		\$14,235 001800800000-51131 DISTRICT - CURRICULUM	SPECIALISTS			\$63,114 001600200000-51121 H.S. - MATH	TEACHERS
		\$44,492 001840880000-51151 DISTRICT - OTHER SERV	CERTIFIED SALARY ADJ			\$15,007 001600220000-51121 H.S. - MUSIC	TEACHERS
						\$29,744 001600300000-51121 H.S. - SOC STUDIES	TEACHERS
						\$14,367 001600390000-51121 H.S. - TAP	TEACHERS
						\$40,539 001750610000-51120 SP ED - PREK-8 SP ED	TEACHERS - PRESCH
						\$6,713 001750610000-51121 SP ED - PREK-8 SP ED	TEACHERS
						\$151,003 001750640000-51121 SP ED - PAL	TEACHERS
						\$89,234 001750650000-51121 SP ED - RISE	TEACHERS
						\$1,950 001750790000-51121 SP ED - SUMMER PROGRAM	TEACHERS
						\$358,130 001840880000-51152 DISTRICT - OTHER SERV	SAVINGS FROM TURNOVER
100	\$1,630	NON-CERTIFIED ADJ		100	\$1,630	CONTINUING ED./SUMMER SCHOOL	
		\$1,630 001840880000-51271 DISTRICT - OTHER SERV	NON-CERT SALARY ADJ			\$1,630 001940840000-51143 DISTRICT - CONT. ED.	DIR OF CONTINUING ED
100	\$24,063	NON-CERTIFIED ADJ		100	\$24,063	SUPERVISORS/TECHNOLOGY SALARIES	
		\$24,063 001840880000-51271 DISTRICT - OTHER SERV	NON-CERT SALARY ADJ			\$17,128 001810850000-51210 DISTRICT - TECH	SUPERVISORS/TECH STAFF
						\$6,935 001900920000-51210 B&G - ADMIN.	SUPERVISORS/TECH STAFF

**2024 - 2025  
NEWTOWN BOARD OF EDUCATION  
DETAIL OF TRANSFERS RECOMMENDED  
OCTOBER 31, 2023**

		FROM					TO		
OBJECT CODE	AMOUNT				OBJECT CODE	AMOUNT			
100	\$15,156	NON-CERTIFIED ADJ			100	\$15,156	SPECIAL EDUCATION SVCS SALARIES		
		\$15,156 001840880000-51271	DISTRICT - OTHER SERV	NON-CERT SALARY ADJ			\$15,156 001750610000-51266	SP ED - PREK-8 SP ED	BEHAVIORAL THERAPISTS
100	\$4,022	NURSES & MEDICAL ADVISORS			100	\$4,022	SUPERVISORS/TECHNOLOGY SALARIES		
		\$4,022 001770430000-51243	HEALTH/MED - ELEM/INT	NURSES - MG			\$4,022 001770410000-51210	HEALTH/MED - ADMIN.	SUPERVISORS/TECH STAFF
100	\$13,050	NURSES & MEDICAL ADVISORS			100	\$13,050	NURSES & MEDICAL ADVISORS		
		\$1,111 001770430000-51241	HEALTH/MED - ELEM/INT	NURSES - HAW			\$9,013 001770420000-51240	HEALTH/MED - NONPUBLIC	NURSES SALARIES
		\$1,111 001770430000-51242	HEALTH/MED - ELEM/INT	NURSES - SH			\$1,741 001770480000-51240	HEALTH/MED - M.S.	NURSES SALARIES
		\$10,016 001770430000-51243	HEALTH/MED - ELEM/INT	NURSES - MG			\$2,296 001770430000-51244	HEALTH/MED - ELEM/INT	NURSES - HOM
		\$812 001770430000-51245	HEALTH/MED - ELEM/INT	NURSES - RIS					

**PRINCIPALS'**

300	\$1,000	PROFESSIONAL EDUCATIONAL SERV.			600	\$1,300	OFFICE SUPPLIES		
		\$1,000 001100010000-53100	HAW. - ADMIN.	STAFF TRAINING			\$1,300 001100010000-55400	HAW. - ADMIN.	OFFICE SUPPLIES
500	\$300	STAFF MILEAGE							
		\$300 001100010000-54200	HAW. - ADMIN.	STAFF TRAVEL					
300	\$232	PROFESSIONAL EDUCATIONAL SERV.			600	\$232	OFFICE SUPPLIES		
		\$232 001300380000-53100	M.G. - CLASSROOM	STAFF TRAINING			\$232 001300010000-55400	M.G. - ADMIN.	OFFICE SUPPLIES
600	\$3,564	TEXTBOOKS			700	\$3,564	OTHER EQUIPMENT		
		\$3,564 001300380000-56900	M.G. - CLASSROOM	TEXTBOOKS			\$3,564 001300380000-57200	M.G. - CLASSROOM	EQUIPMENT/PROPERTY
300	\$5,500	PROFESSIONAL EDUCATIONAL SERV.			600	\$5,500	OFFICE SUPPLIES		
		\$5,500 001450380000-53100	RIS. - CLASSROOM	STAFF TRAINING			\$5,500 001450010000-55400	RIS. - ADMIN.	OFFICE SUPPLIES
300	\$2,220	PROFESSIONAL EDUCATIONAL SERV.			300	\$2,220	PROFESSIONAL EDUCATIONAL SERV.		
		\$2,220 001500380000-53100	M.S. - CLASSROOM	STAFF TRAINING			\$2,220 001500010000-53100	M.S. - ADMIN.	STAFF TRAINING
500	\$2,000	PRINTING SERVICES			500	\$2,000	CONTRACTED SERVICES		
		\$2,000 001500380000-54150	M.S. - CLASSROOM	PRINTING			\$2,000 001500380000-54000	M.S. - CLASSROOM	CONTRACTED SERV
500	\$3,500	CONTRACTED SERVICES			100	\$3,500	STAFF & PROGRAM DEVELOPMENT		
		\$3,500 001500400000-54000	M.S. - GUIDANCE	CONTRACTED SERV			\$3,500 001500400000-51421	M.S. - GUIDANCE	EXTRA WORK - CERT
600	\$3,468	LIBRARY SUPPLIES			500	\$3,468	CONTRACTED SERVICES		
		\$3,468 001600340000-55300	H.S. - LIBRARY	LIBRARY/MEDIA SUPPLIES			\$3,468 001600340000-54000	H.S. - LIBRARY	CONTRACTED SERV
	<b>\$1,140,764</b>	<b>TOTAL TRANSFER REQUEST</b>				<b>\$1,140,764</b>	<b>TOTAL TRANSFER REQUEST</b>		

**2024 - 2025**  
**NEWTOWN BOARD OF EDUCATION**  
**TRANSFERS RECOMMENDED**  
**OCTOBER 31, 2024**

AMOUNT	FROM		TO		REASON
	CODE	DESCRIPTION	CODE	DESCRIPTION	

**ADMINISTRATIVE**

\$5,190	100	ADMINISTRATIVE SALARIES	100	ADMINISTRATIVE SALARIES	TO ADJUST CERTIFIED SALARY BUDGETS FOR STAFF TURNOVER, LEAVES AND DEGREE CHANGES
\$16,968	100	TEACHERS & SPECIALISTS SALARIES	100	ADMINISTRATIVE SALARIES	
\$1,038,901	100	TEACHERS & SPECIALISTS SALARIES	100	TEACHERS & SPECIALISTS SALARIES	
\$1,630	100	NON-CERTIFIED ADJ	100	CONTINUING ED./SUMMER SCHOOL	TO TRANSFER FUNDS FOR NON-CERTIFIED SALARY ADJUSTMENTS
\$24,063	100	NON-CERTIFIED ADJ	100	SUPERVISORS/TECHNOLOGY SALARIES	
\$15,156	100	NON-CERTIFIED ADJ	100	SPECIAL EDUCATION SVCS SALARIES	
\$4,022	100	NURSES & MEDICAL ADVISORS	100	SUPERVISORS/TECHNOLOGY SALARIES	ADJUST ALLOCATION OF NURSES SALARY BUDGETS
\$13,050	100	NURSES & MEDICAL ADVISORS	100	NURSES & MEDICAL ADVISORS	

**PRINCIPALS'**

\$1,000	300	PROFESSIONAL EDUCATIONAL SERV.	600	OFFICE SUPPLIES	TO REALLOCATE HAWLEY'S FUNDS BASED ON NEED
\$300	500	STAFF MILEAGE			
\$232	300	PROFESSIONAL EDUCATIONAL SERV.	600	OFFICE SUPPLIES	TO REALLOCATE MIDDLE GATE'S PROFESSIONAL DEVELOPMENT FUNDS
\$3,564	600	TEXTBOOKS	700	OTHER EQUIPMENT	TO REALLOCATE MIDDLE GATE'S CLASSROOM LIBRARY BUDGET TO EQUIPMENT FOR SMARTBOARD
\$5,500	300	PROFESSIONAL EDUCATIONAL SERV.	600	OFFICE SUPPLIES	TO REALLOCATE REED SCHOOL'S PROFESSIONAL DEVELOPMENT FUNDS
\$2,220	300	PROFESSIONAL EDUCATIONAL SERV.	300	PROFESSIONAL EDUCATIONAL SERV.	TO REALLOCATE MIDDLE SCHOOL'S PROFESSIONAL DEVELOPMENT FUNDSFROM CLASSROOM TO ADMIN.
\$2,000	500	PRINTING SERVICES	500	CONTRACTED SERVICES	TO REALLOCATE MIDDLE SCHOOL'S FUNDS FOR WIN CURRICULUM PLANNING
\$3,500	500	CONTRACTED SERVICES	100	STAFF & PROGRAM DEVELOPMENT	TO REALLOCATE MIDDLE SCHOOL'S FUNDS FOR GUIDANCE PLANNING PROVIDED BY STAFF
\$3,468	600	LIBRARY SUPPLIES	500	CONTRACTED SERVICES	TO REALLOCATE HIGH SCHOOL'S LIBRARY FUNDS TO COVER COST OF ONLINE SERVICES
<b>\$1,140,764</b>	<b>TOTAL TRASNFER REQUEST</b>				

**Note: Connecticut’s anti-discrimination laws prohibit discrimination on the basis of many different categories, including but not limited to sexual orientation. In 2023, Public Act No. 23-145 established a statutory definition of the term “sexual orientation.” S & G revised its policy in the “Community Series, 1000,” to include this new definition and to reflect the federal requirement that boards of education provide equal access to the Boy Scouts and other groups. This is a new policy for NPS in the Community Relations Series 1000. This policy refers to Section 504 and the Americans with Disabilities Act for Employees and Prohibition of Sexual Discrimination, Including Sex-Based Harassment (Personnel) and those two policies will also be recommended for adoption at the next Policy Subcommittee meeting.**

**If the name of the District Coordinator changes due to a shift in employee responsibilities or change in personnel, the policy will be updated and it is not considered a revision of the policy because the substance of the policy is unchanged.**

**On 9/30/24, S & G updated the model policies related to discrimination and harassment to ensure the appeal procedures are comparable across all policies. Further, S & G clarified that the type of conduct prohibited by this policy includes epithets related to sex, sexual orientation, and/or gender identity or expression.**

**Series 1000**

**1050**

**Community Relations**

**POLICY AND ADMINISTRATIVE REGULATIONS  
REGARDING NON-DISCRIMINATION (COMMUNITY MEMBERS)**

***Protected Class Discrimination Prohibited:***

It is the policy of the Newtown Board of Education (the “Board”) that any form of discrimination or harassment on the basis of race, religion, color, national origin, ancestry, alienage, sex, sexual orientation, marital status, age, 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”) is prohibited in the Newtown Public Schools (the “District”), whether by students, Board employees, Board members or third parties subject to the control of the Board, subject to the conditions and limitations established by law. The Board’s prohibition of discrimination or harassment in its educational programs or activities expressly extends to academic, nonacademic and extracurricular activities, including athletics, school-sponsored activities, as well as the District website. 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.

***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.

### ***Definitions:***

The following definitions apply for purposes of this policy:

A. Discrimination: Discrimination in violation of this policy occurs when an individual is denied participation in, or the benefits of, a program or activity of the Board because of such individual'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 an individual'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:

- objectively offensive racial, ethnic, or religious epithets (or epithets commonly associated with any Protected Class membership, including but not limited to epithets relating to sex, sexual orientation, and/or gender identity or expression);
- other words or phrases 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 involve intent to harm, be directed toward a specific person, or involve repeated incidents.

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

Deborah Mailloux-Petersen  
Director of Pupil Services  
Newtown Public Schools  
3 Primrose Street  
Newtown, CT 06470  
Phone: (203)-426-7628  
[petersend@newtown.k12.ct.us](mailto:petersend@newtown.k12.ct.us)

C. 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.

D. 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.

E. 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, Air Force, and Space 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).

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: 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.

***Alleged Discrimination/Harassment of Students or Employees:***

Complaints of alleged discrimination and/or harassment of students and/or employees will be investigated in accordance with the non-discrimination policies applicable to students and/or personnel respectively. Complaints pertaining to specific forms of discrimination and/or harassment, such as sexual harassment or disability-based harassment, have specific policies and procedures applicable to these forms of harassment and will be investigated in accordance with the specific procedures for such issues. If a complaint involves allegations of discrimination or harassment of an employee or 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 Board **Policy 4118.112/4218.112**, Policy and Administrative Regulations Regarding Prohibition of Sex Discrimination, Including Sex-Based Harassment (Personnel), or **Policy 5145.5**, Policy and Administrative Regulations Regarding Prohibition of Sex Discrimination, Including Sex-Based Harassment (Students). Complaints involving allegations of discrimination or harassment of an employee or of a student based on disability will be addressed in accordance with the procedures set forth in Board **Policy 4118.14/4218.4**, Policy and Administrative Regulations Regarding Employees and Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disability Act of 1990, or Board **Policy 5145.4**, Policy and Administrative Regulations Regarding Students and Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990.

***Alleged Discrimination/Harassment of Community Members on the Basis of Sex:***

In the event the District receives a complaint alleging discrimination or harassment of a community member (e.g., an individual affiliated with the District, accessing or seeking access to District facilities who is not a student or an employee) on the basis of sex, sexual orientation, pregnancy, or gender identity or expression, the complaint shall be referred to the District's Title IX Coordinator, who shall take steps designed to ensure that applicable state and federal law are followed.

***Alleged Discrimination/Harassment of Community Members on the Basis of Disability:***

In the event the District receives a complaint alleging discrimination or harassment of a community member (e.g., an individual affiliated with the District, accessing or seeking access to District facilities who is not a student or an employee) based on disability, the complaint shall be referred to the District's Section 504/ADA Coordinator, who shall take steps designed to ensure that applicable state and federal law are followed.

***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.

Any individual who believes a community member 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 the Director of Pupil Services in accordance with the Board's complaint procedures included in the Board's Administrative Regulations Regarding Non-Discrimination/Community, which accompany this policy, and are available online at [www.newtown.k12.ct.us](http://www.newtown.k12.ct.us) under Board of Education, Board Policies, or upon request from the main office of any District school.

***Reporting to State and Federal Agencies:***

In addition to reporting to District officials in accordance with this policy, individuals also may file a complaint with the following agencies:

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

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  
(860-541-3400 or Connecticut Toll Free Number 1-800-477-5737)

Equal Employment Opportunity Commission (employees only):

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

***Questions/Requests for Accommodation:***

Any parent, student, staff member, Board member or community member (e.g., other individual affiliated with the District, accessing or seeking access to District facilities) who:

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

Deborah Mailloux-Petersen  
Director of Pupil Services  
Newtown Public Schools  
3 Primrose Street  
Newtown, CT 06470  
Phone: (203)-426-7628  
petersend@newtown.k12.ct.us

Any parent, student, staff member, Board member or community member (e.g., other individual affiliated with the District, accessing or seeking access to District facilities) who has questions or concerns about the Board's policies regarding discrimination or harassment on the basis of gender/sex, gender identity or expression, sexual orientation or pregnancy may contact the District's Title IX Coordinator:

Deborah Mailloux-Petersen  
Director of Pupil Services  
Newtown Public Schools  
3 Primrose Street  
Newtown, CT 06470  
Phone: (203)-426-7628  
petersend@newtown.k12.ct.us

Any parent, student, staff member, Board member or community member (e.g., other individual affiliated with the District, accessing or seeking access to District facilities) who has questions or concerns about the Board’s policies regarding discrimination or harassment on the basis of disability, and/or who may wish to request or discuss accommodations for a disability, may contact the District’s Section 504/ADA Coordinator:

Deborah Mailloux-Petersen  
Director of Pupil Services  
Newtown Public Schools  
3 Primrose Street  
Newtown, CT 06470  
Phone: (203)-426-7628  
petersend@newtown.k12.ct.us

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.  
Boy Scouts of America Equal Access Act, 20 U.S.C. § 7905  
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  
Connecticut General Statutes § 1-1n, “Gender Identity or Expression”  
defined  
Connecticut General Statutes § 27-103  
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-81c, Sexual orientation discrimination:  
Employment  
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”

Adopted:  
Revised:

NEWTOWN PUBLIC SCHOOLS  
Newtown, Connecticut

**ADMINISTRATIVE REGULATIONS REGARDING DISCRIMINATION  
COMPLAINTS (COMMUNITY MEMBERS)**

***Protected Class Discrimination Prohibited:***

It is the policy of the Newtown Board of Education (the “Board”) that any form of discrimination or harassment on the basis of race, religion, color, national origin, ancestry, alienage, sex, sexual orientation, marital status, age, 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”) is prohibited in the Newtown Public Schools (the “District”), whether by students, Board employees, Board members or third parties subject to the control of the Board, 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.

***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 harassment or discrimination. Any such reprisals or retaliation will 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:

- objectively offensive racial, ethnic, or religious epithets (or epithets commonly associated with any Protected Class membership, including but not limited to epithets relating to sex, sexual orientation, and/or gender identity or expression);
- other words or phrases 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 involve intent to harm, be directed toward a specific person, or involve repeated incidents.

***Alleged Discrimination/Harassment of Students or Employees:***

Complaints of alleged discrimination and/or harassment of students and/or personnel will be investigated in accordance with the non-discrimination policies applicable to students and/or personnel respectively. Complaints pertaining to specific forms of discrimination and/or harassment, such as sexual harassment or disability-based harassment, have specific policies and procedures applicable to these forms of harassment and will be investigated in accordance with the specific procedures for such issues. If a complaint involves allegations of discrimination or harassment of a student or an employee 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 4118.112/4218.112**, Policy and Administrative Regulations Regarding Sex Discrimination, Including Sex-Based Harassment (Personnel), or **Policy 5145.5**, Policy and Administrative Regulations Regarding Prohibition of Sex Discrimination, Including Sex-Based Harassment (Students). Complaints involving allegations of discrimination or harassment of an employee or of a student based on disability will be addressed in accordance with the procedures set forth in Board **Policy 4118.14/4218.4**, Policy and Administrative Regulations Regarding Employees and Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disability Act of 1990, or Board **Policy 5145.4**, Policy and Administrative Regulations Regarding Students and Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990.

***Alleged Discrimination/Harassment of Community Members on the Basis of Sex:***

In the event the District receives a complaint alleging discrimination or harassment of a community member (e.g. an individual affiliated with the District, accessing or seeking access to District facilities who is not a student or an employee) on the basis of sex, sexual orientation, pregnancy, or gender identity or expression, the complaint shall be referred to the District's Title IX Coordinator, who shall take steps designed to ensure that applicable state and federal law are followed.



***Alleged Discrimination/Harassment of Community Members on the Basis of Disability:***

In the event the District receives a complaint alleging discrimination or harassment of a community member (e.g., an individual affiliated with the District, accessing or seeking access to District facilities who is not a student or an employee) based on disability, the complaint shall be referred to the District's Section 504/ADA Coordinator, who shall take steps designed to ensure that applicable state and federal law are followed.

***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.

Any individual who believes that they, or another individual, 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 Deborah Mailloux-Petersen, Director of Pupil Services, Newtown Public Schools, 3 Primrose Street, Newtown, CT 06470, Phone: (203) 426-7628, in accordance with the Board's complaint procedures included in these Administrative Regulations Regarding Non-Discrimination/Community.

***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 individual, 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 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 reported conduct allegedly violates more than one policy, the Board will coordinate an investigation in compliance with the applicable policies, laws and regulations.

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 a community member (e.g., an individual affiliated with the District, accessing or seeking access to District facilities who is not a student or 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 the assistance of a District administrator to do so.

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 a community member (e.g., an individual affiliated with the District, accessing or seeking access to District facilities who is not a student or 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, as determined by the investigator.

Upon receipt of a written complaint of discrimination or harassment of a community member, 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) (e.g., "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 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 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 designed to avoid continuing discrimination or harassment;
10. After receiving the written notice of the outcome, parties shall have ten (10) school days to submit a formal written statement of appeal, if they so choose, to the Superintendent challenging the outcome of the investigation and explaining the basis for appeal. Upon receipt of an appeal, the Superintendent shall appoint a

decisionmaker(s) for the appeal, who may be the Superintendent or designee. The decisionmaker(s) for the appeal will provide the appealing party's written statement to the non-appealing party. The non-appealing party will then have ten (10) school days to submit to the decision-maker(s) for the appeal a written statement in support of, or challenging, the outcome of the investigation. The decisionmaker(s) for the appeal shall review the evidence and the information presented by the parties and determine if further action and/or investigation is warranted. Such action may include consultation with the investigator(s) and the parties, a meeting with appropriate individuals to attempt to resolve the complaint, or a decision affirming or overruling the written outcome. Generally, a party's disagreement with the outcome of the investigation, alone, will not be the basis for further action. The decisionmaker(s) for the appeal will attempt to issue written notice of the outcome of the appeal to the parties within thirty (30) days of receipt of all written statements from the parties.

***Complaint Procedure for Superintendent/Board Member Complaints:***

Any district administrator or Board member who receives a complaint of discrimination, harassment or retaliation of a community member by a Board Member and/or the Superintendent shall forward the complaint promptly to the Director of Pupil Services. 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 investigator different from the investigator who investigated the complaint.

***Remedial Action:***

If the District makes a finding of discrimination, harassment or retaliation of a community member, 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, parents, 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, students and parents in an effort to maintain an environment free of discrimination and harassment.

***Reporting to State and Federal Agencies:***

In addition to reporting to District officials in accordance with this policy, individuals also may file a complaint with the following agencies:

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

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 parent, student, staff member, Board member or community member (e.g., other individual affiliated with the District, accessing or seeking access to District facilities) who:

1. has questions or concerns about this policy or its accompanying regulations; OR
2. wishes to request or discuss accommodations based on religion; OR
3. who would like a copy of the Board's complaint procedures or complaint forms related to claims of discrimination or harassment

may contact any building administrator or the following District official:

Deborah Mailloux-Petersen  
Director of Pupil Services  
Newtown Public Schools  
3 Primrose Street  
Newtown, CT 06470  
Phone: (203)-426-7628  
[petersend@newtown.k12.ct.us](mailto:petersend@newtown.k12.ct.us)

Any parent, student, staff member, Board member or community member (e.g., other individual affiliated with the District, accessing or seeking access to District facilities) who has questions or concerns about the Board's policies regarding discrimination or harassment on the basis of gender/sex, gender identity or expression, sexual orientation or pregnancy may contact the District's Title IX Coordinator:

Deborah Mailloux-Petersen  
Director of Pupil Services  
Newtown Public Schools  
3 Primrose Street  
Newtown, CT 06470  
Phone: (203)-426-7628  
[petersend@newtown.k12.ct.us](mailto:petersend@newtown.k12.ct.us)

Any parent, student, staff member, Board member or community member (e.g., other individual affiliated with the District, accessing or seeking access to District facilities) who has questions or concerns about the Board's policies regarding discrimination or harassment on the basis of disability, and/or who may wish to request or discuss accommodations for a disability, may contact the District's Section 504/ADA Coordinator:

Deborah Mailloux-Petersen  
Director of Pupil Services  
Newtown Public Schools  
3 Primrose Street  
Newtown, CT 06470  
Phone: (203)-426-7628  
[petersend@newtown.k12.ct.us](mailto:petersend@newtown.k12.ct.us)

Administrative Regulation Approved:

**NEWTOWN PUBLIC SCHOOLS**

**DISCRIMINATION/HARASSMENT COMPLAINT FORM**

**(For complaints based on race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, ancestry, disability, pregnancy, gender identity or expression, veteran status, or status as a victim of domestic violence)**

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

Relationship of reporter to the District \_\_\_\_\_

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

Relationship of complainant/victim to the District \_\_\_\_\_

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

Date of the 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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_



**Note: S & G updated this policy and administrative regulations based on the April 2024 guidance on Title IX released by the U.S. Department of Education. This is a mandated policy and it is recommended for adoption. At the time the Board adopts this policy and reviews the administrative regulations as an item of information, the Board should rescind its current policy.**

**If the name of the Title IX Coordinator changes due to a shift in employee responsibilities or change in personnel, the policy will be updated and it is not considered a revision of the policy because the substance of the policy is unchanged.**

**This policy is recommended for adoption at this time because it is referenced in policies in Series 5000, Students.**

**On 9/30/24, S & G updated the model policies related to discrimination and harassment to ensure the appeal procedures are comparable across all policies. Further, S & G clarified that the type of conduct prohibited by this policy includes epithets related to sex, sexual orientation, and/or gender identity or expression.**

**Series 4000  
Personnel**

**4118.11  
4218.11**

## **NON-DISCRIMINATION**

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

The Newtown 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, 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 Newtown 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 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.

***Definitions:***

The following definitions apply for purposes of this policy:

A. 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.

B. 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, including but not limited to epithets relating to sex, sexual orientation, and/or gender identity or expression);
- 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 involve intent to harm, be directed toward a specific person, or involve repeated incidents.

Sexual harassment is a form of harassment that is prohibited by law and Board **Policy 4118.112/4218.112**, Policy Regarding Prohibition of Sex Discrimination, Including Sex-Based Harassment. For more information regarding harassment based on sex, sexual orientation, pregnancy, or gender identity or expression, contact the District's Title IX Coordinator at:

Deborah Mailloux-Petersen  
 Director of Pupil Services  
 Newtown Public Schools  
 3 Primrose Street  
 Newtown, CT 06470  
 Phone: (203) 426 7628  
 e-mail: [petersend@newtown.k12.ct.us](mailto:petersend@newtown.k12.ct.us)

#### C. Genetic information

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.

#### D. 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, Air Force, and Space 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).

E. 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.

F. 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.

G. 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.

H. 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.

***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.

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 the Director of Pupil Services in accordance with the Board's complaint procedures included in the Board's Administrative Regulations Regarding Non-Discrimination/Personnel, which accompany this policy and are available online at [www.newtown.k12.ct.us](http://www.newtown.k12.ct.us) under Board of Education, 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 4118.112/4218.112**, Policy Regarding Prohibition of Sex Discrimination, Including Sex-Based Harassment.

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 Board **Policy 4118.14/4218/14**, Policy and Administrative Regulations Regarding Employees and Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disability Act of 1990.

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:***

Board 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 Board employees witness such incidents or when Board 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:**

Deborah Mailloux-Petersen  
Director of Pupil Services  
Newtown Public Schools

3 Primrose Street  
Newtown, CT 06470  
Phone: (203) 426 7628  
e-mail: [petersend@newtown.k12.ct.us](mailto:petersend@newtown.k12.ct.us)

***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, parents, 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 agencies:

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

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 the Board's complaint procedures or complaint forms related to claims of discrimination or harassment

should contact the following District official:

Deborah Mailloux-Petersen  
Director of Pupil Services  
Newtown Public Schools  
3 Primrose Street  
Newtown, CT 06470  
Phone: (203) 426 7628  
e-mail: [petersend@newtown.k12.ct.us](mailto:petersend@newtown.k12.ct.us)

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:

Deborah Mailloux-Petersen  
Director of Pupil Services  
Newtown Public Schools  
3 Primrose Street  
Newtown, CT 06470

Phone: (203) 426 7628  
e-mail: [petersend@newtown.k12.ct.us](mailto:petersend@newtown.k12.ct.us)

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:

Deborah Mailloux-Petersen  
Director of Pupil Services  
Newtown Public Schools  
3 Primrose Street  
Newtown, CT 06470  
Phone: (203) 426 7628  
e-mail: [petersend@newtown.k12.ct.us](mailto:petersend@newtown.k12.ct.us)

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 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  
Public Act No. 23-145, "An Act Revising the State's Antidiscrimination  
Statutes"

Adopted:  
Revised:

NEWTOWN PUBLIC SCHOOLS  
Newtown, Connecticut



**Series 4000  
Personnel**

**4118.11 R  
4218.11 R**

**ADMINISTRATIVE REGULATIONS REGARDING DISCRIMINATION  
COMPLAINTS (PERSONNEL)**

***Protected Class Discrimination Prohibited:***

The Newtown 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, 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 Newtown 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, including but not limited to epithets relating to sex, sexual orientation, and/or gender identity or expression);
- 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 involve intent to harm, be directed toward a specific person, 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 the Director of Pupil Services in accordance with the Board's complaint procedures included in these Administrative Regulations Regarding Non-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 Board **Policy 4118.112/4218.112**, Policy Regarding Prohibition of Sex Discrimination, Including Sex-Based Harassment.

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 Board **Policy 4118.14/4218.14**, Policy and Administrative Regulations Regarding Employees and Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990.

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:***

Board 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 Board employees witness such incidents or when Board 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:**

Deborah Mailloux-Petersen  
Director of Pupil Services  
Newtown Public Schools  
3 Primrose Street  
Newtown, CT 06470  
Phone: (203) 426 7628  
e-mail: [petersend@newtown.k12.ct.us](mailto:petersend@newtown.k12.ct.us)

***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 Board **Policy 4118.112/4218.112**, Policy Regarding Prohibition of Sex Discrimination, Including Sex-Based Harassment. 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 Board **Policy 4118.14/4218.14**, Policy and Administrative Regulations Regarding Employees and Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990.

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 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) (e.g., "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 designed to avoid continuing discrimination or harassment;
10. After receiving the written notice of the outcome, parties shall have ten (10) school days to submit a formal written statement of appeal, if they so choose, to the Superintendent challenging the outcome of the investigation and explaining the basis for appeal. Upon receipt of an appeal, the Superintendent shall appoint a decisionmaker(s) for the appeal, who may be the Superintendent or

designee. The decisionmaker(s) for the appeal will provide the appealing party's written statement to the non-appealing party. The non-appealing party will then have ten (10) school days to submit to the decision-maker(s) for the appeal a written statement in support of, or challenging, the outcome of the investigation. The decisionmaker(s) for the appeal shall review the evidence and the information presented by the parties and determine if further action and/or investigation is warranted. Such action may include consultation with the investigator(s) and the parties, a meeting with appropriate individuals to attempt to resolve the complaint, or a decision affirming or overruling the written outcome. Generally, a party's disagreement with the outcome of the investigation, alone, will not be basis for further action. The decisionmaker(s) for the appeal will attempt to issue written notice of the outcome of the appeal to the parties within thirty (30) school days of receipt of all written statements from the parties.

### ***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 the Director of Pupil Services. 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 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, parents, 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 agencies:

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

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 the Board's complaint procedures or complaint forms related to claims of discrimination or harassment

should contact the following District official:

Deborah Mailloux-Petersen  
Director of Pupil Services  
Newtown Public Schools  
3 Primrose Street  
Newtown, CT 06470  
Phone: (203) 426 7628  
e-mail: [petersend@newtown.k12.ct.us](mailto:petersend@newtown.k12.ct.us)

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:

Deborah Mailloux-Petersen  
Director of Pupil Services  
Newtown Public Schools  
3 Primrose Street  
Newtown, CT 06470  
Phone: (203) 426 7628  
e-mail: [petersend@newtown.k12.ct.us](mailto:petersend@newtown.k12.ct.us)

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:

Deborah Mailloux-Petersen  
Director of Pupil Services

Newtown Public Schools  
3 Primrose Street  
Newtown, CT 06470  
Phone: (203) 426 7628  
e-mail: [petersend@newtown.k12.ct.us](mailto:petersend@newtown.k12.ct.us)

Administrative Regulations Adopted:

**NEWTOWN PUBLIC SCHOOLS**

**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)**

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

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

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

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 \_\_\_\_\_

**Note: S & G updated this policy and administrative regulations based on the April 2024 guidance on Title IX released by the U.S. Department of Education. This is a mandated policy and it is recommended for adoption. At the time the Board adopts this policy and reviews the administrative regulations as an item of information, the Board should rescind its current policy.**

**If the name of the Title IX Coordinator changes due to a shift in employee responsibilities or change in personnel, the policy will be updated and it is not considered a revision of the policy because the substance of the policy is unchanged.**

**This policy is recommended for adoption at this time because it is referenced in policies in Series 5000, Students.**

**Series 4000  
Personnel**

**4118.112  
4218.112**

**POLICY AND ADMINISTRATIVE REGULATIONS  
REGARDING PROHIBITION OF SEX DISCRIMINATION,  
INCLUDING SEX-BASED HARASSMENT**

The Newtown Board of Education (the “Board”) and Newtown Public Schools (the “District”) do not discriminate on the basis of sex and prohibit sex discrimination in any education program or activity that the Board and/or District operate, as required by Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681, et seq. and its implementing regulations (“Title IX”), as it may be amended from time to time, Title VII of the Civil Rights Act of 1964 (“Title VII”), and Connecticut law.

Inquiries about Title IX may be referred to the District’s Title IX Coordinator, the U.S. Department of Education’s Office for Civil Rights, or both. The District’s Title IX Coordinator is:

Deborah Mailloux-Petersen  
Director of Pupil Services  
Newtown Public Schools  
3 Primrose Street  
Newtown, CT 06470  
Phone: (203) 426 7628  
e-mail: [petersend@newtown.k12.ct.us](mailto:petersend@newtown.k12.ct.us)

The Superintendent of Schools shall develop and adopt grievance procedures that provide for the prompt and equitable resolution of complaints made (1) by students, employees, or other individuals who are participating or attempting to participate in the District’s education program or activity, or (2) by the Title IX Coordinator, alleging any action that would be prohibited by Title IX, Title VII, or Connecticut law (the “Administrative Regulations”). The Administrative

Regulations are attached to the policy and will be on the website under Board of Education, BOE Policies at [www.newtown.k12.ct.us](http://www.newtown.k12.ct.us).

**Sex discrimination** occurs when a person, because of the person's sex, is denied participation in or the benefits of any education program or activity receiving federal financial assistance. This includes discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity. **Sex discrimination includes sex-based harassment**, as defined below.

**Sex-based harassment** is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex, including on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity, that is:

1. *Quid pro quo harassment*, or where an employee, agent or other person authorized by the Board to provide an aid, benefit or services under its education program or activity explicitly or impliedly conditions the provision of an aid, benefit, or service of the Board on an individual's participation in unwelcome sexual conduct;
2. *Hostile environment harassment*, or unwelcome sex-based conduct that based on the totality of the circumstances, is (1) subjectively and objectively offensive and (2) so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the District's education program or activity. Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:
  - a. the degree to which the conduct affected the complainant's ability to access the District's education program or activity;
  - b. the type, frequency, and duration of the conduct;
  - c. the parties' ages, roles within the District's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;
  - d. the location of the conduct and the context in which the conduct occurred; and
  - e. other sex-based harassment in the District's education program or activity; or
3. *A specific offense*, as follows:
  - a. Sexual assault, meaning an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation;
  - b. Dating violence, meaning violence committed by a person: (i) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (ii) where the existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship;
  - c. Domestic violence, meaning felony or misdemeanor crimes committed by a person who: (i) is a current or former spouse or intimate partner of the victim

under the family or domestic violence laws of Connecticut, or a person similarly situated to a spouse of the victim; (ii) is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner; (iii) shares a child in common with the victim; or (iv) commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of Connecticut; or

- d. Stalking, meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (i) fear for the person's safety or the safety of others; or (ii) suffer substantial emotional distress.

### **Reporting Sex Discrimination:**

The following people have a right to make a complaint of sex discrimination, including a complaint of sex-based harassment, requesting that the District investigate and make a determination about alleged discrimination under Title IX:

1. A "complainant," which includes:
  - a. a student of the District or employee of the Board who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX; or
  - b. a person other than a student of the District or employee of the Board who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX at a time when that individual was participating or attempting to participate in the Board's education program or activity;
2. A parent, guardian, or other authorized legal representative with the legal right to act on behalf of a complainant; and
3. The District's Title IX Coordinator.

For clarity, a person is entitled to make a complaint of sex-based harassment only if they themselves are alleged to have been subjected to the sex-based harassment, if they have a legal right to act on behalf of such person, or if the Title IX Coordinator initiates a complaint consistent with the requirements of Title IX.

With respect to complaints of sex discrimination other than sex-based harassment, in addition to the people listed above, the following persons have a right to make a complaint:

- Any student of the District or employee of the Board; or
- Any person other than a student of the District or employee of the Board who was participating or attempting to participate in the Board's education program or activity at the time of the alleged sex discrimination.

To report information about conduct that may constitute sex discrimination or make a complaint of sex discrimination under Title IX, please contact the District's Title IX Coordinator or an administrator.

Any Board employee who has information about conduct that reasonably may constitute sex discrimination must as immediately as practicable notify the Title IX Coordinator. If the Title IX

Coordinator is alleged to have engaged in sex discrimination, Board employees shall instead notify their building principal or the Superintendent of Schools, if the employee is not assigned to a school building.

Individuals may also make a report of sex discrimination to the U.S. Department of Education: Office for Civil Rights, Boston Office, U.S. Department of Education, 9<sup>th</sup> Floor, 5 Post Office Square, Boston, MA 02109-3921 (Telephone (617) 289-0111) and/or to the Connecticut Commission on Human Rights and Opportunities, 450 Columbus Boulevard, Hartford, CT 06103-1835 (Telephone: 860-541-3400 or Connecticut Toll Free Number: 1-800-477-5737).

Legal References: Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681, et seq.  
Title IX of the Education Amendments of 1972, 34 C.F.R § 106.1, et seq.  
Civil Rights Act of 1964, Title VII, 42 U.S.C. § 2000e-2(a)  
Meritor Savings Bank, FSB v. Vinson, 477 U.S. 57 (1986)  
Gebser v. Lago Vista Independent School District, 524 U.S. 274 (1998)  
Davis v. Monroe County Board of Education, 526 U.S. 629 (1999)  
Equal Employment Opportunity Commission Policy Guidance on Current Issues of Sexual Harassment (N-915.050), March 19, 1990  
Conn. Gen. Stat. § 10-15c - Discrimination in public schools prohibited.  
Conn. Gen. Stat. § 46a-54 - Commission powers Connecticut  
Conn. Gen. Stat. § 46a-60 - Discriminatory employment practices prohibited  
Conn. Gen. Stat. § 46a-81c - Sexual orientation discrimination:  
Employment  
Conn. Gen. Stat. § 10-153 - Discrimination on the basis of sex, gender identity or expression or marital status prohibited  
Conn. Agencies Regs. §§ 46a-54-200 through § 46a-54-207  
Brittell v. Department of Correction, 247 Conn. 148 (1998)  
Fernandez v. Mac Motors, Inc., 205 Conn. App. 669 (2021)

Adopted:

NEWTOWN PUBLIC SCHOOLS

Revised:

Newtown, Connecticut



**ADMINISTRATIVE REGULATIONS  
PROHIBITION OF SEX DISCRIMINATION,  
INCLUDING SEX-BASED HARASSMENT**

The Newtown Board of Education (the “Board”) and Newtown Public Schools (the “District”) do not discriminate on the basis of sex and prohibit sex discrimination in any education program or activity that the Board and/or District operate, as required by Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681, et seq. and its implementing regulations (“Title IX”), as it may be amended from time to time, Title VII of the Civil Rights Act of 1964 (“Title VII”), and Connecticut law.

The District has adopted grievance procedures that provide for the prompt and equitable resolution of complaints made by students, employees, or other individuals who are participating or attempting to participate in the District’s education program or activity, or by the Title IX Coordinator, alleging any action that would be prohibited by Title IX, Title VII, or Connecticut law. Any reference in these Administrative Regulations to the Title IX coordinator or to an administrator includes such person’s designee.

**Sex discrimination** occurs when a person, because of the person’s sex, is denied participation in or the benefits of any education program or activity receiving federal financial assistance. This includes discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity. **Sex discrimination includes sex-based harassment**, as defined below.

**Sex-based harassment under Title IX** is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex, including on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity, that is:

1. *Quid pro quo harassment*, or where an employee, agent or other person authorized by the Board to provide an aid, benefit or services under its education program or activity explicitly or impliedly conditions the provision of an aid, benefit, or service of the Board on an individual’s participation in unwelcome sexual conduct);
2. *Hostile environment harassment*, or unwelcome sex-based conduct that based on the totality of the circumstances, is (1) subjectively and objectively offensive and (2) so severe or pervasive that it limits or denies a person’s ability to participate in or benefit from the District’s education program or activity. Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:
  - a. the degree to which the conduct affected the complainant’s ability to access the District’s education program or activity;
  - b. the type, frequency, and duration of the conduct;

- c. the parties' ages, roles within the District's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;
  - d. the location of the conduct and the context in which the conduct occurred; and
  - e. other sex-based harassment in the District's education program or activity; or
3. *A specific offense, as follows:*
- a. Sexual assault, meaning an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation;
  - b. Dating violence, meaning violence committed by a person: (i) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (ii) where the existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship;
  - c. Domestic violence, meaning felony or misdemeanor crimes committed by a person who: (i) is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of Connecticut, or a person similarly situated to a spouse of the victim; (ii) is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner; (iii) shares a child in common with the victim; or (iv) commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of Connecticut; or
  - d. Stalking, meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (i) fear for the person's safety or the safety of others; or (ii) suffer substantial emotional distress.

**SECTION I: REPORTING SEX DISCRIMINATION**

To report information about conduct that may constitute sex discrimination or make a complaint of sex discrimination, please contact the District's Title IX Coordinator or an administrator. The District's Title IX Coordinator is:

Deborah Mailloux-Petersen  
 Director of Pupil Services  
 Newtown Public Schools  
 3 Primrose Street  
 Newtown, CT 06470  
 Phone: (203) 426 7628  
 e-mail: [petersend@newtown.k12.ct.us](mailto:petersend@newtown.k12.ct.us)

The following people have a right to make a complaint of sex discrimination, including a complaint of sex-based harassment, requesting that the District investigate and make a determination about alleged discrimination under Title IX and under the Board's policy and these Administrative Regulations:

- 1. A "complainant," which includes:

- a. a student of the District or employee of the Board who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX; or
  - b. a person other than a student of the District or employee of the Board who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX at a time when that individual was participating or attempting to participate in the District’s education program or activity;
2. A parent, guardian, or other authorized legal representative with the legal right to act on behalf of a complainant (collectively, “parent or guardian”); and
  3. The District’s Title IX Coordinator.

For clarity, a person is entitled to make a complaint of sex-based harassment only if they themselves are alleged to have been subjected to the sex-based harassment, if they have a legal right to act on behalf of such person, or if the Title IX Coordinator initiates a complaint consistent with the requirements of Title IX.

With respect to complaints of sex discrimination other than sex-based harassment, in addition to the people listed above, the following people have a right to make a complaint:

- Any student of the District or employee of the Board; or
- Any person other than a student of the District or employee of the Board who was participating or attempting to participate in the District’s education program or activity at the time of the alleged sex discrimination.

The District may consolidate complaints of sex discrimination against more than one respondent, or by more than one complainant against one or more respondents, or by one party against another party, when the allegations of sex discrimination arise out of the same facts or circumstances. Consolidation shall not violate the Family Educational Rights and Privacy Act (“FERPA”), and thus requires that prior written consent is obtained from the parents or eligible students to the disclosure of their education records. Where the District is unable to obtain prior written consent, complaints cannot be consolidated. When more than one complainant or more than one respondent is involved, references in these Administrative Regulations to a party, complainant, or respondent include the plural, as applicable.

## **SECTION II: DEFINITIONS**

1. **Bias** occurs when it is proven that the Title IX Coordinator, investigator(s), and/or decisionmaker(s) demonstrate actual bias, rather than the appearance of bias. Actual bias includes, but is not limited to, demonstrated personal animus against the respondent or the complainant and/or prejudgment of the facts at issue in the investigation.
2. **Complainant** means (1) a student of the District or employee of the Board who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX or its regulations; or (2) a person other than a student of the District or employee of the Board who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX or its regulations and who was participating or attempting

to participate in the District's education program or activity at the time of the alleged sex discrimination. When a complainant is a student of the District, reference in these Administrative Regulations to complainant includes the student's parent or guardian.

3. **Complaint** means oral or written requests to the District that objectively can be understood as a request for the District to investigate and make a determination about alleged discrimination under Title IX or its regulations and under the Board's policy and these Administrative Regulations.
4. A **conflict of interest** occurs when it is proven that the Title IX Coordinator, investigator(s), and/or decisionmaker(s) have personal, financial and/or familial interests that affected the outcome of the investigation.
5. **Consent** means an active, clear and voluntary agreement by a person to engage in sexual activity with another person (also referred to hereafter as "affirmative consent").

For the purposes of an investigation conducted pursuant to these Administrative Regulations, the following principles shall be applied in determining whether consent for sexual activity was given and/or sustained:

- Affirmative consent is the standard used in determining whether consent to engage in sexual activity was given by all persons who engaged in the sexual activity.
- Affirmative consent may be revoked at any time during the sexual activity by any person engaged in the sexual activity.
- It is the responsibility of each person engaging in a sexual activity to ensure that the person has the affirmative consent of all persons engaged in the sexual activity to engage in the sexual activity and that the affirmative consent is sustained throughout the sexual activity.
- It shall not be a valid excuse to an alleged lack of affirmative consent that a respondent to the alleged violation believed that a complainant consented to the sexual activity:
  - because the respondent was intoxicated or reckless or failed to take reasonable steps to ascertain whether the complainant consented, or
  - if the respondent knew or should have known that the complainant was unable to consent because such individual was unconscious, asleep, unable to communicate due to a mental or physical condition, unable to consent due to the age of the individual or the age difference between the individual and the respondent, or incapacitated due to the influence of drugs, alcohol or medication.
- The existence of a past or current dating or sexual relationship between a complainant and a respondent, in and of itself, shall not be determinative of a finding of consent.

6. **Disciplinary sanctions** means consequences imposed on a respondent following a determination under Title IX or under the Board's policy and these Administrative Regulations that the respondent violated the District's prohibition on sex discrimination.
7. For purposes of investigations and complaints of sex discrimination, **education program or activity** includes buildings owned or controlled by the Board and conduct that is subject to the District's disciplinary authority. The District has an obligation to address a sex-based hostile environment under its education program or activity, even when some conduct alleged to be contributing to the hostile environment occurred outside the District's education program or activity or outside the United States.
8. **Employee** means (A) a teacher, substitute teacher, school administrator, school superintendent, guidance counselor, school counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by the Board or working in a public elementary, middle or high school; or (B) any other individual who, in the performance of the individual's duties, has regular contact with students and who provides services to or on behalf of students enrolled in a public elementary, middle or high school, pursuant to a contract with the Board.
9. **Party** means a complainant or respondent.
10. **Pregnancy or related conditions** mean (A) pregnancy, childbirth, termination of pregnancy, or lactation; (B) medical conditions related to pregnancy, childbirth, termination of pregnancy, or lactation; or (C) recovery from pregnancy, childbirth, termination of pregnancy, lactation, or related medical conditions.
11. **Relevant** means related to the allegations of sex discrimination under investigation as a part of the District's Title IX grievance procedures. Questions are **relevant** when they seek evidence that may aid in showing whether the alleged sex discrimination occurred, and evidence is relevant when it may aid a decisionmaker in determining whether the alleged sex discrimination occurred.
12. **Remedies** means measures provided, as appropriate, to a complainant or any other person the District identifies as having had their equal access to the District's education program or activity limited or denied by sex discrimination. These measures are provided to restore or preserve that person's access to the District's education program or activity after the District determines that sex discrimination occurred.
13. **Respondent** means an individual who is alleged to have violated the District's prohibition on sex discrimination. When a respondent is a student of the District, reference in these Administrative Regulations to respondent includes the student's parent or guardian.
14. **Retaliation** means intimidation, threats, coercion, or discrimination against any person by a student or an employee or other person authorized by the District to provide aid, benefit, or service under the District's education program or activity, for the purpose of interfering with any right or privilege secured by Title IX or Title VII or their regulations

or Connecticut law, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, hearing or informal resolution process conducted pursuant to federal Title IX regulations or under the Board's policy and these Administrative Regulations. This also includes **peer retaliation**, which means retaliation by a student against another student.

15. **School days** means the days that school is in session as designated on the calendar posted on the District's website. In its discretion, and when equitably applied and with proper notice to the parties, the District may consider business days during the summer recess as "school days" if such designation facilitates the prompt resolution of the grievance procedures.
16. **Supportive measures** means individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a complainant or respondent, not for punitive or disciplinary reasons, and without fee or charge to the complainant or respondent to: (1) restore or preserve that party's access to the District's education program or activity, including measures that are designed to protect the safety of the parties or the District's educational environment; or (2) provide support during the District's grievance procedures or during the informal resolution process. Supportive measures may include counseling; extensions of deadlines or other course-related adjustments; increased security and monitoring; restrictions on contact; changes to class schedules or extracurriculars; training and education programs related to sex-based harassment, and other similar measures as determined appropriate by the Title IX Coordinator.

### **SECTION III: RESPONSE TO SEX DISCRIMINATION**

1. **Notification of Procedures.** When notified of conduct that reasonably may constitute sex discrimination, including sex-based harassment, the Title IX Coordinator shall notify the complainant or, if the complainant is unknown, the individual who reported the conduct, of the grievance procedures, and the informal resolution process, if available and appropriate. If a complaint is made, the Title IX Coordinator shall also notify the respondent of the grievance procedures and the informal resolution process, if available and appropriate.
2. **Supportive Measures.** When notified of conduct that reasonably may constitute sex discrimination, including sex-based harassment, an administrator will offer and coordinate supportive measures as appropriate for the complainant and/or respondent to restore or preserve that person's access to the District's education program or activity or provide support during the District's Title IX grievance procedures or during the informal resolution process. The District will not disclose information about any supportive measures to persons other than the person to whom they apply and their parent or guardian unless necessary to provide the supportive measure or restore or preserve a party's access to the educational program or activity.

- a. Where a supportive measure has been implemented, a party may seek the modification or termination of the supportive measure, if the supportive measure is applicable to them and if the party's circumstances have materially changed. The District may, as appropriate, modify or terminate supportive measures at the conclusion of the grievance procedures or at the conclusion of the informal resolution process.
- b. *Challenge to Supportive Measures.* Upon an administrator's decision to provide, deny, modify or terminate a supportive measure, either a respondent or a complainant may challenge that decision. The challenged supportive measure must be applicable to the challenging party. A party's challenge may be based on, but is not limited to, concerns regarding whether the supportive measure is reasonably burdensome; reasonably available; being imposed for punitive or disciplinary reasons; imposed without fee or charge; or otherwise effective in meeting the purposes for which it is intended, including to restore or preserve access to the education program or activity, provide safety, or provide support during the grievance procedures. Such challenge shall be made in writing to the Title IX Coordinator.

Promptly and without undue delay after receiving a party's challenge, the Title IX Coordinator shall determine if the decision to provide, deny, modify, or terminate the supportive measure was inconsistent with the definition of supportive measures in this Administrative Regulation. When there is a change to a supportive measure currently in place, including the termination of the supportive measure, or where a new supportive measure is implemented or a requested supportive measure has been denied, the Title IX Coordinator shall notify the affected party of the determination.

In the event that the Title IX Coordinator made the decision to provide, deny, modify or terminate a supportive measure, the challenge will be assigned to a disinterested administrator.

3. Informal Resolution Process. In lieu of resolving a complaint of sex discrimination through the District's formal grievance procedures (outlined below), the parties may instead elect to participate in an informal resolution process. The District has discretion to determine whether it is appropriate to offer an informal resolution process and may decline to offer informal resolution despite one or more of the parties' wishes. The District does not offer informal resolution to resolve a complaint that includes allegations that an employee engaged in sex-based harassment of a student, or when such a process would conflict with the law. Upon the District offering the informal resolution process to both parties, that parties shall have seven (7) school days to decide if they would like to participate in the process. The District shall obtain the parties' voluntary consent to proceed with the informal resolution process. If the informal resolution process proceeds, the Title IX Coordinator shall appoint an informal resolution facilitator, who will not be the same person as the investigator or the decisionmaker.
  - a. *Notice of Informal Resolution Process.* Promptly upon obtaining the parties' voluntary consent to process with the informal resolution process and before initiation

of the informal resolution process, the District must provide to the parties written notice that explains:

- 1) the allegations;
- 2) the requirements of the informal resolution process;
- 3) that, prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and to initiate or resume the formal grievance procedures;
- 4) that the parties' agreement to a resolution at the conclusion of the informal resolution process would preclude the parties from initiating or resuming the formal grievance procedures arising from the same allegations;
- 5) the potential terms that may be requested or offered in an informal resolution agreement (which may include, but are not limited to, restrictions on contact, restrictions on the respondent's participation in the District's programs or activities, other disciplinary sanctions, and/or sensitivity training), including notice that an informal resolution agreement is binding only on the parties; and
- 6) what information the District will maintain and whether and how the District could disclose such information for use in formal grievances procedures.

b. *Intake Meeting(s)*. From the date of the written notice provided in subsection III.3.a, above, the parties will have thirty (30) school days to reach a resolution. The Title IX Coordinator may extend this timeframe for the same reasons identified in subsection IV.1.d, below. If a resolution is not reached, the District will continue resolving the complaint through the grievance procedures as outlined below. The informal resolution process will be designed to be collaborative, focusing on the needs of both parties. When the parties have agreed to pursue the informal resolution process, the informal resolution facilitator shall have a separate intake meeting with each party to determine the appropriate path for resolution. During the intake meeting(s), each party will have the opportunity to share their perspective on the allegations, and the informal resolution facilitator will ascertain the party's goals and motivation in pursuing an informal resolution process.

c. *Informal Resolution Process*. Depending on the allegations of sex discrimination, the District may offer, or the parties may request (subject to the District's approval), one or more of the following types of informal resolution processes:

- 1) Facilitated Dialogue: After the intake meeting(s), the parties engage in a direct conversation about the alleged sex discrimination with the assistance of the informal resolution facilitator. In a facilitated dialogue, the parties are communicating directly and sharing the same space (virtually or in-person). During a facilitated dialogue, the parties will have the opportunity to discuss their individual experiences and listen to the experiences of others with the intention of reaching a mutually agreeable resolution.



- 2) Mediation: After the intake meeting, the parties will engage in back-and-forth communication to reach an agreed-upon resolution. Mediation may take place electronically or in-person or virtually, with the parties in different locations (e.g. not face-to-face). The parties will have the opportunity to speak with the informal resolution facilitator, and the informal resolution facilitator will communicate each party's perspective to the opposing party. Mediation may be completed in one session or may require multiple sessions.
- d. *Informal Resolution Agreement*. After the parties have reached an agreed-upon resolution, the informal resolution facilitator shall memorialize such agreement in writing. Such resolutions may include, but are not limited to, mutual no-contact orders; agreed upon sensitivity training; restrictions on the respondent's participation in the District's programs or activities or other disciplinary sanctions; or other mutually agreed upon resolutions. Both parties shall sign the informal resolution agreement, at which point the matter will be considered resolved.
- e. *Retaliation and Subsequent Conduct*. Nothing in this section precludes an individual from filing a complaint of retaliation for matters related to an informal resolution, nor does it preclude either party from filing complaints based on conduct that is alleged to occur following the District's facilitation of the informal resolution.
4. Emergency Removal. The District will not impose discipline on a respondent for sex discrimination prohibited by Title IX unless there is a determination at the conclusion of the grievance procedures that the respondent engaged in prohibited sex discrimination. However, the District may remove a respondent from the District's program or activity on an emergency basis, provided that the District undertakes an individualized safety and risk analysis, determines that an imminent and serious threat to the health or safety of the complainant or any students, employees, or other persons arising from the allegations of sex discrimination justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal.
5. Students with Disabilities. If a complainant or respondent is a student with a disability, the Title IX Coordinator shall consult with one or more members of the student's Planning and Placement Team or Section 504 Team to determine how to comply with the requirements of the Individuals with Disabilities Education Act ("IDEA") and Section 504 of the Rehabilitation Act throughout the implementation of the grievance procedures, including in the implementation of supportive measures.
6. Absence of a Complaint. In the absence of a complaint, or the withdrawal of any or all allegations in the complaint, and in the absence or termination of the informal resolution process, the Title IX Coordinator shall make a fact-specific determination regarding whether the Title IX Coordinator should initiate a complaint of sex

discrimination. In making this determination, the Title IX Coordinator shall consider, at a minimum, the following factors:

- a. The complainant's request not to proceed with initiation of a complaint;
- b. The complainant's reasonable safety concerns regarding initiation of a complaint;
- c. The risk that additional acts of sex discrimination would occur if a complaint is not initiated;
- d. The severity of the alleged sex discrimination, including whether the discrimination, if established, would require the removal of a respondent from the District's program or activity or imposition of another disciplinary sanction to end the discrimination and prevent its recurrence;
- e. The age and relationship of the parties, including whether the respondent is a Board employee;
- f. The scope of the alleged sex discrimination, including information suggesting a pattern, ongoing sex discrimination, or sex discrimination alleged to have impacted multiple individuals;
- g. The availability of evidence to assist a decisionmaker in determining whether sex discrimination occurred; and
- h. Whether the District could end the alleged sex discrimination and prevent its recurrence without initiating its grievance procedures.

If, after considering these and other relevant factors, the Title IX Coordinator determines that the alleged conduct presents an imminent and serious threat to the health or safety of the complainant or other person, or that the alleged conduct prevents the District from ensuring equal access on the basis of sex to its education program or activity, the Title IX Coordinator may initiate a complaint.

#### **SECTION IV: GRIEVANCE PROCEDURES FOR COMPLAINTS OF SEX DISCRIMINATION**

##### **1. Basic Requirements for the Grievance Procedures.**

- a. The District will treat complainants and respondents equitably.
- b. The District prohibits any Title IX Coordinator, investigator, or decisionmaker from having a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.
- c. The District presumes that the respondent is not responsible for the alleged sex discrimination until a determination is made at the conclusion of the grievance procedures.
- d. The District has established timeframes for the major stages of the grievance procedures. The District has also established the following process that allows for the reasonable extension of timeframes on a case-by-case basis for good cause with notice to the parties that includes the reason for the delay:
  - 1) When determining whether a reasonable extension of timeframes is appropriate, the Title IX Coordinator shall pursue a two-step inquiry. When appropriate, the Title IX Coordinator shall make this determination in consultation with the

investigator, decisionmaker, appeal decisionmaker and/or the informal resolution facilitator.

- 2) First, the Title IX Coordinator shall determine whether good cause exists. Good cause shall include, but is not limited to, the absence or illness of a party or a witness; concurrent law enforcement activity and/or activity by the Department of Children and Families; school being out of session; or particular circumstances based on the Title IX Coordinator's experience and familiarity with the complaint that constitute good cause. Reasonable modifications for those with disabilities and language assistance for those with limited proficiency in English should be provided within the established timeframes without need for a reasonable extension.
  - 3) The existence of good cause will not always require a reasonable extension. When evaluating whether such good cause warrants a reasonable extension of time, the Title IX Coordinator shall, in part, determine whether there is a reasonable alternative that may be pursued in lieu of an extension. Where no such alternative exists and where a reasonable extension is necessary to properly effectuate the District's grievance procedures, the Title IX Coordinator shall determine an appropriate extension of time and provide notice of the period of extension to the parties in writing.
- e. The District will take reasonable steps to protect the privacy of the parties and witnesses during its grievance procedures. These steps will be designed to not restrict the ability of the parties to obtain and present evidence, including by speaking to witnesses; consulting with their family members or confidential resources; or otherwise preparing for or participating in the grievance procedures. The District prohibits retaliation by or against any parties, including against witnesses.
  - f. The District will objectively evaluate all evidence that is relevant and not otherwise impermissible—including both inculpatory (tending to prove sex discrimination) and exculpatory evidence (tending to disprove sex discrimination). Credibility determinations will not be based on a person's status as a complainant, respondent, or witness.
  - g. The following types of evidence, and questions seeking that evidence, are impermissible (*i.e.*, will not be accessed or considered, except by the District to determine whether one of the exceptions listed below applies; will not be disclosed; and will not otherwise be used), regardless of whether they are relevant:
    - 1) Evidence that is protected under a privilege recognized by Federal or Connecticut law, unless the person to whom the privilege is owed has voluntarily waived the privilege;
    - 2) A party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless the District obtains that party's or witness's voluntary, written consent for use in its grievance procedures; and

- 3) Evidence that relates to the complainant's sexual interests or prior sexual conduct, unless evidence about the complainant's prior sexual conduct is offered to prove that someone other than the respondent committed the alleged conduct or is evidence about specific incidents of the complainant's prior sexual conduct with the respondent that is offered to prove consent to the alleged sex-based harassment. The fact of prior consensual sexual conduct between the complainant and respondent does not by itself demonstrate or imply the complainant's consent to the alleged sex-based harassment or preclude determination that sex-based harassment occurred.
  - h. The District will not impose discipline on a respondent for sex discrimination prohibited by Title IX unless there is a determination at the conclusion of the grievance procedures that the respondent engaged in prohibited sex discrimination. However, the District may remove a respondent from the District's program or activity on an emergency basis, as discussed above.
2. Filing a Complaint. A complainant (as defined above) and/or their parent or guardian may file a written or oral complaint with the Title IX Coordinator or an administrator to initiate the District's grievance procedures. Complaints should be filed within thirty (30) school days of the alleged occurrence. If a complaint is filed after thirty (30) school days of the alleged occurrence, the District may be limited in its ability to investigate the complaint.
3. Notice of District Grievance Procedures. If not already done, within five (5) school days of receiving a complaint, the Title IX Coordinator shall inform the complainant and their parent or guardian about the District's Title IX grievance procedures, offer the complainant supportive measures, and, where appropriate, inform the complainant and their parent or guardian about the District's informal resolution process. Through this notification, the Title IX Coordinator shall confirm that the complainant is requesting the District to conduct an investigation and make a determination regarding their allegations of sex discrimination. When the Title IX Coordinator is named as the respondent, the building principal or administrator responsible for the program shall notify the complainant and their parent or guardian.
4. Jurisdiction and Dismissal. Prior to initiating an investigation into the alleged sex discrimination and prior to issuing the notice of allegations, the Title IX Coordinator shall review the complaint and determine jurisdiction. If the alleged conduct occurred in the District's program or activity or the conduct is otherwise subject to the District's disciplinary authority, then the District has jurisdiction. If there is no jurisdiction, the Title IX Coordinator must dismiss the complaint. The Title IX Coordinator shall make a determination regarding jurisdiction within five (5) school days of receiving the complaint.
  - a. The Title IX Coordinator or the investigator may dismiss a complaint of sex discrimination prior to issuing the notice of allegations and prior to reaching a determination regarding responsibility where:
    - 1) The District is unable to identify the respondent after taking reasonable steps to do so;

- 2) The respondent is not participating in the District's education program or activity and/or is not employed by the Board;
  - 3) The complainant voluntarily withdraws any or all of the allegations in the complaint, the Title IX Coordinator declines to initiate a complaint, and the Title IX Coordinator determines that, without the complainant's withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute sex discrimination under Title IX even if proven; or
  - 4) The Title IX Coordinator determines the conduct alleged in the complaint, even if proven, would not constitute sex discrimination under Title IX. Before dismissing the complaint, the District will make reasonable efforts to clarify the allegations by communicating with the complainant to discuss the allegations in the complaint.
- b. Upon dismissal of the complaint, the Title IX Coordinator will promptly notify the complainant of the basis for the dismissal. If the dismissal occurs after the respondent has been notified of the allegations, then the Title IX Coordinator will also notify the respondent of the dismissal and the basis for the dismissal promptly following notification to the complainant, or simultaneously if notification is in writing. When a complaint is dismissed, the District will, at a minimum:
- 1) Offer supportive measures to the complainant as appropriate;
  - 2) If the respondent has been notified of the allegations, offer supportive measures to the respondent as appropriate; and
  - 3) Take other prompt and effective steps, as appropriate, through the Title IX Coordinator to ensure that sex discrimination does not continue or recur within the District's education program or activity.
- c. Appeal of Dismissal. The Title IX Coordinator will notify the complainant that a dismissal may be appealed and will provide the complainant with an opportunity to appeal the dismissal of a complaint. If the dismissal occurs after the respondent has been notified of the allegations, then the Title IX Coordinator will also notify the respondent that the dismissal may be appealed. The District's appeal procedures will be implemented equally for all parties.
- 1) Dismissals may be appealed on the following bases:
    - a) Procedural irregularity that would change the outcome;
    - b) New evidence that would change the outcome and that was not reasonably available when the dismissal was issued; and
    - c) The Title IX Coordinator, investigator, or decisionmaker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that would change the outcome.
  - 2) If the dismissal is appealed, an administrator who did not take part in the investigation of the allegations or the dismissal of the complaint will be the appeal decisionmaker for the dismissal. The District's appeal process for the dismissal of a complaint provides the following:

- a) The appealing party shall have five (5) school days, from the receipt of the dismissal, to submit a written statement in support of, or challenging the outcome of the dismissal;
  - b) The appeal decisionmaker must promptly notify the other party of the appeal;
  - c) The other party shall have five (5) school days, from receiving notice from the appeal decisionmaker to submit a written a statement in support of, or challenging, the outcome; and
  - d) Within ten (10) school days following the other party's opportunity to provide a statement, the appeals decisionmaker shall provide the parties the result of the appeal and the rationale for the result.
5. Notice of Allegations. Upon receipt or filing by the Title IX Coordinator of a complaint, and after determining that the District retains jurisdiction over the complaint, the Title IX Coordinator must provide a notice of allegations to the parties that includes the following:
- a. The District's Title IX grievance procedures and availability of the informal resolution process;
  - b. Sufficient information available at the time to allow the parties to respond to the allegations, including the identities of the parties involved in the incident(s), the conduct alleged to constitute sex discrimination, and the date(s) and location(s) of the alleged incident(s);
  - c. A statement that retaliation is prohibited; and
  - d. A statement that the parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence or an accurate description of this evidence; and if the District provides a description of the evidence, the parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence upon the request of any party.

If, in the course of an investigation, the investigator decides to investigate additional allegations of sex discrimination by the respondent toward the complainant that are not included in the initial notice of allegations or that are included in a complaint that is consolidated, the District will notify the parties of the additional allegations by issuing an additional notice of allegations.

6. Investigation. The District will provide for the adequate, reliable, and impartial investigation of complaints. In most circumstances, the District will institute a unified investigative model in which an administrator, or a team of administrators, will serve as both the investigator and the decisionmaker. In rare circumstances, the Title IX Coordinator may implement a bifurcated investigative model in which the investigator and the decisionmaker are separate administrators, or separate teams of administrators. The implementation of a bifurcated investigative model shall be in the sole discretion of the District, based on a review by the Title IX Coordinator of the complexity of the investigation and the resources needed. The following applies to all investigations, except as otherwise provided herein:

- a. The burden is on the District—not on the parties—to conduct an investigation that gathers sufficient evidence to determine whether sex discrimination occurred.
  - b. The investigator(s) will provide an equal opportunity for the parties to present fact witnesses and other inculpatory and exculpatory evidence that is relevant and not otherwise impermissible.
  - c. The investigator(s) will review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance.
  - d. *Disclosure of Evidence:* Prior to making a determination, the investigator(s) will provide each party with an equal opportunity to access the evidence that is relevant to the allegations of sex discrimination and not otherwise impermissible.
    - 1) Access to such evidence shall be accomplished by the investigator(s) providing the parties with a description of such evidence or the actual relevant and not otherwise impermissible evidence.
    - 2) The parties shall have five (5) school days to review a description of the evidence or the actual evidence.
    - 3) If not already provided, the parties may request to review the relevant and not otherwise impermissible evidence, rather than a description of the evidence. Parties requesting a review of the evidence must do so within the five (5) school day review period identified above.
    - 4) The parties may submit a written response to the evidence, which must be received by the investigator(s) no later than the end of the five (5) school day review period identified above.
    - 5) Based on the complexity and amount of the evidence, the investigator(s) may provide the parties with additional time to review and respond to the evidence.
    - 6) The District strictly prohibits the unauthorized disclosure of information and evidence obtained solely through the grievance procedures by parties or any other individuals involved in the Title IX grievance procedures. Disclosures of such information and evidence for purposes of administrative proceedings or litigation related to the complaint of sex discrimination are authorized.
  - e. *Only when using a bifurcated investigative model*, the investigator(s) will draft an investigative report that summarizes the relevant and not otherwise impermissible evidence. The investigator(s) will provide this report to the parties and to the decisionmaker(s).
7. Questioning the Parties and Witnesses. The decisionmaker(s) shall question parties and witnesses to adequately assess the credibility of a party or witness, to the extent credibility is both in dispute and relevant to evaluating one or more allegations of sex discrimination. Credibility may be considered to be in dispute where the decisionmaker(s) must choose between competing narratives to resolve the complaint. The decisionmaker(s), at their discretion, may conduct individual meetings with the

parties or witnesses to evaluate credibility. The decisionmaker(s) may consider the following factors in making this evaluation:

- a. Plausibility – Whether the testimony is believable on its face; whether the party or witness experienced or perceived the conduct firsthand; and/or whether there are any inconsistencies in any part of the party’s or witness’s testimony;
- b. Corroboration – Whether there is other testimony or physical evidence that tends to prove or disprove the party’s or witness’s testimony;
- c. Motive to Falsify – Whether the party or the witness had a motive to lie; whether a bias, interest or other motive exists; and/or whether there is a fear of retaliation;
- d. Demeanor – Evaluating the party’s or witness’s body language, including whether there is a perceived nervousness and/or they make tense body movements.

The decisionmaker(s) shall consider the credibility of any party and witness based on the factors above, as well as the evidence and information gathered during the investigation.

8. Determination of Whether Sex Discrimination Occurred. Following an investigation and evaluation of all relevant and not otherwise impermissible evidence and within sixty (60) school days of issuing the initial notice of allegations, the decisionmaker(s) will:
  - a. Use the preponderance of the evidence standard to determine whether sex discrimination occurred. The standard requires the decisionmaker(s) to evaluate relevant and not otherwise impermissible evidence and determine if it is more likely than not that the conduct occurred. If the decisionmaker(s) is not persuaded by a preponderance of the evidence that sex discrimination occurred, the decisionmaker(s) shall not determine that sex discrimination occurred;
  - b. Notify the parties in writing of the determination whether sex discrimination occurred under Title IX and/or the Board’s policy and these Administrative Regulations, including the rationale for such determination, and the procedures and permissible bases for the complainant and respondent to appeal;
  - c. Not impose discipline on a respondent for sex discrimination prohibited by Title IX unless there is a determination at the conclusion of the grievance procedures that the respondent engaged in prohibited sex discrimination;
  - d. Comply with the grievance procedures before the imposition of any disciplinary sanctions against a respondent; and
  - e. Not discipline a party, witness, or others participating in the grievance procedures for making a false statement or for engaging in consensual sexual conduct based solely on the determination whether sex discrimination occurred.
9. Remedies and Disciplinary Sanctions. If there is a determination that sex discrimination occurred, the Title IX Coordinator will, as appropriate:
  - a. Coordinate the provision and implementation of remedies to a complainant and other people the District identified as having had equal access to the District’s education program or activity limited or denied by sex discrimination. These remedies may include, but are not limited to: continued supports for the complainant and other people the District identifies; 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; training or other interventions for the larger school community designed to ensure that students, staff, parents, 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; counseling supports; other remedies as may be appropriate for a particular circumstance as determined by the Title IX Coordinator.
- b. Coordinate the imposition of disciplinary sanctions, as appropriate, for a respondent, including notification to the complainant of any such disciplinary sanctions. The possible sanctions may include, but are not limited to, discipline up to and including expulsion for students and termination of employment for employees; resolution through restorative practices; and/or restrictions from athletics and other extracurricular activities.
  - c. Take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within the District's education program or activity.
  - d. Communicate with a student's PPT or Section 504 team prior to disciplining a respondent to ensure compliance with the requirements of the IDEA and Section 504 with respect to discipline of students.
  - e. If expulsion is recommended, refer a student respondent to the Board for expulsion proceedings pursuant to Connecticut law.
10. Appeal of Determination. After receiving the written determination of the outcome, parties shall have ten (10) school days to submit a formal written statement of appeal, if they so choose, to the Title IX Coordinator challenging the outcome of the grievance procedures and explaining the basis for appeal.

Upon receipt of an appeal, the Superintendent shall appoint a decisionmaker(s) for the appeal, who shall be someone other than the Title IX Coordinator, investigator(s), or initial decisionmaker(s). The decisionmaker(s) for the appeal will provide the appealing party's written statement to the non-appealing party. The non-appealing party will then have ten (10) school days to submit to the decision-maker(s) for the appeal a written statement in support of, or challenging, the outcome of the grievance procedures.

The decisionmaker(s) for the appeal shall review the evidence and the information presented by the parties and determine if further action and/or investigation is warranted. Such action may include consultation with the investigator(s) and the parties, a meeting with appropriate individuals to attempt to resolve the complaint, or a decision affirming or overruling the written outcome. Generally, a party's disagreement with the outcome of the investigation, alone, will not be basis for further action. The decisionmaker(s) for the appeal will attempt to issue written notice of the outcome of the appeal to the parties within thirty (30) school days of receipt of all written statements from the parties.

## **SECTION V: PREGNANCY OR RELATED CONDITIONS**

When any District employee is notified by a student or a student's parent or guardian that the student is pregnant or has a related condition, the District employee must promptly provide the student or parent or guardian with the Title IX Coordinator's contact information and inform the person that the Title IX Coordinator can coordinate specific actions to prevent sex discrimination and ensure the student's equal access to the District's education program or activity. Once a student or a student's parent or guardian notifies the Title IX Coordinator of the student's pregnancy or related condition, the Title IX Coordinator must take specific actions to prevent discrimination and ensure equal access, as outlined in 34 C.F.R. § 106.40(b)(3) of the Title IX federal regulations.

For Board employees, the District will treat pregnancy or related conditions as any other temporary medical conditions for all job-related purposes and follow the provisions outlined in 34 C.F.R. § 106.57 of the Title IX federal regulations. The District will provide reasonable break time for an employee to express breast milk or breastfeed as needed. The District will also ensure that an employee can access a lactation space, which must be a space other than a bathroom that is clean, shielded from view, free from intrusion from others, and may be used by an employee for expressing breast milk or breastfeeding as needed.

## **SECTION VI: RETALIATION**

The District prohibits retaliation, including peer retaliation, in its education program or activity. When the District has information about conduct that reasonably may constitute retaliation under Title IX and/or the Board's policy and these Administrative Regulations, the District must initiate its grievance procedures or, as appropriate, an informal resolution process.

## **SECTION VII: RECORDKEEPING**

The District will maintain for a period of seven (7) years:

1. For each complaint of sex discrimination, records documenting the informal resolution process or the grievance procedures and the resulting outcome;
2. For each notification the Title IX Coordinator received of information about conduct that reasonably may constitute sex discrimination under Title IX, records documenting the actions the District took in response; and
3. All materials used to provide training to employees pursuant to this Administrative Regulation. The District will make these training materials available upon request for inspection by members of the public.

## **SECTION VIII: TRAINING**

The District shall provide the individuals designated below with the following training promptly upon hiring or change of position that alters their duties, and annually thereafter.

1. *All employees.* All employees shall be annually trained on the District's obligation to address sex discrimination in its education program or activity; the scope of conduct that constitutes sex discrimination under Title IX, including the definition of sex-based harassment; and all applicable notification and information requirements related to pregnancy and related conditions and the District's response to sex discrimination.
2. *Investigators, decisionmakers, and other persons who are responsible for implementing the District's grievance procedures or have the authority to modify or terminate supportive measures.* Any employee who will act as an investigator, decisionmaker, or is responsible for supportive measures shall be annually trained on the District's response to sex discrimination; the District's grievance procedures; how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias; and the meaning and application of the term "relevant" in relation to questions and evidence, and the types of evidence that are impermissible regardless of relevance under the grievance procedures.
3. *Informal Resolution Facilitator.* Any employee who will act as an informal resolution facilitator shall be annually trained on the topics in subsection (1) and the rules and practices associated with the District's informal resolution process and on how to serve impartially, including by avoiding conflicts of interest and bias.
4. *Title IX Coordinator.* Any employee who will serve as the Title IX coordinator must be trained on above subsections (1)-(3) and must be trained on their specific responsibilities under Title IX, the District's recordkeeping system and the requirements recordkeeping under Title IX.

## **SECTION IX: FURTHER REPORTING**

At any time, a complainant alleging sex discrimination may also file a complaint with the Office for Civil Rights, Boston Office, U.S. Department of Education, 9<sup>th</sup> Floor, 5 Post Office Square, Boston, MA 02109-3921 (Telephone (617) 289-0111).

Individuals may also make a report of sex discrimination to the Connecticut Commission on Human Rights and Opportunities, 450 Columbus Boulevard, Hartford, CT 06103-1835 (Telephone: 860-541-3400 or Connecticut Toll Free Number: 1-800-477-5737).

**NEWTOWN PUBLIC SCHOOLS**

**COMPLAINT FORM REGARDING SEX DISCRIMINATION, INCLUDING  
SEX-BASED HARASSMENT**

Name of the complainant: \_\_\_\_\_

Date of the alleged conduct: \_\_\_\_\_

Name(s) of the alleged perpetrator(s): \_\_\_\_\_

\_\_\_\_\_

Location where such conduct occurred: \_\_\_\_\_

\_\_\_\_\_

Name(s) of any witness(es) to the conduct: \_\_\_\_\_

\_\_\_\_\_

Detailed statement of the circumstances:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Remedy requested: \_\_\_\_\_

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

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

**Note: This policy was updated by S & G in December 2020 to include recommendations made by the Office for Civil Rights and to update the address for the Equal Employment Opportunity Commission. Current NPS policy was last updated in November 2017 and that policy should be rescinded when this policy is recommended for adoption and the administrative regulations are reviewed by the Board as an Item of Information.**

**If the name of the 504 Coordinator changes due to a shift in employee responsibilities or change in personnel, the policy will be updated and it is not considered a revision of the policy because the substance of the policy is unchanged.**

**On 9/30/24, S & G updated all of its model policies related to discrimination and harassment to ensure the appeal procedures are comparable across all policies.**

**Series 4000  
Personnel**

**4118.14  
4218.14**

**POLICY REGARDING EMPLOYEES AND  
SECTION 504 OF THE REHABILITATION ACT OF 1973 AND  
TITLE II OF THE AMERICANS WITH DISABILITIES ACT OF 1990**

Section 504 of the Rehabilitation Act of 1973 (“Section 504”) prohibits discrimination against individuals with a disability in any program receiving Federal financial assistance. Similarly, Title II of the Americans with Disabilities Act of 1990 (“Title II” or “ADA”) prohibits discrimination against individuals with a disability by state and local governments. To be protected under Section 504 and the ADA (“collectively, “Section 504/ADA”), an individual must (1) have a physical or mental impairment that substantially limits one or more major life activities; (2) have a record of such an impairment; or (3) be regarded as having such an impairment.

In order to fulfill its obligation under Section 504/ADA, the Newtown Board of Education (the “Board”) recognizes a responsibility to avoid discrimination in policies and practices regarding its personnel, students, parents/guardians and members of the public who participate in school sponsored programs of the Newtown Public Schools (the “District”). In this regard, the Board prohibits discrimination against any person with a disability in any of the services, programs or activities of the District.

Employees who are interested in requesting or discussing reasonable accommodations for a disability should contact the Section 504/ADA Coordinator:

Deborah Mailloux-Petersen  
Director of Pupil Services  
Newtown Public Schools  
3 Primrose Street  
Newtown, CT 06470  
Phone: (203) 426-7628  
e-mail: [petersend@newtown.k12.ct.us](mailto:petersend@newtown.k12.ct.us)

Any employee may file an internal grievance/complaint regarding discrimination on the basis of disability by or within the District by utilizing the grievance/complaint procedures outlined in the Board’s Administrative Regulations Regarding Employees and Section 504 of Rehabilitation Act of

1973 and Title II of Americans with Disabilities Act, and/or may file a complaint with the Office for Civil Rights, U.S. Department of Education (“OCR”):

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

Employees may also file a complaint regarding employment discrimination on the basis of disability with the Equal Employment Opportunity Commission, Boston Area Office, John F. Kennedy Federal Building, 15 New Sudbury Street, Room 475, Boston, MA 02203-0506 (telephone number: 800-669-4000).

Employees may also file a complaint with the Connecticut Commission on Human Rights and Opportunities, 450 Columbus Blvd., Hartford, CT 06103-1835 (telephone number: 800-477-5737).

Anyone who wishes to file a grievance/complaint with the District, or who has questions or concerns about this policy, should contact the Section 504/ADA Coordinator at the contact information provided above.

#### Legal References:

29 U.S.C. §§ 705, 794  
34 C.F.R. Part 104  
42 U.S.C. § 12101 et seq.  
28 C.F.R. Part 35

Adopted:  
Revised:

NEWTOWN PUBLIC SCHOOLS  
Newtown, Connecticut

**ADMINISTRATIVE REGULATIONS REGARDING EMPLOYEES  
AND SECTION 504 OF THE REHABILITATION ACT OF 1973  
AND TITLE II OF THE AMERICANS WITH DISABILITIES ACT OF 1990**

Newtown Board of Education Section 504/ADA Grievance/Complaint  
Procedures Regarding Discrimination Against Employees

Section 504 of the Rehabilitation Act of 1973 (“Section 504”) and Title II of the Americans with Disabilities Act of 1990 (“Title II” or “ADA”) (collectively, “Section 504/ADA”) prohibit discrimination on the basis of disability. For the purposes of Section 504/ADA, the term “disability” with respect to an individual means: (a) a physical or mental impairment that substantially limits one or more major life activities of such individual; (b) a record of such an impairment; or (c) being regarded as having such an impairment.

**I. Definitions**

**Major life activities:** include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, sitting, reaching, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, interacting with others, and working. A major life activity also includes the operation of a major bodily function, such as the functions of the immune system, special sense organs and skin, normal cell growth, and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive systems. The operation of a major bodily function includes the operation of an individual organ within a body system.

**Mitigating measures:** include, but are not limited to, (a) medication, medical supplies, equipment, appliances, low-vision devices (defined as devices that magnify, enhance, or otherwise augment a visual image, but not including ordinary eyeglasses or contact lenses), prosthetics including limbs and devices, hearing aid(s) and cochlear implant(s) or other implantable hearing devices, mobility devices, oxygen therapy equipment and supplies; (b) use of assistive technology; (c) reasonable modifications or auxiliary aids or services; (d) learned behavioral or adaptive neurological modifications; or (e) psychotherapy, behavioral therapy, or physical therapy.

**Physical or mental impairment:** (a) any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems, such as: neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, immune, circulatory, hemic, lymphatic, skin, and endocrine; (b) any mental or psychological disorder, such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disability; or (c) an impairment that is episodic or in remission if it would substantially limit a major life activity when active. Physical or mental impairment includes, but is not limited to, contagious and noncontagious diseases and conditions such as the following: orthopedic, visual, speech, and hearing impairments, and cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, intellectual disability, emotional illness, dyslexia and other specific learning disabilities, Attention Deficit Hyperactivity Disorder, Human Immunodeficiency Virus infection (whether symptomatic or asymptomatic), tuberculosis, drug addiction, and alcoholism.

## **II. Procedures for Grievances/Complaints Alleging Discrimination on the Basis of Disability**

- A. Any eligible person, including any student, parent/guardian, staff member or other employee who feels that they have been discriminated against on the basis of disability (including differential treatment, harassment and retaliation) may submit a written complaint to the Section 504/ADA Coordinator for the Newtown Public Schools (the “District”) (see contact information below) within thirty (30) school days of the alleged occurrence.
- B. Timely reporting of complaints facilitates the prompt investigation and resolution of such complaints. If a complaint is filed relating to alleged discrimination occurring more than thirty (30) school days after the alleged occurrence, the ability of the District to investigate the allegations may be limited by the passage of time. Therefore, complaints received after thirty (30) school days of the alleged occurrence shall be investigated to the extent possible, given the passage of time and the impact on available information, witnesses and memory. If a complaint is made verbally, the individual taking the complaint will reduce the complaint to writing. Individuals wishing to make a complaint about discrimination against students on the basis of disability should be referred to the district’s Section 504/ADA policies and regulations regarding students.
- C. Retaliation against any individual who complains pursuant to the Board’s policy and regulations listed herein is strictly prohibited. The district will not tolerate any retaliation that occurs as a result of the good faith reporting or complaint of disability-based discrimination or as a result of an individual’s participation or cooperating in the investigation of a complaint. The District will take necessary actions to prevent retaliation as a result of filing a complaint or the participation in an investigation of a complaint.
- D. If the Section 504/ADA Coordinator is the subject of the complaint, the complaint should be submitted directly to the Superintendent who may conduct the investigation or appoint a designee to conduct the investigation in accordance with these procedures. If the Superintendent is the subject of the complaint, the Board shall designate an appropriate party to conduct the investigation in accordance with these procedures.
- E. Complaints will be investigated promptly within timeframes identified below. Timeframes may be extended as needed given the complexity of the investigation, availability of individuals with relevant information and other extenuating circumstances. Confidentiality will be maintained by all persons involved in the investigation to the extent possible.
- F. The complaint should contain the following information:
  - 1. The name of the complainant;
  - 2. The date of the complaint;
  - 3. The date(s) of the alleged discrimination;
  - 4. The names of any witnesses or individuals relevant to the complaint;
  - 5. A detailed statement describing the circumstances in which the alleged discrimination occurred; and
  - 6. The remedy requested.



However, all complaints will be investigated to the extent possible, even if such information is not included in the complaint. In such circumstances, additional information may be requested by the investigator as part of the investigation process.

- G. Upon receipt of the complaint, the individual investigating the complaint shall:
1. Provide a copy of the written complaint to the Superintendent of Schools;
  2. Meet separately with the complainant and the respondent within ten (10) school days to discuss the nature of the complaint, identify individuals the complainant and respondent believe have relevant information, and obtain any relevant documents the complainant may have;
  3. Provide the complainant and respondent with a copy of the applicable Board Section 504/ADA Policy and these administrative regulations;
  4. Consider whether and which interim measures might be appropriate for an alleged victim and the respondent pending the outcome of the District's investigation;
  5. Conduct an investigation of the factual basis of the complaint that is adequate, reliable, and impartial, including conducting interviews with individuals with information and review of documents relevant to the complaint;
  6. Maintain confidentiality to the extent practicable throughout the investigative process in accordance with state and federal law;
  7. Communicate the outcome of the investigation in writing to the complainant, and to the respondent (to the extent permitted by state and federal confidentiality requirements), within fifteen (15) school days from the date the complaint was received by the Section 504/ADA Coordinator or Superintendent. The written notice shall include a finding as to whether the complaint was substantiated and if so, shall identify how the District will remedy any identified violations of Section 504/ADA. The investigator may extend this deadline for no more than fifteen (15) additional school days if needed to complete the investigation. The complainant and the respondent shall be notified of any such extension;
  8. If a complaint is made during summer recess, the complaint will be reviewed and addressed as quickly as possible given the availability of staff and/or other individuals who may have information relevant to the complaint, and no later than fifteen (15) school days after the start of the following school year. The complainant and the respondent will receive notice if the investigation has been impeded by the summer recess, and interim measures may be implemented as necessary (see sub-paragraph 4);
  9. Ensure that appropriate corrective action is taken whenever allegations are verified. When allegations are verified, ensure that measures to remedy the effects of the discrimination and prevent its recurrence are appropriately considered, and offered, when appropriate. Corrective action should include steps to avoid continuing discrimination;

10. In the event the investigator concludes that there is no violation of Section 504/ADA, the District may attempt to resolve the complainant's ongoing concerns, if possible.

H. After receiving the written notice of the outcome, parties shall have ten (10) school days to submit a formal written statement of appeal, if they so choose, to the Superintendent of Schools challenging the outcome of the investigation and explaining the basis for appeal.

Upon receipt of an appeal, the Superintendent shall appoint a decisionmaker(s) for the appeal, who may be the Superintendent or designee. The decisionmaker(s) for the appeal will provide the appealing party's written statement to the non-appealing party. The non-appealing party will then have ten (10) school days to submit to the decisionmaker(s) for the appeal a written statement in support of, or challenging, the outcome of the investigation.

The decisionmaker(s) for the appeal shall review the evidence and the information presented by the parties and determine if further action and/or investigation is warranted. Such action may include consultation with the investigator(s) and the parties, a meeting with appropriate individuals to attempt to resolve the complaint, or a decision affirming or overruling the written outcome. Generally, a party's disagreement with the outcome of the investigation, alone, will not be basis for further action. The decisionmaker(s) for the appeal will attempt to issue written notice of the outcome of the appeal to the parties within thirty (30) school days of receipt of all written statements from the parties.

### **III. The Section 504/ADA Coordinator for the District is:**

Deborah Mailloux-Petersen  
Director of Pupil Services  
Newtown Public Schools  
3 Primrose Street  
Newtown, CT 06470  
Phone: (203) 426-7628  
e-mail: petersend@newtown.k12.ct.us

### **IV. Complaints to Federal or State Agencies**

At any time, the complainant has the right to file a formal complaint with the U.S. Department of Education, Office for Civil Rights, 8<sup>th</sup> Floor, 5 Post Office Square, Suite 900, Boston, MA 02109-0111 (telephone number: (617) 289-0111); <http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>. Employees may also file a complaint regarding employment discrimination on the basis of disability with the Equal Employment Opportunity Commission, Boston Area Office, John F. Kennedy Federal Building, 15 New Sudbury Street, Room 475, Boston, MA 02203-0506 (TELEPHONE NUMBER 800-669-4000), or the Connecticut Commission on Human Rights and Opportunities, 450 Columbus Blvd., Hartford, CT 06103-1835 (telephone number: 800-477-5737).

Administrative Regulation Adopted:

**NEWTOWN PUBLIC SCHOOLS**

**SECTION 504/ADA DISCRIMINATION  
GRIEVANCE/COMPLAINT FORM FOR NON-STUDENT**

(This form is intended to be used if an individual has grievance/complaint under Section 504/ADA alleging discrimination on the basis of a disability).

1. Name of Complainant: \_\_\_\_\_ Date: \_\_\_\_\_

2. Contact Information for Complainant:

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Home Tel. #)

\_\_\_\_\_  
(Cell # or Work #)

3. Name of Covered Individual: \_\_\_\_\_

4. Address of Covered Individual (if different from above):

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

5. Relationship to School (e.g., position, visitor, parent) (if applicable):

\_\_\_\_\_

6. Please describe the nature of your complaint:

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

7. Proposed resolution or corrective action you wish to see taken with regard to the stated issues:

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

**Note: S & G revised this policy in September 2022 to reflect the requirements of Public Act 22-87, which makes changes to the distribution requirements for the Board’s written policy for mandatory reporting by school employees of suspected child abuse or neglect. The revisions of September 2022 also included the requirements beginning July 1, 2023 requiring school employees to complete training provided by the Department of Children and Families and that boards of education must electronically distribute information on DCF’s sexual abuse and assault awareness prevention program. Effective October 1, 2023, the definition of “sexual contact” and “sexual assault in the fourth degree” have been expanded to include sexual contact with the deceased. S & G revised the model policy appendix to reflect new definitions.**

**S & G places this policy in Series 4000, Personnel, because reports of suspected abuse or neglect of children or reports of sexual assault of students by school employees, addresses the reporting requirements of school employees.**

**If this policy is adopted, Policy 5141.4 which was adopted on July 9, 2019, should be rescinded.**

<b>Series 4000</b>	<b>4135</b>
<b>Personnel</b>	<b>4235</b>

**REPORTS OF SUSPECTED ABUSE OR NEGLECT OF CHILDREN OR  
REPORTS OF SEXUAL ASSAULT OF STUDENTS BY SCHOOL EMPLOYEES**

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

1. Scope of Policy

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

2. Definitions

For the purposes of this policy:

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

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

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

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

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

### 3. What Must Be Reported

- a) A report must be made when any employee of the Board of Education in the ordinary course of such person's employment or profession has reasonable cause to suspect or believe that any child under the age of eighteen years:
  - i) has been abused or neglected;
  - ii) has had nonaccidental physical injury, or injury which is at variance with the history given for such injury, inflicted upon the child;
  - iii) is placed at imminent risk of serious harm; or

- b) A report must be made when any employee of the Board of Education in the ordinary course of such person's employment or profession has reasonable cause to suspect or believe that any person, regardless of age, who is being educated by the Technical Education and Career System or a local or regional board of education, other than as part of an adult education program, is a victim of the following sexual assault crimes, and the perpetrator is a school employee:
  - i) sexual assault in the first degree;
  - ii) aggravated sexual assault in the first degree;
  - iii) sexual assault in the second degree;
  - iv) sexual assault in the third degree;
  - v) sexual assault in the third degree with a firearm; or
  - vi) sexual assault in the fourth degree.

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

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

#### 4. Reporting Procedures for Statutorily Mandated Reporters

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

- a) When an employee of the Board of Education who is a statutorily mandated reporter and who, in the ordinary course of the person's employment, has reasonable cause to suspect or believe that a child has been abused or neglected or placed at imminent risk of serious harm, or a student is a victim of sexual assault by a school employee, as described in Paragraph 3, above, the following steps shall be taken.
  - (1) The employee shall make an oral or electronic report as soon as practicable, but not later than twelve (12) hours after having reasonable cause to suspect or believe that a child has been abused or neglected or placed at imminent risk of serious harm, or a student is a victim of sexual assault by a school employee.

- (a) An oral report shall be made by telephone or in person to the Commissioner of the Department of Children and Families (“DCF”) or the local law enforcement agency. DCF has established a 24 hour Child Abuse and Neglect Careline at 1-800-842-2288 for the purpose of making such oral reports.
  - (b) An electronic report shall be made in the manner prescribed by the Commissioner of DCF. An employee making an electronic report shall respond to further inquiries from the Commissioner of DCF or Commissioner’s designee made within twenty-four (24) hours. Such employee shall inform the Superintendent or Superintendent’s designee as soon as possible as to the nature of the further communication with the Commissioner or Commissioner’s designee.
- (2) The employee shall also make an oral report as soon as practicable to the Building Principal or Building Principal’s designee, and/or the Superintendent or Superintendent’s designee. If the Building Principal is the alleged perpetrator of the abuse/neglect or sexual assault of a student, then the employee shall notify the Superintendent or Superintendent’s designee directly.
  - (3) In cases involving suspected or believed abuse, neglect, or sexual assault of a student by a school employee, the Superintendent or Superintendent’s designee shall immediately notify the child’s parent or guardian that such a report has been made.
  - (4) Not later than forty-eight (48) hours after making an oral report, the employee shall submit a written or electronic report to the Commissioner of DCF or the Commissioner’s designee containing all of the required information. The written or electronic report should be submitted in the manner prescribed by the Commissioner of DCF. When such report is submitted electronically, the employee shall respond to further inquiries from the Commissioner of DCF or Commissioner’s designee made within twenty-four (24) hours. Such employee shall inform the Superintendent or Superintendent’s designee as soon as possible as to the nature of the further communication with the Commissioner or Commissioner’s designee.
  - (5) The employee shall immediately submit a copy of the written or electronic report to the Building Principal or Building Principal’s designee and to the Superintendent or the Superintendent’s designee.
  - (6) If the report concerns suspected abuse, neglect, or sexual assault of a student by a school employee holding a certificate, authorization or permit issued by the State Department of Education, the Commissioner of DCF (or Commissioner of DCF’s designee) shall

submit a copy of the written or electronic report to the Commissioner of Education (or Commissioner of Education's designee).

5. Reporting Procedures for Employees Other Than Statutorily Mandated Reporters

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

- a) When an employee who is not a statutorily mandated reporter and who, in the ordinary course of the person's employment or profession, has reasonable cause to suspect or believe that a child has been abused or neglected or placed at imminent risk of serious harm, or a student is a victim of sexual assault by a school employee, as described in Paragraph 3, above, the following steps shall be taken.
  - (1) The employee shall make an oral report as soon as practicable, but not later than twelve (12) hours after the employee has reasonable cause to suspect or believe that a child has been abused or neglected or placed at imminent risk of serious harm or a student is a victim of sexual assault by a school employee. Such oral report shall be made by telephone or in person to the Superintendent of Schools or Superintendent's designee, to be followed by an immediate written report to the Superintendent or Superintendent's designee.
  - (2) If the Superintendent or Superintendent's designee determines that there is reasonable cause to suspect or believe that a child has been abused or neglected or placed at imminent risk of serious harm or a student is a victim of sexual assault by a school employee, the Superintendent or designee shall cause reports to be made in accordance with the procedures set forth for statutorily mandated reporters.
- b) Nothing in this policy shall be construed to preclude an employee reporting suspected child abuse, neglect or sexual assault by a school employee from reporting the same directly to the Commissioner of DCF.

6. Contents of Reports

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

- a) The names and addresses of the child\* and the child's parents or other person responsible for the child's care;
- b) the age of the child;
- c) the gender of the child;



- d) the nature and extent of the child's injury or injuries, maltreatment or neglect;
- e) the approximate date and time the injury or injuries, maltreatment or neglect occurred;
- f) information concerning any previous injury or injuries to, or maltreatment or neglect of the child or the child's siblings;
- g) the circumstances in which the injury or injuries, maltreatment or neglect came to be known to the reporter;
- h) the name of the person or persons suspected to be responsible for causing such injury or injuries, maltreatment or neglect;
- i) the reasons such person or persons are suspected of causing such injury or injuries, maltreatment or neglect;
- j) any information concerning any prior cases in which such person or persons have been suspected of causing an injury, maltreatment or neglect of a child; and
- k) whatever action, if any, was taken to treat, provide shelter or otherwise assist the child.

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

#### 7. Investigation of the Report

- a) The Superintendent or Superintendent's designee shall thoroughly investigate reports of suspected abuse, neglect or sexual assault if/when such report involves an employee of the Board of Education or other individual under the control of the Board, provided the procedures in subparagraph (b), below are followed. In all other cases, DCF shall be responsible for conducting the investigation with the cooperation and collaboration of the Board, as appropriate.
- b) Recognizing that DCF is the lead agency for the investigation of child abuse and neglect reports and reports of a student's sexual assault by school employees, the Superintendent's investigation shall permit and give priority to any investigation conducted by the Commissioner of DCF or the appropriate local law enforcement agency. The Superintendent shall conduct the District's investigation and take any disciplinary action, consistent with state law, upon notice from the Commissioner of DCF or the appropriate local law enforcement agency that the District's investigation will not interfere with the investigation of the Commissioner of DCF or the local law enforcement agency.

- c) The Superintendent shall coordinate investigatory activities in order to minimize the number of interviews of any child or student victim of sexual assault and share information with other persons authorized to conduct an investigation of child abuse or neglect or sexual assault, as appropriate.
- d) Any person reporting child abuse or neglect or the sexual assault of a student by a school employee, or having any information relevant to alleged abuse or neglect or of the sexual assault of a student by a school employee, shall provide the Superintendent with all information related to the investigation that is in the possession or control of such person, except as expressly prohibited by state or federal law.
- e) When the school district is conducting an investigation involving suspected abuse or neglect or sexual assault of a student by an employee of the Board or other individual under the control of the Board, the Superintendent's investigation shall include an opportunity for the individual suspected of abuse, neglect or sexual assault to be heard with respect to the allegations contained within the report. During the course of such investigation, the Superintendent may suspend a Board employee with pay or may place the employee on administrative leave with pay, pending the outcome of the investigation. If the individual is one who provides services to or on behalf of students enrolled in the District, pursuant to a contract with the Board of Education, the Superintendent may suspend the provision of such services, and direct the individual to refrain from any contact with students enrolled in the District, pending the outcome of the investigation.

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

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

Education or its attorney for purposes of review of employment status or the status of such employee's certificate, permit or authorization, if any.

- c) The suspension of a school employee employed in a position requiring a certificate shall remain in effect until the Superintendent and/or Board of Education acts pursuant to the provisions of Conn. Gen. Stat. §10—151.. If the contract of employment of such certified school employee is terminated, or such certified school employee resigns such employment, the Superintendent shall notify the Commissioner of Education, or the Commissioner of Education's representative, within seventy-two (72) hours after such termination or resignation.
  - d) The suspension of a school employee employed in a position requiring an authorization or permit shall remain in effect until the Superintendent and/or Board of Education acts pursuant to any applicable termination provisions. If the contract of employment of a school employee holding an authorization or permit from the State Department of Education is terminated, or such school employee resigns such employment, the Superintendent shall notify the Commissioner of Education, or the Commissioner of Education's representative, within seventy-two (72) hours after such termination or resignation.
  - e) Regardless of the outcome of any investigation by the Commissioner of DCF and/or the police, the Superintendent and/or the Board, as appropriate, may take disciplinary action, up to and including termination of employment, in accordance with the provisions of any applicable statute, if the Superintendent's investigation produces evidence that a child has been abused or neglected by a school employee or that a student has been a victim of sexual assault by a school employee.
  - f) The District shall not employ a person whose employment contract is terminated or who resigned from employment following a suspension pursuant to Paragraph 8(a) of this policy and Conn. Gen. Stat. § 17a-101i, if such person is convicted of a crime involving an act of child abuse or neglect or an act of sexual assault of a student, as described in Paragraph 2 of this policy.
9. Evidence of Abuse, Neglect or Sexual Assault by an Independent Contractor of the Board of Education

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

10. Delegation of Authority by Superintendent

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

11. Confidential Rapid Response Team

The Superintendent shall establish a confidential rapid response team to coordinate with DCF to (1) ensure prompt reporting of suspected abuse or neglect or sexual assault of a student by a school employee, as described in Paragraph 2, above, and (2) provide immediate access to information and individuals relevant to the department's investigation. The confidential rapid response team shall consist of a teacher and the Superintendent, a local police officer and any other person the Board of Education, acting through its Superintendent, deems appropriate.

12. Disciplinary Action for Failure to Follow Policy

Except as provided in Section 14 below, any employee who fails to comply with the requirements of this policy shall be subject to discipline, up to and including termination of employment.

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

14. Non-Discrimination Policy/Prohibition Against Retaliation

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

15. Distribution of Policy, Guidelines and Posting of Careline Information

This policy shall annually be distributed electronically to all school employees employed by the Board. The Board shall document that all such school employees have received this written policy and completed the training and refresher training programs required by in Section 16, below. Guidelines regarding identifying and

reporting child sexual abuse developed by the Governor's task force on justice for abused children shall annually be distributed electronically to all school employees, Board members, and the parents or guardians of students enrolled in the schools under the jurisdiction of the Board. The Board shall post the Internet web site address and telephone number for the DCF Child Abuse and Neglect Careline in a conspicuous location frequented by students in each school under the jurisdiction of the Board.

16. Training

- a) All new school employees, as defined above, shall be required to complete an educational training program for the accurate and prompt identification and reporting of child abuse and neglect. Such training program shall be developed and approved by the Commissioner of DCF.
- b) All school employees, as defined above, shall take a refresher training course developed and approved by the Commissioner of DCF at least once every three years.
- c) The principal for each school shall annually certify to the Superintendent that each school employee, as defined above, working at such school, is in compliance with the training provisions in this policy and as required by state law. The Superintendent shall certify such compliance to the State Board of Education.
- d) Beginning July 1, 2023, all school employees, as defined above, shall complete the (1) training regarding the prevention and identification of, and response to, child sexual abuse and assault; (2) bystander training program; and (3) appropriate interaction with children training program. Each employee must repeat these trainings at least once every three years. Such trainings shall be identified or developed by DCF.

17. Records

- a) The Board shall maintain in a central location all records of allegations, investigations, and reports that a child has been abused or neglected by a school employee employed by the Board or that a student has been a victim of sexual assault by a school employee employed by the Board, as defined above, and conducted in accordance with this policy. Such records shall include any reports made to DCF. The State Department of Education shall have access to such records upon request.
- b) Notwithstanding the provisions of Conn. Gen. Stat. §10-151c, the Board shall provide the Commissioner of DCF, upon request and for the purposes of an investigation by the Commissioner of DCF of suspected child abuse or neglect by a teacher employed by the Board, any records maintained or kept on file by the Board. Such records shall include, but not be limited to, supervisory records, reports of competence, personal character and efficiency maintained in such teacher's personnel file with

reference to evaluation of performance as a professional employee of the Board, and records of the personal misconduct of such teacher. For purposes of this section, "teacher" includes each certified professional employee below the rank of superintendent employed by the Board in a position requiring a certificate issued by the State Board of Education.

18. Child Sexual Abuse and/or Sexual Assault Response Policy and Reporting Procedure

The Board has adopted a uniform child sexual abuse and/or sexual assault response policy and reporting procedure in connection with the implementation of the sexual assault and abuse prevention and awareness program identified or developed by DCF, as outlined in Board **Policy 5128, Child Sexual Abuse and Sexual Assault Response Policy and Reporting Procedure**. Upon receipt of any report of child sexual abuse and/or sexual assault from any source, a school employee shall report such suspicion to the Safe School Climate Coordinator in addition to complying with the school employee's obligations under this Policy and the law regarding mandatory reporting of abuse, neglect and sexual assault.

Beginning July 1, 2023, and annually thereafter, information regarding the sexual abuse and assault awareness and prevention program identified or developed by DCF shall be distributed electronically to all school employees, Board members, and the parents or guardians of enrolled students.

Legal References:

Connecticut General Statutes:

Section 10-151	Employment of teachers. Definitions. Tenure. Notice and hearing on failure to renew or termination of contract. Appeal.
Section 10-221s	Posting of Careline telephone number in schools. Investigations of child abuse and neglect. Disciplinary action.
Section 17a-101 <u>et seq.</u>	Protection of children from abuse. Mandated reporters. Educational and training programs. Model mandated reporting policy.
Section 17a-101q	Statewide Sexual Abuse and Assault Awareness and Prevention Program.
Section 17a-103	Reports by others. False reports. Notifications to law enforcement agency.
Section 46b-120	Definitions.
Section 53a-65	Definitions.

Public Act No. 22-87, “An Act Concerning the Identification and Prevention of and Response to Adult Sexual Misconduct Against Children.”

Public Act 23-47, “An Act Concerning Various Revisions to the Criminal Law and Criminal Justice Statutes.”

Approved:  
Revised:

NEWTOWN PUBLIC SCHOOLS  
Newtown, Connecticut

## Appendix A

### RELEVANT EXCERPTS OF STATUTORY DEFINITIONS OF SEXUAL ASSAULT AND RELATED TERMS COVERED BY MANDATORY REPORTING LAWS AND THIS POLICY

An employee of the Board of Education must make a report in accordance with this policy when the employee of the Board of Education in the ordinary course of such person's employment or profession has reasonable cause to suspect or believe that any person, regardless of age, who is being educated by the Technical Education and Career System or a local or regional board of education, other than as part of an adult education program, is a victim of the following sexual assault crimes, and the perpetrator is a school employee. The following are relevant excerpts of the sexual assault laws and related terms covered by mandatory reporting laws and this policy.

#### **Intimate Parts (Conn. Gen. Stat. § 53a-65)**

“Intimate parts” means the genital area or any substance emitted therefrom, groin, anus or any substance emitted therefrom, inner thighs, buttocks or breasts.

#### **Sexual Intercourse (Conn. Gen. Stat. § 53a-65)**

“Sexual intercourse” means vaginal intercourse, anal intercourse, fellatio or cunnilingus between persons regardless of sex. Penetration, however slight, is sufficient to complete vaginal intercourse, anal intercourse or fellatio and does not require emission of semen. Penetration may be committed by an object manipulated by the actor into the genital or anal opening of the victim's body.

#### **Sexual Contact (Conn. Gen. Stat. § 53a-65)**

“Sexual contact” means (A) any contact with the intimate parts of a person for the purpose of sexual gratification of the actor or for the purpose of degrading or humiliating such person or any contact of the intimate parts of the actor with a person for the purpose of sexual gratification of the actor or for the purpose of degrading or humiliating such person, or (B) for the purposes of subdivision (4) of subsection (a) of section 53a-73a, ... any contact with the intimate parts of a dead human body, or any contact of the intimate parts of the actor with a dead human body, for the purpose of sexual gratification of the actor.

#### **Sexual Assault in the First Degree (Conn. Gen. Stat. § 53a-70)**

A person is guilty of sexual assault in the first degree when such person (1) compels another person to engage in sexual intercourse by 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 against a third person which reasonably causes such person to fear physical injury to such person or a third person, or (2) engages in sexual intercourse with another person and such other person is under thirteen years of age and the actor is more than two years older than such person, or (3) commits sexual assault in the second degree as provided in section 53a-71 and in the commission of such offense is aided by two or more other



persons actually present, or (4) engages in sexual intercourse with another person and such other person is mentally incapacitated to the extent that such other person is unable to consent to such sexual intercourse.

### **Aggravated Sexual Assault in the First Degree (Conn. Gen. Stat. § 53a-70a)**

A person is guilty of aggravated sexual assault in the first degree when such person commits sexual assault in the first degree as provided in section 53a-70 and in the commission of such offense (1) such person uses or is armed with and threatens the use of or displays or represents by such person's words or conduct that such person possesses a deadly weapon, (2) with intent to disfigure the victim seriously and permanently, or to destroy, amputate or disable permanently a member or organ of the victim's body, such person causes such injury to such victim, (3) under circumstances evincing an extreme indifference to human life such person recklessly engages in conduct which creates a risk of death to the victim, and thereby causes serious physical injury to such victim, or (4) such person is aided by two or more other persons actually present. No person shall be convicted of sexual assault in the first degree and aggravated sexual assault in the first degree upon the same transaction but such person may be charged and prosecuted for both such offenses upon the same information.

### **Sexual Assault in the Second Degree (Conn. Gen. Stat. § 53a-71)**

A person is guilty of sexual assault in the second degree when such person engages in sexual intercourse with another person and: (1) Such other person is thirteen years of age or older but under sixteen years of age and the actor is more than three years older than such other person; or (2) such other person is impaired because of mental disability or disease to the extent that such other person is unable to consent to such sexual intercourse; or (3) such other person is physically helpless; or (4) such other person is less than eighteen years old and the actor is such person's guardian or otherwise responsible for the general supervision of such person's welfare; or (5) such other person is in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over such other person; or (6) the actor is a psychotherapist and such other person is (A) a patient of the actor and the sexual intercourse occurs during the psychotherapy session, (B) a patient or former patient of the actor and such patient or former patient is emotionally dependent upon the actor, or (C) a patient or former patient of the actor and the sexual intercourse occurs by means of therapeutic deception; or (7) the actor accomplishes the sexual intercourse by means of false representation that the sexual intercourse is for a bona fide medical purpose by a health care professional; or (8) the actor is a school employee and such other person is a student enrolled in a school in which the actor works or a school under the jurisdiction of the local or regional board of education which employs the actor; or (9) the actor is a coach in an athletic activity or a person who provides intensive, ongoing instruction and such other person is a recipient of coaching or instruction from the actor and (A) is a secondary school student and receives such coaching or instruction in a secondary school setting, or (B) is under eighteen years of age; or (10) the actor is twenty years of age or older and stands in a position of power, authority or supervision over such other person by virtue of the actor's professional, legal, occupational or volunteer status and such other person's participation in a program or activity, and such other person is under eighteen years of age; or (11) such other person is placed or receiving services under the direction

of the Commissioner of Developmental Services in any public or private facility or program and the actor has supervisory or disciplinary authority over such other person.

### **Sexual Assault in the Third Degree (Conn. Gen. Stat. § 53a-72a)**

A person is guilty of sexual assault in the third degree when such person (1) compels another person to submit to sexual contact (A) by the use of force against such other person or a third person, or (B) by the threat of use of force against such other person or against a third person, which reasonably causes such other person to fear physical injury to himself or herself or a third person, or (2) subjects another person to sexual contact and such other person is mentally incapacitated or impaired because of mental disability or disease to the extent that such other person is unable to consent to such sexual contact, or (3) engages in sexual intercourse with another person whom the actor knows to be related to him or her within any of the degrees of kindred specified in section 46b-21.

### **Sexual Assault in the Third Degree with a Firearm (Conn. Gen. Stat. § 53a-72b)**

A person is guilty of sexual assault in the third degree with a firearm when such person commits sexual assault in the third degree as provided in section 53a-72a, and in the commission of such offense, such person uses or is armed with and threatens the use of or displays or represents by such person's words or conduct that such person possesses a pistol, revolver, machine gun, rifle, shotgun or other firearm. No person shall be convicted of sexual assault in the third degree and sexual assault in the third degree with a firearm upon the same transaction but such person may be charged and prosecuted for both such offenses upon the same information.

### **Sexual Assault in the Fourth Degree (Conn. Gen. Stat. § 53a-73a)**

A person is guilty of sexual assault in the fourth degree when: (1) Such person subjects another person to sexual contact who is (A) under thirteen years of age and the actor is more than two years older than such other person, or (B) thirteen years of age or older but under fifteen years of age and the actor is more than three years older than such other person, or (C) physically helpless, or (D) less than eighteen years old and the actor is such other person's guardian or otherwise responsible for the general supervision of such other person's welfare, or (E) in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over such other person; or (2) such person subjects another person to sexual contact without such other person's consent; or (3) such person engages in sexual contact with an animal; or (4) such person engages in sexual contact with a dead human body; or (5) such person is a psychotherapist and subjects another person to sexual contact who is (A) a patient of the actor and the sexual contact occurs during the psychotherapy session, or (B) a patient or former patient of the actor and such patient or former patient is emotionally dependent upon the actor, or (C) a patient or former patient of the actor and the sexual contact occurs by means of therapeutic deception; or (6) such person subjects another person to sexual contact and accomplishes the sexual contact by means of false representation that the sexual contact is for a bona fide medical purpose by a health care professional; or (7) such person is a school employee and subjects another person to sexual contact who is a student enrolled in a school in which the actor works or a school under the jurisdiction of the local or regional board of education which employs the actor; or (8) such person is a coach in an athletic activity or a person who provides intensive, ongoing instruction and

subjects another person to sexual contact who is a recipient of coaching or instruction from the actor and (A) is a secondary school student and receives such coaching or instruction in a secondary school setting, or (B) is under eighteen years of age; or (9) such person subjects another person to sexual contact and (A) the actor is twenty years of age or older and stands in a position of power, authority or supervision over such other person by virtue of the actor's professional, legal, occupational or volunteer status and such other person's participation in a program or activity, and (B) such other person is under eighteen years of age; or (10) such person subjects another person to sexual contact who is placed or receiving services under the direction of the Commissioner of Developmental Services in any public or private facility or program and the actor has supervisory or disciplinary authority over such other person.

## APPENDIX B

### Operational Definitions of Child Abuse and Neglect

The purpose of this policy is to provide consistency for staff in defining and identifying operational definitions, evidence of abuse and/or neglect and examples of adverse impact indicators.

The following operational definitions are working definitions and examples of child abuse and neglect as used by the Connecticut DCF.

For the purposes of these operational definitions,

- A person responsible for a child's health, welfare or care means:
  - the child's parent, guardian, or foster parent; an employee of a public or private residential home, agency or institution or other person legally responsible under State law for the child's welfare in a residential setting; or any staff person providing out-of-home care, including center-based child day care, family day care, or group day care.
- A person given access to a child is a person who is permitted to have personal interaction with a child by the person responsible for the child's health, welfare or care or by a person entrusted with the care of a child.
- A person entrusted with the care of a child is a person who is given access to a child by a person responsible for the health, welfare or care of a child for the purpose of providing education, child care, counseling, spiritual guidance, coaching, training, instruction, tutoring or mentoring.
- **Note:** Only a "child" as defined in the policy above may be classified as a victim of child abuse and/or neglect; only a "person responsible," "person given access," or "person entrusted" as defined above may be classified as a perpetrator of child abuse and/or neglect.
  - While only a child under eighteen may be a victim of child abuse or neglect, a report under mandatory reporting laws and this policy is required if an employee of the Board of Education in the ordinary course of such person's employment or profession has reasonable cause to suspect or believe that any person, regardless of age, who is being educated by the Technical Education and Career System or a local or regional board of education, other than as part of an adult education program, is a victim of sexual assault, as set forth in this policy, and the perpetrator is a school employee.

## **Physical Abuse**

### **A child may be found to have been physically abused who:**

has been inflicted with physical injury or injuries other than by accidental means,

is in a condition which is the result of maltreatment such as, but not limited to, malnutrition, sexual molestation, deprivation of necessities, emotional maltreatment or cruel punishment, and/or

has injuries at variance with the history given of them.

### **Evidence of physical abuse includes, but is not limited to the following:**

excessive physical punishment;

bruises, scratches, lacerations;

burns, and/or scalds;

reddening or blistering of the tissue through application of heat by fire, chemical substances, cigarettes, matches, electricity, scalding water, friction, etc.;

injuries to bone, muscle, cartilage, ligaments:

fractures, dislocations, sprains, strains, displacements, hematomas, etc.;

head injuries;

internal injuries;

death;

misuse of medical treatments or therapies;

malnutrition related to acts of commission or omission by an established caregiver resulting in a child's malnourished state that can be supported by professional medical opinion;

deprivation of necessities acts of commission or omission by an established caregiver resulting in physical harm to child; and/or cruel punishment.

## **Sexual Abuse/Exploitation**

**Sexual Abuse/Exploitation** is any incident involving a child's non-accidental exposure to sexual behavior.

### **Evidence of sexual abuse includes, but is not limited to the following:**

rape;

penetration: digital, penile, or foreign objects;

oral / genital contact;

indecent exposure for the purpose of sexual gratification of the offender, or for purposes of shaming, humiliating, shocking or exerting control over the victim;

incest;

fondling, including kissing, for the purpose of sexual gratification of the offender, or for purposes of shaming, humiliating, shocking or exerting control over the victim;

sexual exploitation, including possession, manufacture, or distribution of child pornography, online enticement of a child for sexual acts, child prostitution, child-sex tourism, unsolicited obscene material sent to a child, or misleading domain name likely to attract a child to an inappropriate website;

coercing or forcing a child to participate in, or be negligently exposed to, pornography and/or sexual behavior;

disease or condition that arises from sexual transmission; and/or

other verbal, written or physical behavior not overtly sexual but likely designed to “groom” a child for future sexual abuse.

Legal References: Federal Law 18 U.S.C. 2251 Sexual Exploitation of Children.

### **Emotional Maltreatment-Abuse**

**Emotional Maltreatment-Abuse** is an:

act(s), statement(s), or threat(s), which

has had, or is likely to have an adverse impact on the child; and/or

interferes with a child’s positive emotional development.

**Evidence of emotional maltreatment-abuse includes, but is not limited to, the following:**

rejecting;

degrading;

isolating and/or victimizing a child by means of cruel, unusual, or excessive methods of discipline; and/or

exposing the child to brutal or intimidating acts or statements.

**Indicators of Adverse Impact of emotional maltreatment-abuse may include, but are not limited to, the following:**

depression;

withdrawal;

low self-esteem;

anxiety;

fear;

aggression/ passivity;

emotional instability;

sleep disturbances;

somatic complaints with no medical basis;

inappropriate behavior for age or development;

suicidal ideations or attempts;

extreme dependence;

academic regression; and/or

trust issues.

**Physical Neglect**

**A child may be found neglected who:**

has been abandoned;

is being denied proper care and attention physically, educationally, emotionally, or morally;

is being permitted to live under conditions, circumstances or associations injurious to the child's well-being; and/or

has been abused.

**Evidence of physical neglect includes, but is not limited to:**

inadequate food;

malnutrition;

inadequate clothing;

inadequate housing or shelter;

erratic, deviant, or impaired behavior by the person responsible for the child's health, welfare or care; by a person given access to the child; or by a person entrusted with the child's care which adversely impacts the child;

permitting the child to live under conditions, circumstances or associations injurious to the child's well-being including, but not limited to, the following:

substance abuse by caregiver, which adversely impacts the child physically;

substance abuse by the mother of a newborn child and the newborn has a positive urine or meconium toxicology for drugs;

psychiatric problem of the caregiver which adversely impacts the child physically;

exposure to family violence which adversely impacts the child physically;

exposure to violent events, situations, or persons that would be reasonably judged to compromise a child's physical safety;

non-accidental, negligent exposure to drug trafficking and/or individuals engaged in the active abuse of illegal substances;

voluntarily and knowingly entrusting the care of a child to individuals who may be disqualified to provide safe care, *e.g.*, persons who are subject to active protective or restraining orders; persons with past history of violent/drug/sex crimes; persons appearing on the Central Registry;

non-accidental or negligent exposure to pornography or sexual acts;

inability to consistently provide the minimum of child-caring tasks;

inability to provide or maintain a safe living environment;

action/inaction resulting in death;

abandonment;



action/inaction resulting in the child's failure to thrive;

transience;

inadequate supervision:

creating or allowing a circumstance in which a child is alone for an excessive period of time given the child's age and cognitive abilities;

holding the child responsible for the care of siblings or others beyond the child's ability; and/or

failure to provide reasonable and proper supervision of a child given the child's age and cognitive abilities.

**Note:**

- Inadequate food, clothing, or shelter or transience finding must be related to caregiver acts of omission or commission and not simply a function of poverty alone.
- Whether or not the adverse impact has to be demonstrated is a function of the child's age, cognitive abilities, verbal ability and developmental level.
- The presence of legal or illegal substances in the bodily fluids of (1) a parent or legal guardian or (2) a pregnant person shall not form the sole or primary basis for any action or proceeding by the Department. Any action or proceeding by the Department must be based on harm or risk of harm to a child and the parent or guardian's ability to provide appropriate care for the child.
- Adverse impact may not be required if the action/inaction is a single incident that demonstrates a serious disregard for the child's welfare.

**Medical Neglect**

**Medical Neglect** is the unreasonable delay, refusal or failure on the part of the person responsible for the child's health, welfare or care or the person entrusted with the child's care to seek, obtain, and/or maintain those services for necessary medical, dental or mental health care when such person knows, or should reasonably be expected to know, that such actions may have an adverse impact on the child.

**Evidence of medical neglect includes, but is not limited to:**

frequently missed appointments, therapies or other necessary medical and/or mental health treatments;

withholding or failing to obtain or maintain medically necessary treatment from a child with life-threatening, acute or chronic medical or mental health conditions; and/or

withholding medically indicated treatment from disabled infants with life-threatening conditions.

**Note:** Failure to provide the child with immunizations or routine well-child care in and of itself does not constitute medical neglect.

### **Educational Neglect**

Except as noted below, **Educational Neglect** occurs when a school-aged child has excessive absences from school through the intent or neglect of the parent or caregiver.

**Definition of School-Aged Child:** Except as noted below, a school-aged child is a child five years of age and older and under 18 years of age who is not a high school graduate.

**Note:** Excessive absenteeism and school avoidance may be presenting symptoms of a failure to meet the physical, emotional or medical needs of a child. Careline staff shall consider these potential additional allegations at the time of referral.

#### **Criteria:**

- **For children school-aged to age 12, excessive absenteeism** may be indicative of the parent's or caregiver's failure to meet the educational needs of a student.
- **For children older than age 12, excessive absenteeism**, coupled with a failure by the parent or caregiver to engage in efforts to improve the child's attendance, may be indicative of educational neglect.
  - For children older than age 12, excessive absenteeism through the child's own intent, despite the parent's or caregiver's efforts, is not educational neglect. Rather, this is truancy, which is handled through the school district.

**Child's Characteristics.** In determining the criteria for excessive absenteeism, the following characteristics of the child shall be considered by the social worker:

- Age;
- Health;
- Level of functioning;
- Academic standing; and
- Dependency on parent or caregiver

**Parent or Caregiver's Characteristics.** In determining the criteria for excessive absenteeism, the following characteristics of the parent or caregiver shall be considered by the social worker:

- Rationale provided for the absences;
- Efforts to communicate and engage with the educational provider; and
- Failure to enroll a school-aged child in appropriate educational programming (including homeschooling)

**Exceptions (in accordance with Conn. Gen. Stat. § 10-184):**

1. A parent or person having control of a child may exercise the option of not sending the child to school at age five (5) or age six (6) years by personally appearing at the school district office and signing an option form. In these cases, educational neglect occurs if the parent or person having control of the child has registered the child at age five (5) or age (6) years and then does not allow the child to attend school or receive home instruction.
2. A parent or person having control of a child seventeen (17) years of age may consent to such child's withdrawal from school. Such parent or person shall personally appear at the school district office and sign a withdrawal form.

**Note:** Failure to sign a registration option form for such child is not in and of itself educational neglect.

**Emotional Neglect**

**Emotional Neglect** is the denial of proper care and attention, or failure to respond, to a child's affective needs by the person responsible for the child's health, welfare or care; by the person given access to the child; or by the person entrusted with the child's care which has an adverse impact on the child or seriously interferes with a child's positive emotional development.

**Note:** Whether or not the adverse impact has to be demonstrated is a function of the child's age, cognitive abilities, verbal ability and developmental level. Adverse impact is not required if the action/inaction is a single incident which demonstrates a serious disregard for the child's welfare.

**Note:** The adverse impact may result from a single event and/or from a consistent pattern of behavior and may be currently observed or predicted as supported by evidence-based practice.

**Evidence of emotional neglect includes, but is not limited to, the following:**

inappropriate expectations of the child given the child's developmental level;

failure to provide the child with appropriate support, attention and affection;

permitting the child to live under conditions, circumstances or associations;

injurious to the child's well-being including, but not limited to, the following:

substance abuse by caregiver, which adversely impacts the child emotionally;

psychiatric problem of the caregiver, which adversely impacts the child emotionally; and/or

exposure to family violence which adversely impacts the child emotionally.

**Indicators may include, but are not limited to, the following:**

depression;

withdrawal;

low self-esteem;

anxiety;

fear;

aggression/ passivity;

emotional instability;

sleep disturbances;

somatic complaints with no medical basis;

inappropriate behavior for age or development;

suicidal ideations or attempts;

extreme dependence;

academic regression; and/or

trust issues.

**Moral Neglect**

**Moral Neglect:** Exposing, allowing, or encouraging the child to engage in illegal or reprehensible activities by the person responsible for the child's health, welfare or care or person given access or person entrusted with the child's care.

**Evidence of Moral Neglect includes but is not limited to:**

stealing;

using drugs and/or alcohol; and/or

involving a child in the commission of a crime, directly or by caregiver indifference.

## Appendix C

### INDICATORS OF CHILD ABUSE AND NEGLECT

#### Indicators of Physical Abuse

##### HISTORICAL

Delay in seeking appropriate care after injury

No witnesses

Inconsistent or changing descriptions of accident by child and/or parent

Child's developmental level inconsistent with history

History of prior "accidents"

Absence of parental concern

Child is handicapped (physically, mentally, developmentally) or otherwise perceived as "different" by parent

Unexplained school absenteeism

History of precipitating crisis

##### PHYSICAL

Soft tissue injuries on face, lips, mouth, back, buttocks, thighs or large areas of the torso

Clusters of skin lesions; regular patterns consistent with an implement

Shape of lesions inconsistent with accidental bruise

Bruises/welts in various stages of healing

Burn pattern consistent with an implement on soles, palms, back, buttocks and genitalia; symmetrical and/or sharply demarcated edges

Fractures/dislocations inconsistent with history

Laceration of mouth, lips, gums or eyes

Bald patches on scalp

Abdominal swelling or vomiting

Adult-size human bite mark(s)

Fading cutaneous lesions noted after weekends or absences

Rope marks

## **BEHAVIORAL**

Wary of physical contact with adults

Affection inappropriate for age

Extremes in behavior, aggressiveness/withdrawal

Expresses fear of parents

Reports injury by parent

Reluctance to go home

Feels responsible (punishment "deserved")

Poor self-esteem

Clothing covers arms and legs even in hot weather

## **Indicators of Sexual Abuse**

## **HISTORICAL**

Vague somatic complaint

Excessive school absences

Inadequate supervision at home

History of urinary tract infection or vaginitis

Complaint of pain; genital, anal or lower back/abdominal

Complaint of genital itching

Any disclosure of sexual activity, even if contradictory

## **PHYSICAL**

Discomfort in walking, sitting

Evidence of trauma or lesions in and around mouth

Vaginal discharge/vaginitis

Vaginal or rectal bleeding

Bruises, swelling or lacerations around genitalia, inner thighs

Dysuria

Vulvitis

Any other signs or symptoms of sexually transmitted disease

Pregnancy

## **BEHAVIORAL**

Low self-esteem

Change in eating pattern

Unusual new fears

Regressive behaviors

Personality changes (hostile/aggressive or extreme compliance)

Depression

Decline in school achievement

Social withdrawal or poor peer relationships

Indicates sophisticated or unusual sexual knowledge for age

Seductive behavior, promiscuity or prostitution

Substance abuse.

Suicide ideation or attempt

Runaway



## **Indicators of Emotional Abuse**

### **HISTORICAL**

- Parent ignores/isolates/belittles/rejects/scapegoats child
- Parent's expectations inappropriate to child's development
- Prior episode(s) of physical abuse
- Parent perceives child as "different"

### **PHYSICAL**

- (Frequently none)
- Failure to thrive
- Speech disorder
- Lag in physical development
- Signs/symptoms of physical abuse

### **BEHAVIORAL**

- Poor self-esteem
- Regressive behavior (sucking, rocking, enuresis)
- Sleep disorders
- Adult behaviors (parenting sibling)
- Antisocial behavior
- Emotional or cognitive developmental delay
- Extremes in behavior - overly aggressive/compliant
- Depression
- Suicide ideation/attempt

## **Indicators of Physical Neglect**

### **HISTORICAL**

High rate of school absenteeism

Frequent visits to school nurse with nonspecific complaints

Inadequate supervision, especially for long periods and for dangerous activities

Child frequently unattended; locked out of house

Parental inattention to recommended medical care

No food intake for 24 hours

Home substandard (no windows, doors, heat), dirty, infested, obvious hazards

Family member addicted to drugs/alcohol

### **PHYSICAL**

Hunger, dehydration

Poor personal hygiene, unkempt, dirty

Dental cavities/poor oral hygiene

Inappropriate clothing for weather/size of child, clothing dirty; wears same clothes day after day

Constant fatigue or listlessness

Unattended physical or health care needs

Infestations

Multiple skin lesions/sores from infection

### **BEHAVIORAL**

Comes to school early, leaves late

Frequent sleeping in class

Begging for/stealing food

Adult behavior/maturity (parenting siblings)

Delinquent behaviors

Drug/alcohol use/abuse

**Note: This policy was revised by S & G in July 2021. NPS Policy 3541 was revised on December 19, 2017. The S & G model policy includes provisions such as walking distances by grade levels, hazardous conditions, applicability and exemptions, and complaint procedure.**

**If this policy is adopted, the following policies can be deleted: 3541 Transportation, 3541.21 Transportation Responsibilities and Duties of Board of Education, 3541.5 Transportation Complaints-Records and Reports, and 3541.51 Transportation-Procedure for Transportation Hearings.**

**Series 5000  
Students**

**5119**

**POLICY AND ADMINISTRATIVE REGULATIONS**  
**REGARDING STUDENT TRANSPORTATION**

I. Statement of Policy

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

1. provide for the safety of students, including consideration of hazardous conditions whether or not described in this policy;
2. provide for appropriate supervision for students while on school transportation, consistent with the Board's student discipline policy; and
3. assist disabled students by providing appropriate specialized transportation when required by law.

II. Definitions

1. "School transportation" means the procedure, program, or implemented plan by which a pupil is transported to and/or from school from the pupil's residence or the assigned bus stop at public expense, whether by use of publicly owned equipment or by contract. Such transportation shall be over public roads approved and maintained by the municipality or the state of Connecticut, or private roads approved pursuant to C.G.S. Section 10-220c.
2. "Walking distance" means the linear measure of a prescribed or authorized pedestrian route between the pupil's residence and the pupil's school from a point at the curb or edge of a public or private road nearest the pupil's residence to a point at the entrance of the school, or a safe entrance to the school grounds located within one hundred feet of the school building entrance or the bus pick-up area, or the route from the point on the public thoroughfare nearest the residence to the school bus or vehicle embarkation point established by the Newtown Board of Education.

3. "One mile walking distance" means a reasonable measurement of a route to be traversed extending from the point of measurement at least 5,280 feet, but not more than 5,380 feet.
4. "Grade K" means kindergarten, or a school program appropriate to a beginning pupil.
5. "Hazard" means a thing or condition, as prescribed in this policy under "Hazardous Conditions" that affects the safety of pupils walking to or from school and/or to or from a designated bus pick-up area.
6. "Sidewalk" means a portion of the landscape right of way approximately three feet wide, usually parallel to the traffic lanes which may be paved or unpaved, and marked by curbing, drainage ditch, grass area or fencing; apart from and independent of any white line safety markings along the street pavement.
7. "Raised walk area" means a portion of the landscape right of way approximately three feet wide, usually parallel to the traffic lanes which may be paved or unpaved, distinguished by some elevation above the street pavement level and marked by curbing, drainage ditch, grass area or fencing; apart from and independent of any painted safety markings along the street pavement.
8. "Walking route" means the route that the student is expected to travel between his/her residence to and from school and/or an assigned bus stop.
9. "Bus stop" shall be defined as a geographical location designated by the Board of Education, school administration or their designee where students can safely wait for purposes of embarking or disembarking a school bus.
10. "Pupil" means any individual of school age enrolled in a public or nonprofit private school located within the school district or contiguous school district as the case may be.

### III. Provision of Transportation

Transportation by private carrier may be provided whenever such practice is more economical than using school district-owned/leased facilities. If parents volunteer, and the administration permits, parents may be reimbursed for transportation of eligible students whenever such practice is more economical or convenient for the school district.

In determining the provision of transportation for resident public and eligible private school students, the following guidelines regarding walking distances will be considered. Distance measurements will be based on the most direct route from the student's home beginning at a point at the curb or edge of a public road or highway nearest the home to the edge of the school property or bus pickup areas.

<u>Grade</u>	<u>Limit</u>
K	1 mile
1-3	1 mile

4-8	1 mile
9-12	1.5 miles

Students living within the stated distance limits will receive transportation when, in the opinion of the Superintendent of Schools, it is in the best interests of the district to provide transportation.

IV. Access to Bus Stops/Transportation and Behavior/Bus Routes and Stops

Parents and/or guardians are responsible for ensuring the safety of their children up until the point when students board the school bus or other school provided transportation, and after students get off the bus after school. This responsibility includes the selection of walking routes to/from any bus stop and/or the school building, compliance with health and safety precautions at the bus stop and along walking routes, and the provision of supervision that is appropriate to the student’s age, maturity and conditions along the walking route and/or at the bus stop at all times. In addition, the district does not provide transportation services to daycare facilities that are outside of a student’s designated elementary school district.

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

Students accessing school transportation are expected to behave in an appropriate manner, in accordance with all school rules and regulations. The Board’s policies and procedures concerning student discipline shall apply to student behavior while accessing student transportation.

Bus Routes and Stops

Bus stop locations are subject to change each year.

Cul-de-sacs will only be entered when the street length exceeds the maximum walking distances set forth in this policy. Cul-de-sacs will not be entered unless it has been determined during routing development that the radius is sufficient to allow the bus to maneuver the turn.

Certain dead-end streets within the town have been designated as impassible because of factors including the lack of necessary space to turn around, topography and industrial activity that make access unsafe, even with a mini-bus or Type II vehicle. These streets will not be entered.

V. Hazardous Conditions

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

1. Except as provided in Paragraph 7 of this Section, a street or road, along a designated walking route to or from school and/or to or from a designated bus pick-up area, having an adjacent or parallel sidewalk or raised walk area shall be deemed hazardous when any one of the following conditions exist:

- a) For pupils under age ten, or enrolled in grades K through 3:
  - (i) the absence of a pedestrian crossing light or crossing guard where three or more streets intersect, and a pupil is expected to cross the street; OR
  - (ii) street crossings where there are no stop signs or crossing guards and the traffic count during the time that pupils are walking to or from school exceeds sixty vehicles per hour at the intersection, and a pupil is expected to cross the street.
  
- b) For pupils over age ten, or enrolled in grades 4 through 12, the absence of a traffic light or stop signs or crossing guard at an intersection where three or more streets intersect which has a traffic count which exceeds ninety vehicles per hour during the time that pupils are walking to or from school, and such pupils are expected to cross the street;
  
- c) For all pupils:
  - (i) any street, road, or highway with speed limits in excess of forty miles per hour which does not have pedestrian crossing lights or crossing guards or other safety provisions at points where pupils must cross when going to or from school or the bus stop; OR
  
  - (ii) the usual or frequent presence of any nuisance such as open man-holes, construction, snow plowed or piled on the walk area making walkways unusable, loading zones where delivery trucks are permitted to park on walkways, commercial entrances and exits where cars are crossing walking areas at speeds in excess of five miles per hour, and the like, including such nuisances which are hazardous or attractive to children.
  
- 2. Any street, road, or highway, along a designated walking route to or from school and/or to or from a designated bus pick-up area, that has no sidewalks or raised walk areas shall be deemed hazardous if any one of the following conditions exist:
  - a) For pupils under age ten, or enrolled in grade K through 3:
    - (i) any street, road, or highway possessing a traffic count of sixty or more vehicles per hour at the time that pupils are walking to or from school; OR
    - (ii) any street, road, or highway possessing a speed limit in excess of thirty miles per hour.
  
  - b) For all pupils:
    - (i) the presence of human-made hazards including attractive nuisances, as stated in 1(c)(ii) above; OR
  
    - (ii) any roadway available to vehicles that does not have a minimum width of approximately twenty-two feet; OR

- (iii) any roadway available to vehicles that, when plowed free of snow accumulations, does not have a minimum width of approximately twenty feet; OR
  - (iv) any street, road, or highway where the line-of-sight visibility together with posted speed limits do not permit vehicular braking/stopping in accordance with the Connecticut Drivers Manual or Department of Transportation, Division of Design Standard, or other reasonable standard.
- 3. Any walkway, path, or bridge, along a designated walking route to or from school and/or to or from a designated bus pick-up area, in an area adjacent or parallel to railroad tracks shall be considered hazardous unless a suitable physical barrier along the entire pedestrian route is present and fixed between pupils and the track; and any crossing of railroad tracks carrying moving trains during hours that pupils are walking to or from school or to and from a designated bus pick-up area shall be deemed hazardous unless:
  - a) a crossing guard is present; OR
  - b) for pupil under age ten, an automatic control bar is present at crossings; OR
  - c) for pupils over age ten, a bar or red flashing signal light is operational.
- 4. For pupils in grades K through 4, the following conditions shall be deemed hazardous:
  - a) a lake, pond, stream, culvert, water-way, or bridge shall be deemed a hazard in the absence of a fence or other suitable barrier fixed between the pupil and the water; OR
  - b) any area adjacent to a roadway, sidewalk, or bridge, along a designated walking route to or from school and/or to or from a designated bus pick-up area, having a drop of three or more feet per four feet of travel length on either side of the established lanes, in the absence of a fence or other suitable barrier.
- 5. For pupils in grades K through 8, walking to or from school or the bus stop at any time prior to one-half hour before sunrise or any time one-half hour after sunset shall be deemed hazardous.
- 6. For all students, walking along any street, road, walkway, sidewalk, or path designated as a walking route which passes through an area which has a history of aggressive acts of molestation resulting in actual or threatened physical harm or moral degradation during the hours when pupils ordinarily walk to or from school shall be deemed hazardous.
- 7. It shall not be a “hazard” or “hazardous condition” for a pupil whose residence abuts a public street, road or highway to (1) wait for the bus on the private property where the pupil resides for the school bus, until the school bus’s flashing red lights are activated to stop traffic so that the student can enter onto or cross the public street, road or highway to get on a school bus;



or (2) exit a school bus that is stopped on the public street, road or highway, when the bus's flashing red lights are activated to stop traffic so that the pupil can enter onto or cross such street, road or highway to access the private property where the pupil resides.

#### VI. Applicability and Exceptions

1. This policy is applicable to public roads approved and maintained by the municipality or state of Connecticut, or private roads approved for passage of school transportation vehicles in accordance with C.G.S. Section 10-220c.
2. Special Education pupils and pupils eligible for accommodations under Section 504 of the Rehabilitation Act shall be judged on an individual basis, and appropriate transportation provided.
3. The Superintendent of Schools may grant an exception to any guideline set forth in this policy where a peculiar condition or combination of conditions renders such condition(s) a hazard based upon reasonable judgment; or where under the circumstances, other conditions exist under which the safety of students necessitates a variance with the guidelines within this policy.

#### VII. Complaint Procedure

1. All complaints concerning school transportation safety shall be made in writing to the Superintendent of Schools or designee. The Superintendent or designee shall maintain a written record of all such complaints, and shall conduct appropriate investigations of the allegations in a timely manner. The investigation shall include 1) the review of the complaint raised with appropriate personnel responsible for transportation of students and 2) the opportunity for the parent or other person making the complaint to meet with the Superintendent to discuss the complaint and any possible resolution thereof.
2. Annually, within thirty (30) business days of the end of the school year, the Superintendent of Schools or designee shall provide the Commissioner of Motor Vehicles ("Commissioner") with a copy of the written record of complaints received during the previous twelve (12) month period.
3. The Superintendent of Schools or designee shall make a written report of the circumstances of any accident within the Board's jurisdiction and knowledge, involving a motor vehicle and any pedestrian who is a student, which occurs at a designated school bus stop or in the immediate vicinity thereof, to the Commissioner within ten (10) business days thereafter on a form prescribed by the Commissioner.
4. If a complaint is covered by Section 10-186 of the Connecticut General Statutes, and is not resolved by the Superintendent, the Superintendent shall inform parent or guardian, or an emancipated minor or a pupil eighteen years of age or older, of the right to request a hearing regarding the complaint. Such hearing, if requested, shall be held in accordance with Section 10-186 of the Connecticut General Statutes, as it may be amended from time to time.

Legal Reference: Connecticut General Statutes

- 10-186 Duties of local and regional boards of education re: school attendance. Hearings. Appeals to state board. Establishment of hearing board. Readmission. Transfers.
- 10-187 Appeal from finding of hearing board.
- 10-220 Duties of boards of education.
- 10-220c Transportation of children over private roads. Immunity from Liability.
- 10-221c Development of policy for reporting complaints regarding school transportation safety.
- 10-273a Reimbursement for transportation to and from elementary and secondary schools.
- 10-280a Transportation for students in non-profit private schools outside school district.
- 10-281 Transportation for pupils in nonprofit private schools within school district.
- 14-275 Equipment and color of school buses.
- 14-275b Transportation of mobility impaired students.
- 14-275c Regulations re: school buses and motor vehicles used to transport special education students.

Approved:  
Revised:

NEWTOWN PUBLIC SCHOOLS  
Newtown, Connecticut

**Series 5000**  
**Students**

**5119 R**

**ADMINISTRATIVE REGULATIONS REGARDING  
STUDENT BEHAVIOR AND SAFETY RULES  
ON STUDENT TRANSPORTATION AND**

## WAIVER OF DISTRICT-PROVIDED TRANSPORTATION

### Student Behavior

When a bus driver believes the conduct and behavior of a student may endanger the safety of the bus or its passengers, he has the authority to return the student to school on an afternoon run. If a disturbance occurs on a morning bus run, all passengers will be brought to school. On both runs, the driver must immediately report the incident to the Bus Supervisor or school Principal. The Principal will determine appropriate disciplinary action, including curtailment of bus privileges.

### Student Safety Rules

1. All students waiting for buses are to wait quietly, without running and/or playing in the designated area.
2. Students must form an orderly line prior to entering the assigned bus.
3. Before leaving the area to re-enter the school, to go to other parts of the school property, or to leave the school property and then return for transportation, students must have permission from staff who are supervising the loading area.
4. Students will enter/leave the bus without hurrying or pushing.
5. Every student must be seated immediately upon entering the bus and remain seated until the bus comes to a full stop at the point where the student disembarks.
6. Students will not block or obstruct an entrance or exit with books, instruments, or other equipment.
7. Feet must be kept on the floor and out of the aisle.
8. Students will at no time or in any manner cause any disturbance that will distract the bus driver's attention and/or endanger the occupants of the bus.
9. Students will refrain from loud talking and shouting while on the bus.
10. Students must not throw or shoot objects in the bus.
11. No student shall mark or damage a school bus or leave waste material on the bus.
12. There shall be no eating on school buses.
13. The use of obscene or profane language is strictly forbidden.
14. Students disembarking buses on the opposite side of the road from their homes should cross in front of the bus and walk at least ten feet away from the bus bumper. When they reach the roadside they must stop, look up and down the road for cars approaching from either direction, and proceed only on a signal from the bus driver. Exceptions for safety reasons may be allowed.

15. Students shall not bring any items on the school bus that can endanger others, or that could disrupt the environment necessary for proper bus safety.
16. Violation of any of these regulations will be reported by the appropriate school administrator to parents or guardians. If bus safety violations continue, parents or guardians will be advised that a loss of bus transportation or suspension from school may be a consequence under student discipline.

### **Loading and Unloading**

First consideration shall be given to the safety of the students when establishing bus stops, loading and unloading buses, and in all other phases of school bus transportation.

Supervision for loading and unloading buses will be provided under the direction of the building principals at the elementary schools, Reed Intermediate School, and the Middle School. The High School will only provide supervision for loading buses.

### **Picking Up and Discharging Passengers**

Bus routes will be designed to pick up and discharge children in a safe and appropriate manner.

### **Waiver of District-Provided Transportation**

Each parent/guardian who wishes to waive district-provided transportation and permit a his/her child to walk home from school on a daily basis must complete, sign and submit a waiver and permission form, using the form provided by the Administration. Such forms shall only be valid for the school year in which they are submitted. In the event that a parent/guardian wishes to revoke such permission at any point during the school year, the parent/guardian must notify the Administration in writing of such decision. Parents wishing to give permission for their student(s) to walk on an occasional basis, must submit a note specifying the date(s) the student(s) will be permitted to walk.

The following provisions shall apply only to students riding the shuttle from Reed Intermediate School (Grades 5-6): 5th and 6th graders may be allowed to walk home on a daily basis after taking the shuttle bus from Reed Intermediate School to the designated elementary school only if their parents/guardians have completed, signed and submitted a waiver and permission form in accordance with the provisions of these Administrative Regulations.

## **Newtown Public Schools**

### **WAIVER OF DISTRICT-PROVIDED TRANSPORTATION AND PERMISSION FOR CHILD TO WALK HOME FROM SCHOOL**

**School Year:** \_\_\_\_\_

I acknowledge that my child is eligible for district-provided transportation in accordance with Board Policy 3541 and Administrative Regulation 3541. I hereby voluntarily waive the right to such transportation and give permission for my child to walk home from school on a daily basis, as indicated below. I understand that if I wish to revoke such permission at any point during the school year, I must notify the Administration in writing of that decision.

I understand that because I am waiving district-provided transportation authorizing my child to walk home on a daily basis, I am responsible for ensuring the safety of my child once my child leaves school grounds. I understand that this responsibility includes the selection of walking routes from school and the provision of supervision that is appropriate to my child's age and maturity and conditions along the walking route at all times.

This waiver and permission form must be returned to the Main Office of your child's school.

Student's Name: \_\_\_\_\_ Grade: \_\_\_\_\_

School: \_\_\_\_\_

Please initial the box below that applies to your child.

- My child has permission to walk home from school on a daily basis.
  
- Reed Intermediate School:** My child has permission to walk home on a daily basis after taking the shuttle bus from Reed Intermediate School to the designated elementary school.

\_\_\_\_\_  
**Name of Parent/Guardian (Please Print)**

\_\_\_\_\_  
**Signature of Parent/Guardian**

\_\_\_\_\_  
**Date**

**Note: State law requires schools to include in any policy or procedure concerning the collection of unpaid charges for school lunches, breakfasts or other such meal, certain statutory elements. S & G developed this model policy to address the state’s statutory requirements and it includes the requirements of the U.S. Department of Agriculture’s Food and Nutrition Services Child Nutrition Programs.**

**This policy is recommended for adoption because it is in compliance with state and federal laws. If adopted, it is recommended the Board rescinds NPS Policy 3542.43, Food Service, Charging Policy, adopted on July 18, 2017. S & G places this policy in the Student Series, 5000.**

**This policy was reviewed by the Director of Business and Finance.**

**Update: This policy is scheduled for second read and approval at the November 19 Board meeting. It has been updated as of 10/28/24, based on the recommendations of the CSDE consultant who conducted the Administrative Review of the School Lunch Program. The additions are highlighted in yellow.**

**Series 5000  
Students**

**5120**

### **MEAL CHARGING POLICY**

The Newtown Board of Education (the “Board”) recognizes the importance of providing nutritious food to students in the Newtown Public Schools (the “District”).

The Board is a sponsor of the **District-wide** United States Department of Agriculture (USDA) Food and Nutrition Services’ Child Nutrition Programs, including the National School Lunch Program (NSLP). **In addition**, the District provides a School Breakfast Program (SBP) at Newtown High School. The District shall adhere to the federal and state guidelines and regulations pertaining to these school Child Nutrition Programs. In accordance with federal law, the Board will make a public announcement and notify parents and guardians of the eligibility criteria for free and reduced price meals and provide information regarding how a household may make an application for these benefits. Such notice and application will generally be distributed at the beginning of each school year.

#### **Charging Meals**

The District uses an automated prepayment system for student meal accounts. Students whose accounts have insufficient funds, and who do not bring a meal or other funds to school to pay for meals, may charge meals to their meal accounts. Students will be informed of their right to purchase a meal, which excludes a la carte items and a second meal or lunch, for any school breakfast, lunch or other meal offered by the District, even if the student’s account has insufficient funds.

The Board prohibits publicly identifying or shaming a student for any unpaid meal charges, including, but not limited to, the following:

- Delaying or refusing to serve a meal to such student;

- Designating a specific meal option for the student; or
- Otherwise taking any disciplinary action against the student.

No adults are allowed to charge meals.

### **Collection of Unpaid Meal Charges**

The District's efforts to recover from households money owed due to the charging of meals must not have a negative impact on the children involved and shall focus primarily on the adults in the household responsible for providing funds for meal purchases. The District shall consider whether the benefits of potential collections outweigh the costs that would be incurred to achieve those collections.

For purposes of this policy, "delinquent debt" means unpaid meal charges.

The District will contact the parents/guardians of students who charge meals to their meal accounts in order for the District to collect the delinquent debt. The first such communication will be a written communication, by mail or e-mail, after \$25.00 has been charged. Subsequent written and verbal communications with parents/guardians concerning delinquent debt will be made by the building administrator or designee, as may be necessary and appropriate. All communications regarding unpaid meal charges shall be made directly and discreetly to parents/guardians. Written communications with parents/guardians regarding collection of a student's unpaid meal charges shall include an application for free or reduced price meals, information on local food pantries and the Connecticut Department of Social Services' supplemental nutrition assistance program, and a link to the [Town's website](#) that lists the [Supplemental Nutrition Assistance Program \(SNAP\)](#), and the Town's [Department of Social Services](#).

In the event a student's unpaid meal charges are equal to or more than the cost of thirty (30) meals, the parents/guardians of such student will be referred to the District's homeless education liaison.

The Board shall comply with applicable federal and state laws and other federal or state requirements concerning the collection of unpaid meal charges, including but not limited to requirements relating to delinquent debt and "bad debt," as defined by federal law, and record-keeping relating thereto. The Board may accept gifts, donations or grants from any public or private sources for the purpose of paying off any unpaid charges for school lunches, breakfasts or other such feeding. By June 30 of each year, the unpaid meal debt must be reimbursed by Board of Education funds and not the nonprofit school food service account (NSFSA).

### **Dissemination of Policy**

This policy shall be provided in writing to all households at the start of each school year and to households transferring to the District during the school year. This policy shall be provided to District staff responsible for its enforcement: Director of Business, principals, bookkeeper, school social workers, nurses, and the homeless liaison. When other staff members assisting children in need or who may be contacted by families with unpaid meal charges are identified, they will receive an electronic copy of the policy.

The District shall maintain, to the extent required by law, documentation of the methods used to communicate this policy to households and District staff responsible for policy enforcement.

The District shall provide this policy to the Connecticut State Department of Education during Administrative Reviews.

The Superintendent or designee may, if necessary and appropriate, develop administrative regulations in furtherance of this policy.

**Legal References:**

State law:

Connecticut General Statutes

§ 10-215 Lunches, breakfasts and other feeding programs for public school children and employees.

State of Connecticut, Department of Education, School Health, Nutrition and Family Services Operational Memorandum No. 11-22, “Connecticut Statutory Requirements for Unpaid Meal Charges in Public Schools,” June 15, 2022.

State of Connecticut, Department of Education, Bureau of Health/Nutrition, Family Services and Adult Education Operational Memorandum No. 4-17, “Guidance on Unpaid Meal Charges and Collection of Delinquent Meal Payments,” Nov. 2, 2016.

Federal law:

7 C.F.R. Part 210 National School Lunch Program.

7 C.F.R. Part 220 School Breakfast Program.

7 C.F.R. Part 245 Determining Eligibility for Free and Reduced Price Meals and Free Milk in Schools.

U.S. Department of Agriculture, Food and Nutrition Service, Policy Memo SP 46-2016, “Unpaid Meal Charges: Local Meal Charge Policy,” July 8, 2016.

U.S. Department of Agriculture, Food and Nutrition Service, Policy Memo SP 47-2016, “Unpaid Meal Charges: Clarification on Collection of Delinquent Meal Payments,” July 8, 2016.

U.S. Department of Agriculture, Food and Nutrition Service, Policy Memo SP 57-2016, “Unpaid Meal Charges: Guidance and Q&A,” Sept. 16, 2016.

Approved:  
Revised:

NEWTOWN PUBLIC SCHOOLS  
Newtown, Connecticut



**Note: S & G updated their model policy in 2020 and 2021. NPS policy with the same number was revised in 2018. It is recommended the Board should adopt this policy and rescind the current policy.**

**This policy was reviewed by the Director of Pupil Services.**

**Series 5000  
Students**

**5125**

## **POLICY AND ADMINISTRATIVE REGULATIONS REGARDING CONFIDENTIALITY AND ACCESS TO EDUCATION RECORDS**

### **I. POLICY**

The Board of Education (“Board”) complies with the state and federal laws and regulations regarding confidentiality, access to and amendment of education records. The Board shall implement procedures that protect the privacy of parents and students while providing proper access to records. Availability of these procedures shall be made known annually to parents of students currently in attendance and eligible students currently in attendance.

### **II. DEFINITIONS**

- A. Access is defined as the right to inspect or review a student’s education records or any part thereof. Access may include the right to receive copies of records under limited circumstances.
- B. Authorized representative means any entity or individual designated by the Board, a State educational authority, or an agency headed by an official listed in 34 C.F.R. § 99.31(a)(3), to conduct -- with respect to Federal- or State-supported education programs -- any audit or evaluation, or any compliance or enforcement activity in connection with Federal legal requirements that relate to these programs.
- C. Biometric record, as used in the definition of personally identifiable information, means a record of one or more measurable biological or behavioral characteristics that can be used for automated recognition of an individual, such as fingerprints, retina and iris patterns, voiceprints, DNA sequence; facial characteristics and handwriting.
- D. De-identified education records means education records or information from education records from which all personally identifiable information has been removed, and for which the district has made a reasonable determination that a student’s identity is not personally identifiable, whether through single or multiple releases, taking into account other reasonably available information.

- E. Directory Information includes information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. Directory information includes, but is not limited to, the parent's name, address and/or e-mail address; the student's name, address, telephone number, e-mail address, photographic, computer and/or video images, date and place of birth, major field(s) of study, grade level, enrollment status (full-time; part-time), participation in school-sponsored activities or athletics, weight and height (if the student is a member of an athletic team), dates of attendance, degrees, honors and awards received, the most recent previous school(s) attended, and student identification numbers for the limited purposes of displaying a student identification card. The student identification number, however, will not be the only identifier used when obtaining access to education records or data. Directory information does not include a student's social security number, student identification number or other unique personal identifier used by the student for purposes of accessing or communicating in electronic systems unless the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN or password.
- F. Disciplinary action or proceeding means the investigation, adjudication or imposition of sanctions by an educational agency or institution with respect to an infraction or violation of internal rules of conduct applicable to students.
- G. Disclosure means to permit access to or to release, transfer, or other communication of personally identifiable information as contained in education records by any means, including oral, written or electronic means, to any party except the party identified as the party that provided or created the record.
- H. Education Records
1. Education records means any information directly related to a student that is recorded in any manner (e.g., handwriting, print, computer media, video or audio tape, film, microfilm, and microfiche) and that is maintained by the school system or persons acting for the school system.
  2. Education records do not include:
    - a) private, personal, or working notes in the sole possession of the maker thereof, and which are not accessible or revealed to any other individual except a "substitute";
    - b) records maintained by a law enforcement unit of the school district that were created by that unit for the purpose of law enforcement;

- c) employment records used only in relation to the student's employment by the school district that are 1) made and maintained in the normal course of business, 2) relate exclusively to the student's capacity as an employee, and 3) are not made available for any other purpose;
- d) records on an eligible student (i.e. over 18 or attending a postsecondary educational institution) that are considered "treatment records" as they meet the following criteria: 1) the records are maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional capacity or assisting in a paraprofessional capacity, 2) the records are made in connection with the treatment of the student and 3) the records are disclosed only to individuals providing such treatment (treatment does not include remedial educational activities or activities that are part of the program or instruction of the school district); however, the school district must, upon request, permit an eligible student to have a physician or other appropriate professional of the student's choice review his/her treatment records;
- e) records created or received by the school district after an individual is no longer a student in attendance and that are not directly related to the individual's attendance as a student; and
- f) grades on peer-graded papers before they are collected and recorded by a teacher.

- I. Eligible Student is a student or former student who has reached 18 years of age or is attending an institution of post-secondary education or is an emancipated minor.
- J. Law Enforcement Unit is an individual, office, department, division, or other component of an educational agency or institution, that is officially authorized or designated by that agency or institution to 1) enforce laws or refer matters of law enforcement to appropriate authorities or 2) maintain the physical security and safety of the agency or institution.
- K. Legitimate Educational Interest means the need for a school official to review an education record in order to fulfill his or her professional responsibilities.
- L. Parent is defined as a parent or parents of a student, including a natural parent, a guardian, or surrogate parent, or an individual acting as a parent

in the absence of a parent or guardian. The rights of a parent shall transfer to an eligible student; however, a parent of a student who claims that student as a dependent under Section 152 of the Internal Revenue Code of 1986 is entitled to access to the student's education records without the eligible student's consent.

- M. Personally Identifiable Information includes, but is not limited to, the student's name; the name of the student's parent or other family members; the address of the student or his/her family; a personal identifier, such as the student's social security number, student number or biometric record; other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name; other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or information requested by a person who the school district reasonably believes knows the identity of the student to whom the education record relates.
- N. School Official is a person employed by the District as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Board of Education; a volunteer, contractor or consultant or other party who performs an institutional service or function for the District (such as an attorney, auditor, medical consultant, therapist, or school resource officer); or a parent or student serving on an official committee, such as a disciplinary or grievance committee; or a parent, student or other volunteer assisting another school official in performing his or her tasks.
- O. Signed and Dated Written Consent to disclose personally identifiable student information from a student's education records must specify the records to be disclosed, the purpose of disclosure and the party to whom such records should be provided. Consent may include a record and signature in electronic form provided that the consent identifies and authenticates a particular person as the source of electronic consent.

### **III. ANNUAL NOTIFICATION OF RIGHTS / RELEASE OF DIRECTORY INFORMATION**

- A. On an annual basis, the school district will notify parents and/or eligible students currently in attendance of their rights regarding a student's education records. This notice will be published in all student handbooks in the school district and will also be published in the school district's guide to Special Education Procedures and Practices Manual and will be published in any other manner "reasonably likely" to inform such parents and eligible students of their rights. The school district will take steps to ensure that parents or eligible students whose primary or home language is

not English or who are disabled will also be notified of their rights regarding a student's education records.

- B. On an annual basis, the school district will also notify parents and/or eligible students currently in attendance of any categories of information designated as **directory information**. This notice will provide such individuals with an opportunity to object to such disclosure. An objection to the disclosure of directory information shall be good for only one school year. Parents and/or eligible students may not use the right to opt out of directory information disclosures to prohibit the school district from requiring students to wear or display a student identification card.
- C. In the annual notification, the school district will also provide notice to parents and/or eligible students that the district is legally obligated to provide military recruiters, institutions of higher education, or school choice programs, upon request, with the names, addresses and telephone numbers of secondary school students, unless the secondary student or the parent of the student objects to such disclosure in writing. Such objection must be in writing and shall be effective for one school year.

#### **IV. CONFIDENTIALITY OF EDUCATION RECORDS**

- A. All school officials are directed to maintain the confidentiality of personally identifiable information contained in a student's education records. Each person who has access to education records is responsible for ensuring personally identifiable information is protected from disclosure at collection, storage, disclosure, and destruction stages. Disclosure of information is permitted only in accordance with Board policy and administrative regulations and in a manner consistent with state and federal law.
- B. Education records are not public records and any disclosure other than to persons authorized to receive the records without prior consent of a parent or an eligible student violates the law and Board policy, except as provided in federal and state statutes.
- C. The school district shall use reasonable methods, including administrative policies and procedures, as well as physical and technological access controls, to ensure that school officials obtain access to only those education records in which they have a legitimate educational interest.
- D. The district shall use reasonable methods to identify and authenticate the identity of parents, students, school officials and other parties to whom the district discloses personally identifiable information from education records.
- E. The district shall require contractors and other outside agencies with access to education records to certify their compliance with the

confidentiality requirements of this policy, as well as applicable state and federal law.

## V. ACCESS TO EDUCATION RECORDS

- A. Parents and/or an eligible student have the right to inspect and review all education records of the student unless such rights have been waived under Article XI, below. Parents' rights of inspection and review are restricted to information dealing with their own child. In the case of an eligible student, the right to inspect and review is restricted to information concerning the student. All requests for access to education records must be in writing.
- B. When submitting a written request to inspect or review education records, the request must identify the record or records being sought. The school district will notify the parent or eligible student of the date, time, and location where the records may be inspected and reviewed.
- C. The parents or eligible students may designate in writing a representative to inspect and review the records. Consent for disclosure of education records to a designated representative must be signed and dated by the parent or eligible student.
- D. A school professional shall be present at all such inspections and reviews and shall respond to reasonable requests for explanations and interpretations of the records.
- E. For the records of **regular education students**, the Board will make education records available for inspection and review by parents or eligible students within a reasonable period of time, but in any event, no more than forty-five (45) calendar days from the receipt of a written request.
- F. For **students requiring special education**, the Board will comply with a request to review and inspect the child's education records without unnecessary delay and before any meeting regarding an IEP or any due process hearing or resolution session held in accordance with the IDEA; otherwise, the Board will comply with such request not later than ten (10) school days of such request.
- G. Parents of students eligible to receive special education and related services (or the eligible student) have the right to receive **one free copy** of their child's (his/her) education records. The request for the free copy must be in writing and the Board will comply with the written request within ten (10) school days of the request. Notwithstanding the fact that a test instrument or portion of a test instrument may meet the criteria of an "education record" under the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, any test instrument or portion of a test instrument for which the test manufacturer asserts a proprietary or copyright interest in

the instrument shall not be copied. The parent or eligible student retains the right to review and inspect such information and the Board shall respond to reasonable requests from the parent or eligible student for explanations and interpretations of the student's education record, which may include reviewing copyrighted testing instruments.

- H. Aside from a parent or eligible student, staff members, school employees and other school officials may access a student's education records **only if** they have been determined by the school system to have a legitimate educational interest in accessing the information contained in such records. Disclosures to any other parties may only be made in accordance with the exemptions and provisions set forth in Article VII, below.
- I. Pursuant to the procedures set forth in Article VI, below, the district maintains a record of all parties that have requested access to education records, including access to education records found in computer memory banks.

J. Non-custodial Parents:

1. Divorced Parents

A parent does not lose his or her right to access to education records upon divorce. Non-custodial parents retain their rights to review their child's education records unless the school district has been provided with evidence that there is a court order, state statute, or legally binding document relating to such matters as divorce, separation, or custody that specifically revokes the non-custodial parent's rights. School notices shall be mailed to the non-custodial parent/guardian requesting the notices at the same time that they are provided to the custodial parent/guardian. Any requests by the non-custodial parent/guardian to receive school notices shall be effective for as long as the child remains in the school the student is attending at the time of the request.

2. Incarcerated Parents

Nothing in this policy shall be construed to limit a parent who is incarcerated from being entitled to knowledge of and access to all educational, medical, or similar records maintained in the cumulative record of any minor student of such incarcerated parent, except that such incarcerated parent shall not be entitled to such records if:

- (a) such information is considered privileged under Conn. Gen. Stat. § 10-154a, regarding a communication made privately and in confidence by a student to a professional employee in the course of the professional employee's employment

concerning alcohol or drug abuse or any alcoholic or drug problem of such student;

- (b) such incarcerated parent has been convicted in Connecticut or any other state of sexual assault in violation of Conn. Gen. Stat. §§ 53a-70, 53a-70a, 53a-71, 53a-72a, 53a-72b, or 53a-73a; or
- (c) such incarcerated parent is prohibited from knowledge of or access to such student's cumulative record pursuant to a court order.

K. Unaccompanied Youth:

Notwithstanding anything in this policy to the contrary, an unaccompanied youth shall be entitled to knowledge of and have access to all educational, medical or similar records in the cumulative record of such unaccompanied youth maintained by the school district. For the purposes of this provision, the term "unaccompanied youth" shall mean a homeless child or youth not in the physical custody of a parent or guardian.

L. Copies of Education Records/Fees:

1. The school district cannot charge a fee to search for or to retrieve the education records of a student. As noted above, if a student has been identified as requiring special education and related services, the parents' (or eligible student's) right to inspect and review the child's records shall include the right to receive **one free copy** of those records. The request for the free copy shall be made in writing. The Board shall comply with such request as stated above. A charge will be levied for additional copies; in no case will the charge exceed **50¢** per page
2. In addition to the provision above regarding special education students, if circumstances effectively prevent the parent or eligible student from exercising the right to inspect and review the student's education records, the district shall:
  - a. provide the parent or eligible student with a copy of the records requested, or
  - b. make other arrangements for the parent or eligible student to inspect and review the requested records.
3. The Board reserves the right to charge for copies of a student's education records. Such charge will not exceed 50¢ per page.



## **VI. RECORD KEEPING REQUIREMENTS/DOCUMENTATION OF ACCESS TO EDUCATION RECORDS**

- A. The school district will appoint an individual to be responsible for the care and upkeep of all education records. Education records are kept by categories, each of which encompasses a specific type of data collected during a student's educational career. These categories also determine how long the school district must maintain the records. The school district will provide to parents, on request, a list of the categories and locations of education records collected, maintained, or used by the school district.
- B. Except as provided below, a record (log) will be kept documenting each request for, and disclosure of, personally identifiable information from the education records of each student, including information found in computer memory banks. The record log shall contain:
1. the name of any individual, agency, or organization that requested or obtained access to the student's records;
  2. the date of the request for access;
  3. whether access was given;
  4. the purpose for which the party was granted access to the records;
  5. the names of additional parties to whom the receiving party may disclose the information on behalf of the school district; and
  6. the legitimate educational interest in obtaining the information.
- C. The record (log) requirement does not apply to requests from, or disclosure to:
1. a parent or eligible student;
  2. a party seeking directory information;
  3. a party who has a signed and dated written consent from the parent and/or eligible student;
  4. school officials from the school district in which the student is currently enrolled who have a legitimate educational interest in the information contained in the student's record; or
  5. persons seeking or receiving the information as directed by a Federal grand jury, other law enforcement subpoena, or ex parte order of the Attorney General of the United States (provided that the information requested is not to be redisclosed).

- D. The record (log) is a permanent part of the student's education records and must be available to the parent or eligible student upon request.
- E. If the district makes a release of education records without consent in a **health and safety emergency**, the district must record:
  - 1. the articulable and significant threat to the health and safety of a student or other individuals that formed the basis for disclosure; and
  - 2. the parties to whom the district disclosed the information.

**VII. THE RELEASE OF RECORDS OR PERSONALLY IDENTIFIABLE INFORMATION**

- A. The school system or its designated agent(s) may not permit release of education records or any information from such records that contain personally identifiable student information to any outside individual, agency, or organization without the signed and dated written consent of the parents or eligible student, except as indicated in Article VII.C below. Personally identifiable information contained in the education record, other than directory information, will not be furnished in any form (i.e., written, taped, video or audio recorded, person-to-person, statement over the telephone, on computer disk, e-mailed or electronic message, etc.) to any person other than those listed below, unless prior written consent has been obtained.
- B. To be effective, the written consent must be signed and dated and must specify the records that may be disclosed, state the purpose of the disclosure, and identify the party or class of parties to whom the disclosure may be made.
- C. Personally identifiable information may be released **without consent** of the parents, or the eligible student, only if the disclosure meets one of the criteria set forth below:
  - 1. School Officials:
    - a) The disclosure is to other school officials within the district, including teachers, who have been determined by the school district to have legitimate educational interests in the education records.
    - b) A contractor, consultant, volunteer, or other party to whom the district has outsourced institutional services or functions, provided that the party:
      - 1) performs an institutional service or function for which the district would otherwise use employees;

- 2) is under the direct control of the district with respect to the use and maintenance of education records; and
  - 3) is subject to the requirements of FERPA with respect to the use and redisclosure of personally identifiable information from education records.
- c) The Board shall comply with the below Section I of this Article VII prior to the provision of student records, student information or student-generated content to any school official who is a consultant or operator, as those terms are defined in Section I.

3. Transfer Students:

- a) The disclosure is to officials of another school, including other public schools, charter schools, and post-secondary institutions, in which the student seeks or intends to enroll, or where the student is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer. Disclosure of personally identifiable information will be made only upon condition that the student's parents be notified of the transfer, receive a copy of the record if desired, and have an opportunity for a hearing to challenge the content of the record pursuant to Article X.
- b) When a student enrolls in a new public school district (including a public charter school), the receiving school district must send written notice of such enrollment to the school the student previously attended not later than two (2) business days after the student enrolls. Not later than ten (10) days after receipt of such notice, the sending school shall transfer the student's records to the new school district.
- c) Upon notification by the Department of Children and Families ("DCF") of a decision to change the school placement for a student attending district schools who is placed in out-of-home care by DCF pursuant to an order of temporary custody or an order of commitment, in accordance with Section 46b-129 of the Connecticut General Statutes, the Board shall transmit to the receiving school, not later than one (1) business day after receipt of such notification from DCF, all essential education records for the student, including, but not limited to, the student's

individualized education program (“IEP”) and behavioral intervention plan, if any, and all documents necessary for the receiving school to determine appropriate class placement and to provide educational services. The Board shall transfer nonessential records to the receiving school in accordance with subsection b above.

4. The disclosure is to authorized representatives of the U.S. Comptroller, the U.S. Attorney General, the U.S. Secretary of Education, or State or local educational authorities. Disclosures of this nature may be made only in connection with an audit or evaluation of Federal or State supported education programs, or for the enforcement of or compliance with the Federal legal requirements that related to these programs. These entities may make further disclosures of personally identifiable information that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf, if applicable requirements are met.
5. The disclosure is made in connection with a student’s application for, or receipt of, financial aid, if such information is necessary to determine eligibility for, the amount of, or the conditions for financial aid, or to enforce the terms and conditions of financial aid.
6. The disclosure is to state and local officials or authorities within the juvenile justice system as long as the officials and authorities to whom the records are disclosed certify in writing to the school district that (a) the information is required by the court, and (b) will not be disclosed to any other party without the prior, written consent of the parent of the student, except as provided under state law. Disclosure shall be permitted for information relating to the student’s school attendance, adjustment and behavior, as well as the student’s IEP and related documents if the student receives special education services. If a student is placed on probation by the juvenile court, school officials may issue their own recommendation concerning the conditions of the student’s probation.
7. The disclosure is to organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction, so long as:
  - a) the study does not permit personal identification of parents or students by individuals other than representatives of the organization,

- b) the information is destroyed after it is no longer needed for the purposes for which the study was conducted, and
  - c) the Board enters into a written agreement with the organization conducting the study that satisfies the requirements of 34 C.F.R. § 99.31(a)(6).
8. The disclosure is to accrediting organizations in order to carry out their accrediting functions.
9. The disclosure is to parents of an eligible student who claim that student as a dependent student as defined in Section 152 of the Internal Revenue Code of 1986.
10. The disclosure is to comply with a judicial order or lawfully issued subpoena, provided that the educational agency makes a reasonable effort to notify the parent or the eligible student in advance of compliance, unless such disclosure is in compliance with
- a) a federal grand jury subpoena and the court has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed;
  - b) any other subpoena issued for a law enforcement purpose and the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed; or
  - c) an ex parte order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning the investigation or prosecution of terrorism crimes specified in 18 U.S.C. §§ 2331 and 2332b(g)(5)(B).
11. If the school district initiates legal action against a parent or student, the school district may disclose to the court, without a court order or subpoena, the education records of the student that are relevant for the school district to proceed with the legal action as plaintiff.
12. If a parent or eligible student initiates legal action against the school district, the school district may disclose to the court, without a court order or subpoena, the student's education records that are relevant for the school district to defend itself.

13. The disclosure is to appropriate parties, including parents of an eligible student, in connection with a health and safety emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals. In making a determination regarding the disclosure of education records without consent in a health and safety emergency, the district may take into account the totality of the circumstances pertaining to the threat to the health or safety of a student or other individuals. If the district reasonably determines that there is an articulable and significant threat to the health or safety of a student or other individuals, it may disclose information from education records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other individuals, provided, however, that the district record such disclosure in accordance with Article VI.D, above.
14. The disclosure is to the parent of a student who is under 18 years of age or to the student.
15. The disclosure concerns sex offenders and other individuals required to register under Section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. § 14071, and the information was provided to the district under 42 U.S.C. § 14071 and applicable federal guidelines.
16. The disclosure is to the Secretary of Agriculture or an authorized representative from the Food and Nutrition Service, or contractors acting on its behalf, for the purposes of conducting program monitoring, evaluations, and performance measurements of state and local educational and other agencies and institutions receiving funding or providing benefits of one or more federal meal or nutrition programs in order to report aggregate results that do not identify any individual. Such disclosures may only be made if:
  - a) the data collected will be protected to prevent the personal identification of students and their parents by other than the authorized representatives of the Secretary of Agriculture, and
  - b) any personally identifiable data will be destroyed when they are no longer needed for program monitoring, evaluations, and performance measurements.
17. The disclosure is to an agency caseworker or other representative of the DCF or other child welfare agency or tribal organization who has the right to access a student's case plan when the agency or organization is legally responsible for the care and protection of the student. The agency or organization may not disclose the

education records or personally identifiable information contained in such records, except to an individual or entity engaged in addressing the student's educational needs and authorized by the agency or organization to receive such disclosure. Any disclosures made by the agency or organization must comply with applicable confidentiality laws for student education records.

**D. Directory Information**

The school district will notify parents (of students currently enrolled within the district) or eligible students (currently enrolled in the district) annually of any categories of information designated as directory information. This notice will provide such individuals with an opportunity to object to such disclosure. An objection to the disclosure of directory information shall be good for only one school year.

1. School districts are legally obligated to provide military recruiters or institutions of higher education, upon request, with the names, addresses and telephone numbers of secondary school students, unless the secondary student or the parent of the student objects to such disclosure in writing. Such objection must be in writing and shall be effective for one school year.
2. In all other circumstances, information designated as directory information will not be released when requested by a third party unless the release of such information is determined by the administration to be in the educational interest of the school district and is consistent with the district's obligations under both state and federal law.
3. The school district may disclose directory information about students after they are no longer in enrollment in the school district. Notwithstanding the foregoing, the district will continue to honor any valid objection to the disclosure of directory information made while a student was in attendance unless the student rescinds the objection.
4. An objection to the disclosure of directory information shall not prevent the school district from disclosing or requiring a student to disclose the student's name, identified or institutional email address in a class in which the student is enrolled. Parents and/or eligible students may not use the right to opt out of directory information disclosures to prohibit the school district from requiring students to wear or display a student identification card.
5. The school district will not use the student's social security number or other non-directory information alone or combined with other

elements to identify or help identify the student or the student's records.

**E. De-identified Records and Information**

1. The school district may release education records or information from education records without the consent of a parent or eligible student after the removal of all personally identifiable information, provided that the district has made a reasonable determination that a student's identity is not personally identifiable, whether through single or multiple releases, taking into account other reasonably available information.
2. The school district may release de-identified education records including student level data from education records for the purpose of education research by attaching a code to each record that may allow the recipient to match information received from the same source, provided that:
  - a) the district does not disclose any information about how it generates and assigns a record code, or that would allow a recipient of the information to identify a student based on the record code;
  - b) the record code is used for no purpose other than identifying a de-identified record for the purposes of education research and cannot be used to ascertain personally identifiable information about a student; and
  - c) the record code is not based on a student's social security number or other personal information.

**F. Disciplinary Records:**

Nothing in this policy shall prevent the school district from:

1. Including in the education records of a student appropriate information concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community.
2. Disclosing appropriate information concerning disciplinary action taken against a student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community, to teachers and school officials who have been determined to have legitimate educational interests in the behavior of the student.



- G. In accordance with state and federal law, the district will facilitate the transfer of records of suspension and expulsion of a student to officials of any private elementary or secondary school in which the student is subsequently enrolled or seeks, intends or is instructed to enroll.
- H. **Records of the Department of Children and Families (“DCF”)**
1. Documents related to any DCF child abuse and/or neglect investigations that are maintained by the Board are considered education records under the FERPA. As such, they are subject to the confidentiality and disclosure requirements set forth in this policy and in corresponding provisions of state and federal law. Such records, including records of allegations, investigations and reports made to DCF, should be kept in a confidential and central location, with restricted access and shall be disclosed only as authorized by law. In addition to meeting the requirements under FERPA, should the Board receive a request to disclose confidential DCF records to an outside third party, the Board shall redact the name or other personally identifiable information concerning the individual suspected of being responsible for the alleged abuse and/or neglect unless the requested records are being released to the individual named in the DCF records.
  2. In addition, the district shall redact the name or any personally identifiable information related to the identity of any individual responsible for making a report of alleged child abuse and/or neglect before releasing or transferring any DCF records containing such reports.
- I. Except as set forth in Subsection I.5, below, the Board shall enter into a written contract with a consultant or operator any time the Board shares or provides access to student information, student records, or student-generated content with such consultant or operator.
1. The provisions of said contract shall comply with the requirements of Conn. Gen. Stat. §§ 10-234aa to 10-234dd.
  2. The district shall maintain and update an Internet web site with information relating to all contracts entered into pursuant to Subsection I, above. On or before September 1<sup>st</sup> of each school year, the Board shall electronically notify students and the parents or legal guardians of students of the address of such Internet website. Not later than five (5) business days after executing a contract pursuant to this subsection, the Board shall post notice of such contract on the Board’s website. The notice shall:

- a. State that the contract has been executed and the date that such contract was executed;
  - b. Provide a brief description of the contract and the purpose of the contract; and
  - c. State what student information, student records or student-generated content may be collected as a result of the contract.
3. For purposes of this subsection, upon receipt of notice of a breach of security that results in the unauthorized release, disclosure or acquisition of directory information, student information, student records or student-generated content, the Board shall electronically notify, not later than two business days after receipt of such notice, the student and the parents or guardians of the student whose information is involved in such breach. The Board shall thereafter post notice of such breach on the Board's Internet web site. The Internet posting shall comply with the requirements of FERPA. All questions and concerns relative to breach of security shall be referred to Deborah Mailloux-Petersen, Director of Pupil Services, 3 Primrose Street, Newtown, CT 06477, phone: 203-426-7628.
4. For purposes of this subsection, the following definitions are applicable:
- a. Consultant means a professional who provides noninstructional services, including but not limited to, administrative, planning, analysis, statistical or research services, to the Board pursuant to a contract with the Board.
  - b. Operator means any person who (a) operates an Internet web site, online service or mobile application with actual knowledge that such Internet web site, online service or mobile application is used for school purposes and was designed and marketed for school purposes, to the extent it is engaged in the operation of such Internet web site, online service or mobile application, and (b) collects, maintains or uses student information.
  - c. School Purposes means purposes that customarily take place at the direction of a teacher or the Board, or aid in the administration of school activities, including but not limited to instruction in the classroom, administrative activities and collaboration among students, school personnel or parents or legal guardians of students.
  - d. Student means a person who is a resident of the state and (a) enrolled in a preschool program participating in the state-wide public school information system, pursuant to Conn. Gen. Stat.

§ 10-10a; (b) enrolled in grades kindergarten to twelve, inclusive, in a school under the jurisdiction of the Board; (c) receiving special education and related services under an individualized education program; or (d) otherwise the responsibility of the Board.

e. Student Information means personally identifiable information or material of a student in any media or format that is not publicly available and is any of the following:

- 1) Created or provided by a student or the parent or legal guardian of a student, to the operator in the course of the student, parent or legal guardian using the operator's Internet web site, online service or mobile application for school purposes;
- 2) Created or provided by an employee or agent of the Board to an operator for school purposes;
- 3) Gathered by an operator through the operation of the operator's Internet web site, online service or mobile application and identifies a student, including but not limited to, information in the student's records or electronic mail account, first or last name, home address, telephone number, date of birth, electronic mail address, discipline records, test results, grades, evaluations, criminal records, medical records, health records, Social Security number, biometric information, disabilities, socioeconomic information, food purchases, political affiliations, religious affiliations, text messages, documents, student identifiers, search activity, photographs, voice recordings, survey responses or behavioral assessments.

f. Student Record means any information directly related to a student that is maintained by the Board or any information acquired from a student through the use of educational software assigned to the student by a teacher or employee of the Board, except student record does not include de-identified student information allowed under the contract to be used by the consultant or operator to:

- 1) Improve educational products for adaptive learning purposes and customize student learning;
- 2) Demonstrate the effectiveness of the contractor's products in the marketing of such products; and

- 3) Develop and improve the consultant's or operator's products and services.
5. Notwithstanding anything in this Subsection to the contrary, the Board may use an operator's or consultant's services without entering into a contract as described above, if the use of an Internet web site, online service or mobile application operated by a consultant or an operator is unique and necessary to implement a child's individualized education program or plan pursuant to Section 504 of the Rehabilitation Act of 1973 and such Internet website, online service or mobile application is unable to comply with the provisions of Conn. Gen. Stat. § 10-234bb, provided:
- a. Such Internet web site, online service or mobile application complies with FERPA and the Health Insurance Portability and Accountability Act of 1996, P.L. 104-191, as amended from time to time;
  - b. The Board can provide evidence that it has made a reasonable effort to:
    - 1) enter into a contract with such consultant or operator to use such Internet web site, online service or mobile application, in accordance with the provisions of Conn. Gen. Stat. § 10-234bb; and
    - 2) find an equivalent Internet web site, online service or mobile application operated by a consultant or an operator that complies with the provisions of Conn. Gen. Stat. § 10-234bb;
  - c. The consultant or operator complies with the provisions of Conn. Gen. Stat. § 10-234cc for such use; and
  - d. The parent or legal guardian of such child, and, in the case of a child with an individualized education program, a member of the planning and placement team, signs an agreement that:
    - 1) acknowledges such parent or legal guardian is aware that such Internet web site, online service or mobile application is unable to comply with the provisions of Conn. Gen. Stat. § 10-234bb; and
    - 2) authorizes the use of such Internet website, online service or mobile application.

- e. The Board shall, upon the request of a parent or legal guardian of a child, provide the evidence described in Subsection 5.b, above.

## **VIII. REDISCLOSURE OF EDUCATION RECORDS**

- A. The school district may disclose personally identifiable information from an education record only on the conditions that:
  1. the party to whom the information is disclosed will not subsequently redisclose the information to any other party without the proper consent of the parent or eligible student, and
  2. the officers, employees, and agents of a party that receives such information may only use the information for the purposes for which disclosure was made.
- B. Notwithstanding the provisions of Section A above, the school district may disclose personally identifiable information from an education record with the understanding that the information may be redisclosed by the recipient of the information as long as prior written consent for disclosure is not required, for one of the reasons listed in Article VII, Section C above, and at least one of the following conditions is met.
  1. The record of the original disclosure includes the names of the parties to whom redisclosure is being made and the legitimate interests each such party has in requesting or obtaining the information.
  2. The original disclosure was to a state or local educational authority or federal official or agency as set forth in Article VII, Section C, and such state or local educational authority or federal official or agency has complied with the requirements of 34 C.F.R. § 99.32(b)(2).
  3. In the case of disclosures made pursuant to a court order or lawfully issued subpoena, the district has made a reasonable effort to notify the parent or eligible student in advance of compliance with the subpoena (except if such subpoena meets the criteria set forth above in Article VII, Section C (10)).
  4. Disclosure is made to a parent, an eligible student, or the parent of an eligible student.
  5. The information is considered directory information.
- C. In the event that the Student Privacy Policy Office determines that a third party outside of the school district has improperly redisclosed personally identifiable information from education records in violation of FERPA, the school district

may not allow that third party access to personally identifiable information from education records for at least five (5) years.

## **IX. AMENDMENT OF EDUCATION RECORDS**

- A. If a parent or an eligible student believes that information in the student's education records is inaccurate, misleading or in violation of the student's right to privacy, he/she is entitled to:
  - 1. Request in writing that the school district amend the records;
  - 2. Receive within a reasonable period of time a decision from the school district with respect to its decision on the amendment(s) requested by the parent or eligible student.
- B. If the school district decides to amend the records, the school district shall promptly take such steps as may be necessary to put the decision into effect with respect to the requested amendments, and shall inform the parent or eligible student of the amendment.
- C. If the school district decides that an amendment of the records in accordance with the request is not warranted, it shall so inform the parent or eligible student and advise him/her of the right to a hearing pursuant to this policy.

## **X. HEARING RIGHTS AND PROCEDURES**

- A. Rights
  - 1. Upon written request of a parent or eligible student to the Superintendent of Schools, an opportunity for a hearing shall be provided to challenge the content of a student's education records on the grounds that the information contained in the education records is inaccurate, misleading, or otherwise in violation of the privacy rights of the student.
  - 2. If, as a result of the hearing, the school district decides that information contained in the education records of a student is inaccurate, misleading, or otherwise in violation of the privacy rights of the student, the records shall be amended, and the parent or eligible student shall be informed in writing.
  - 3. If, as a result of the hearing, the school district decides that information contained in the education records of a student is not inaccurate, misleading, or otherwise in violation of the privacy rights of the student, the parent or eligible student shall be informed of the right to place in the student's education records a statement commenting on the contested information or stating why he or she disagrees with the district's decision, or both.

- a. Any statement placed in the records of the student shall be maintained by the school system as part of the records of the student as long as the record or contested portion is maintained by the school system.
- b. If the contested portion of the education record is disclosed by the school system, the statement of disagreement by the parents and/or eligible student shall also be disclosed.

**B. Procedures**

1. The hearing shall be held within a reasonable time after the school system has received the request, unless the parent or eligible student requests a delay.
2. The parent or eligible student shall be given notice of the date, place, and time of the hearing, within a reasonable time in advance of the hearing.
3. The hearing will be conducted by a person or persons appointed by the Superintendent of Schools. This person(s) shall be knowledgeable of the policies relating to confidentiality and shall not have a direct interest in the outcome of the hearing.
4. The parent or eligible student and the school system shall have the right to be represented by person(s) of their choosing at their own expense, to cross-examine witnesses, to present evidence, and to receive a written decision of the hearing.
5. The decision reached through the hearing shall be made in writing within a reasonable period of time after the hearing. The decision will be based solely upon the evidence presented at the hearing and shall include a summary of the evidence and the reasons for the decision.

**XI. WAIVER OF RIGHTS**

- A. A student who is an applicant for admission to an institution of post-secondary education, or is in attendance at an institution of post-secondary education, may waive his or her right to inspect and review confidential letters and confidential statements of recommendations with the following limitations:
  1. The student is notified, upon request, of the names of all individuals providing the letters or statements.
  2. The letters or statements are used only for the purpose for which they were originally intended.

3. The waiver is not required by the district as a condition of admission to or receipt of any other service or benefit from the district.
  4. The waiver is in writing and executed by the student, regardless of age, rather than by the parent.
- B. A waiver may be revoked with respect to any actions occurring after the revocation.
- C. Revocation of a waiver must be in writing.

## **XII. SPECIAL CONFIDENTIALITY PROCEDURES FOR HIV-RELATED INFORMATION**

- A. The following definitions shall apply to Article XII of this policy:
1. Confidential HIV-Related Information  

“Confidential HIV-related information” means any information pertaining to the protected individual or obtained pursuant to a release of confidential HIV-related information, concerning whether a person has been counseled regarding HIV infection, has been the subject of an HIV-related test, or has HIV infection, HIV-related illness or AIDS, or information which identifies or reasonably could identify a person as having one or more of such conditions, including information pertaining to such individual’s partners.
  2. Health Care Provider  

“Health Care Provider” means any physician, dentist, nurse, provider of services for the mentally ill or persons with intellectual disabilities, or other person involved in providing medical, nursing, counseling, or other health care, substance abuse or mental health service, including such services associated with, or under contract to, a health maintenance organization or medical services plan.
  3. Protected Individual  

“Protected individual” means a person who has been counseled regarding HIV infection, is the subject of an HIV-related test or who has been diagnosed as having HIV infection, AIDS or HIV-related illness.
  4. Release of confidential HIV-related information



“Release of confidential HIV-related information” means a written authorization for disclosure of confidential HIV-related information which is signed by the protected individual, if an eligible student, or a person authorized to consent to health care for the individual and which is dated and specifies to whom disclosure is authorized, the purpose for such disclosure and the time period during which the release is to be effective. A general authorization for the release of medical or other information is not a release of confidential HIV-related information, unless such authorization specifically indicates its dual purpose as a general authorization and an authorization for the release of confidential HIV-related information.

5. School Medical Personnel

“School medical personnel” means an employee of the Board who is a school nurse or the school district medical adviser.

B. Confidentiality of HIV-related Information

1. All school staff must understand that no person who obtains confidential HIV-related information regarding a protected individual may disclose or be compelled to disclose such information. Each person who has access to confidential HIV-related information is responsible for ensuring that confidential HIV-related information is protected from disclosure and/or redisclosure.
2. Confidential HIV-related information is not public information and any disclosure, other than to persons pursuant to a legally sufficient release or to persons authorized by law to receive such information without a legally sufficient release, violates the law and Board policy.

C. Accessibility of Confidential HIV-related Information

1. No school staff member who obtains confidential HIV-related information may disclose or be compelled to disclose such information, except to the following:
  - a) the protected individual, his/her legal guardian or a person authorized to consent to health care for such individual;
  - b) any person who secures a release of confidential HIV-related information;

- c) a federal, state or local health law officer when such disclosure is mandated or authorized by federal or state law;
- d) a health care provider or health facility when knowledge of the HIV-related information is necessary to provide appropriate care or treatment to the protected individual or when confidential HIV-related information is already recorded in a medical chart or record and a health care provider has access to such record for the purpose of providing medical care to the protected individual;
- e) a medical examiner to assist in determining cause of death; or
- f) any person allowed access to such information by a court order.

#### D. Procedures

1. If a school staff member, other than school medical personnel, is given confidential HIV-related information regarding a protected individual, who is also a student, from the student's legal guardian or the student, the school staff member shall attempt to secure a release of confidential HIV-related information for the sole purpose of disclosing such information to school medical personnel.
2. If a school medical personnel member is given confidential HIV-related information regarding a protected individual, who is also a student, by a student's legal guardian, or by the student, and the legal guardian or the student requests accommodations to the student's program for reasons related thereto, the school medical personnel member shall inform the legal guardian or the student, if an eligible student, that a release of confidential HIV-related information is necessary before such information may be disclosed to other educational personnel capable of assessing the need for and implementing appropriate accommodations to the student's program.
3. Any school staff member who obtains confidential HIV-related information from a source other than the protected individual or his/her legal guardian, shall keep such information confidential and shall not disclose such information.
4. No school staff member may disclose confidential HIV-related information to other school staff members without first obtaining a release of confidential HIV-related information.

5. Any record containing confidential HIV-related information shall be maintained in a separate file, and shall not be subject to the provisions of this policy regarding accessibility of general student records.
6. If school medical personnel determine that the health and safety of the student and/or others would be threatened if a release of confidential HIV-related information is not obtained, the school medical personnel may seek a court order authorizing disclosure. In such cases, such confidential HIV-related information may be disclosed as set forth in and subject to any limitation of such court order.

E. Disclosures Pursuant to a Release

1. Any disclosure pursuant to a release shall be accompanied by a notice in writing stating, "This information has been disclosed to you from records whose confidentiality is protected by state law. State law prohibits you from making any further disclosure of it without the specific written consent of the person to whom it pertains, or as otherwise permitted by said law. A general authorization for the release of medical or other information is NOT sufficient for this purpose."
2. Oral disclosures must be accompanied or followed by the above notice within ten (10) days.
3. Except for disclosures made to a federal, state or local health officer when such disclosure is mandated or authorized by federal or state law, a notation of all disclosures shall be placed in the medical record or with any HIV-related test result of a protected individual, who shall be informed of such disclosures on request.

### **XIII. CHILD ABUSE REPORTING**

Nothing in this policy shall limit a mandated reporter's responsibility to report suspected child abuse or neglect under the Board's Child Abuse and Neglect Reporting **Policy 4135**.

#### **6. XIV. RIGHT TO FILE A COMPLAINT**

FERPA affords parents and eligible students the right to file a complaint with the U.S. Department of Education concerning alleged failures by the school district to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Student Privacy Policy Office  
U.S. Department of Education  
400 Maryland Avenue, S.W.

Legal References:

State Law:

Conn. Gen. Stat. § 1-210 *et seq.*  
Conn. Gen. Stat. § 10-220h  
Conn. Gen. Stat. § 10-15b  
Conn. Gen. Stat. § 10-233d  
Conn. Gen. Stat. § 10-234aa  
Conn. Gen. Stat. § 10-234bb  
Conn. Gen. Stat. § 10-234cc  
Conn. Gen. Stat. § 10-234dd  
Conn. Gen. Stat. § 10-234ff  
Conn. Gen. Stat. § 10-234gg  
Conn. Gen. Stat. § 10-220d  
Conn. Gen. Stat. § 10-253  
Conn. Gen. Stat. § 17-16a  
Conn. Gen. Stat. § 17a-28  
Conn. Gen. Stat. § 17a-101k  
Conn. Gen. Stat. § 19a-581 *et seq.*  
Conn. Gen. Stat. § 46b-134

Regs. Conn. State Agencies § 10-76d-18

State Department of Education, Guidance on Civil Rights Protections and Supports for Transgender Students, June 2017

State Department of Education, Guidance on Civil Rights Protections and Supports for Transgender Students: Frequently Asked Questions, June 2017

State Department of Education memorandum dated December 21, 2010, on school choice recruitment

Office of the Public Records Administrator, Retention Schedule M8-Education Records, Revised 2/2005, available at <http://ctstatelibrary.org/wp-content/uploads/2015/07/M8.pdf>

Federal Law:

Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g

USA Patriot Act of 2001, Pub. L. No. 107-56

Every Student Succeeds Act, Pub. L. No. 114-95

Healthy, Hunger-Free Kids Act of 2010, Pub. L. No. 111-296

The McKinney-Vento Homeless Education Assistance Act, 42 U.S.C. §§ 11431 *et seq.*, as amended by Every Student Succeeds Act, Pub. L. No. 114-95.

34 C.F.R. §§ 99.1 - 99.67

34 C.F.R. § 106.45

34 C.F.R. §§ 300.560 - 300.576

Balancing Student Privacy and School Safety: A Guide to the Family Educational Rights and Privacy Act for Elementary and Secondary Schools, U.S. Department of Education (October 2007), available at <http://www.ed.gov/policy/gen/guid/fpco/ferpa/safeschools/>.

Adopted:  
Revised:

NEWTOWN PUBLIC SCHOOLS  
Newtown, Connecticut

**ADMINISTRATIVE REGULATIONS REGARDING  
CLASSIFICATION OF EDUCATION RECORDS**

The Newtown Public Schools (the “District”) will appoint a Custodian of Records who will ensure that student education records are kept as follows:

**A. CATEGORY “A” RECORDS:**

1. Category A includes official administrative records that constitute the minimum personal data necessary for the operation of the educational system.
2. Category A records shall be maintained for at least fifty (50) years after the student leaves the school district or graduates.
3. All Category A records created by the district shall include the student’s state-assigned student identifier (SASID).
4. Notice of a student’s suspension or expulsion shall be expunged from the student’s cumulative education record if the student graduates from high school, except for notice of an expulsion of a student in grades nine through twelve, inclusive, based upon possession of a firearm or deadly weapon.
5. \*In cases where a student is suspended or expelled for the first time, and the Administration or the Board, respectively, has shortened or waived the period of suspension or expulsion in accordance with the Board’s disciplinary policy relating to first time offenses, the Administration or the Board, respectively, may choose to expunge such notice of suspension or expulsion from the student’s cumulative record at the time the student completes the specified program and any other conditions imposed by the Administration/Board, rather than upon graduation. The Board may choose to expunge an expulsion notice from a 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. Should the notice be expunged in accordance with one of these provisions, a record of the fact that the student had been suspended or expelled shall be maintained apart from the student’s cumulative record, for the limited purpose of determining whether any subsequent offenses by the student would constitute the student’s first suspension or expulsion.
6. Category A records shall include, at a minimum, the following:

<u>RECORD</u>	<u>LOCATION</u>
a. Basic biographical information	Cumulative/Health File
b. Academic achievement (grades/transcripts)	Cumulative File

c. Date of high school graduation or equivalent	Cumulative File
d. Records of immunizations	Cumulative/Health/Pupil Personnel File
e. Attendance records (days absent/present/tardy)	Cumulative File
f. *Notice of Expulsion for Firearm or Deadly Weapon (C.G.S. §§ 10-233c(e), 10-233d(f))	Cumulative File

**B. CATEGORY “B” RECORDS**

1. This includes verified information for the formulation of education programs for all students, but not absolutely necessary over an indefinite period of time.
2. Data in Category B must be accurate, clearly understood, and verified before becoming part of any continuing record. There should be no anonymous entries in a student’s education record.
3. Category B records must be maintained for at least six (6) years after the student leaves the school district or graduates from high school.
4. Notice of a student’s suspension or expulsion shall be expunged from the student’s cumulative education record if the student graduates from high school, except for notice of an expulsion of a student in grades nine through twelve, inclusive, based upon possession of a firearm or deadly weapon.
5. \*In cases where a student is suspended or expelled for the first time, and the Administration or the Board, respectively, has shortened or waived the period of suspension or expulsion in accordance with the Board’s disciplinary policy relating to first time offenses, the Administration or the Board, respectively, may choose to expunge such notice of suspension or expulsion from the student’s cumulative record at the time the student completes the specified program and any other conditions imposed by the Administration/Board, rather than upon graduation. The Board may choose to expunge an expulsion notice from a 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. Should the notice be expunged in accordance with one of these provisions, a record of the fact that the student had been suspended or expelled shall be maintained apart from the student’s cumulative record, for the limited purpose of determining whether any subsequent offenses by the student would constitute the student’s first suspension or expulsion.
7. Records containing information pertaining to child abuse/neglect referrals or reports, or containing confidential HIV-related information, should be kept separate from the student’s cumulative folder, in confidential files.

8. Confidential HIV-related information contained in the confidential file should only be disclosed pursuant to district policy.
9. Information contained in documents related to any Department of Children and Families (“DCF”) child abuse and/or neglect investigation, or any such investigation conducted by local law enforcement officials, shall be kept confidential in a central location. Such records shall only be disclosed in accordance with the Board’s policy regarding Confidentiality and Access to Education Records.
10. Category B records shall include the following (if applicable):

<u>RECORD</u>	<u>LOCATION</u>
a. Child-Study Team Records / Student Assistance Team Records	Cumulative/Pupil Personnel File
b. Standardized group test scores (CAPT, CMT etc.)  and/or personality testing program results	Cumulative/Pupil Personnel File
c. Diagnostic reading/math test results (not special education)	Cumulative File
d. Educational and/or vocational interest	Cumulative File
e. Speech/language and hearing evaluations (not special education)	Cumulative/Health File
f. Comprehensive health records	Cumulative/Health/Pupil Personnel File
g. Correspondence relating to the student	Cumulative/Health/Pupil Personnel File
h. Suspensions/expulsions, and the Individualized Learning Plan implemented for an expelled student, which shall include the student’s state-assigned student identifier (SASID)	Cumulative File*
i. Parent/eligible student’s signed release forms	Cumulative/Health/Pupil Personnel File
j. Truancy Records (including record of parent conferences and referrals )	Cumulative File
k. Child Abuse/Neglect Forms	CONFIDENTIAL FILE IN CENTRAL LOCATION



<u>RECORD</u>	<u>LOCATION</u>
l. Reports Containing Confidential HIV-Related Information	CONFIDENTIAL FILE
m. Awards	Cumulative File
n. Diagnostic test results (non special education)	Cumulative File/Pupil Personnel File
o. Extracurricular Activities	Cumulative File
p. Letters of Recommendation	Cumulative File
q. Parent's/Eligible Student's signed release forms (permitting disclosure of records)	Cumulative File/Health/Pupil Personnel File
r. Diploma (if not picked up by student)	Cumulative File
s. Accident Reports	Cumulative File
t. Basic school entrance health histories	Cumulative/Health File
u. Cumulative Health Record (CHR-1, original or copy)	Health File (*copy remains with district/original follows student)
v. Individualized Health Care Plans / Emergency Care Plans	Cumulative/Health/Pupil Personnel File
w. Health Assessment Records (HAR-3)	Health File
x. Incident Reports	Cumulative File
y. Medication administration records (*6 yrs OR until superseded by yearly summary on CHR-1), which shall include the student's state-assigned student identifier (SASID)	Health File
z. Parent authorization for medications/treatments	Health File
aa. Physician's orders for medications treatments	Health File
bb. Referral forms for services based on results of mandated screenings	Health/Pupil Personnel File

<u>RECORD</u>	<u>LOCATION</u>
cc. Sports histories and physical-examination reports	Health File
dd. Nursing Records (Health assessment data; Nursing process notes; 3 <sup>rd</sup> party health records)	Health File
ee. Correspondence to parents related to verified acts of bullying; intervention plans and safety plans, as may be required under state law	Cumulative File

**C. CATEGORY “C” RECORDS – SPECIAL EDUCATION**

1. Category C includes verified information necessary for the formulation of prescriptive educational plans designed to meet the unique needs of selected students.
  2. Category C information should be kept separate from the student’s cumulative folder, in the Pupil Personnel File.
  3. Category C records must be maintained for at least six (6) years after the student leaves the school district or graduates from high school.
  4. Prior to the destruction of Category C information, notification to parents and/or eligible students via media will be made and opportunity provided to copy said records.
- Category C shall include (where applicable):

<u>RECORD</u>	<u>LOCATIONS</u>
a. PPT referral forms	Pupil Personnel File
b. School counselor case records	Cumulative/ Pupil Personnel File
c. School psychologists case records	Cumulative/Pupil Personnel File
d. School social-work case records	Cumulative/Pupil Personnel File
e. School speech/language pathology case records	Cumulative/Pupil Personnel File
f. Section 504 Records	Cumulative/Pupil Personnel File

g. Special Education assessment/evaluation reports	Pupil Personnel File
h. Due process records (including complaints, mediations, and hearings)	Pupil Personnel File
i. Individual Transition Plan	Pupil Personnel File
j. Individualized Education Program (“IEP”) Records	Pupil Personnel File
k. Planning and Placement Team (“PPT”) records (including notices, meetings, consent forms)	Pupil Personnel File
l. Individualized Family Service Plans (“IFSPs”)	Pupil Personnel File
m. Incident Reports of Seclusion	Pupil Personnel File
n. Incident Reports of Physical Restraint	Pupil Personnel File

## D. CATEGORY “D” RECORDS

1. Category D records must be maintained for minimum retention period specified below.

Category “D” shall include (if applicable):

<u>RECORD</u>	<u>MINIMUM RETENTION REQUIRED</u>	<u>LOCATION</u>
a. Sports Contract/Student Contract (including signature sheet for student handbook)	End of school year in which signed	Cumulative File
b. Permission slips / waivers	3 years	Cumulative File
c. Free/reduced meal application and documentation	3 years	Cumulative File
d. Annual Notification to Parents (Student behavior and Discipline, Bus Conduct, Electronic Communications Systems, and the National School Lunch Program)	1 year	Cumulative File
e. Adult education Registration Records	3 years or until audited, whichever comes first	Cumulative File
f. After school program registration records	1 year	Cumulative File
g. Pesticide application notification registration form	5 years	Cumulative File
h. School registration records including residency documentation	3 years or until audited, whichever comes later	Cumulative File
i. Student portfolio work (student produced work for grading assessment)	End of year in which student received grade	May be Maintained by Individual Teachers
j. Tardy slips from parents/guardians	End of school year	Cumulative File
k. Physician’s Standing orders	Permanent; revise as required. Keep old copy separately.	Health File
l. Student’s emergency information card	Until superseded or student leaves school district	Cumulative/Health File
m. Test Protocols	Discretion of district	Cumulative/Pupil Personnel File
n. Surveillance videotapes made on school bus (if maintained by district)	2 weeks	N/A
o. Log of access to education records	Maintained for same retention period as required for the record	Cumulative/Health/Pupil Personnel

p. Title IX records and documentation	7 years from date of creation	Cumulative/Other File as Designated by the Administration
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**E. DURATION OF EDUCATION RECORDS**

1. Records shall be destroyed in accordance with district policy and the Records Retention Schedule of the Public Records Administrator.
2. Records may be maintained for longer periods of time whenever valid cause for the retention of records is shown to the custodian of records.
3. Notwithstanding the applicable retention schedule, the school district shall not destroy any education record if a parent or eligible student has an outstanding request to inspect and review the education record.

**F. MAINTENANCE OF EDUCATION RECORDS OF TRANSGENDER AND GENDER NON-CONFORMING STUDENTS**

1. The Administration shall comply with all processes and procedures relative to the amendment of education records when presented with a request to change a student’s name, gender, or any other information contained in education records.
2. If the Administration changes the name and/or gender in a transgender or gender non-conforming student’s education record, all education records containing the student’s birth name and gender shall be maintained, if so required under federal and/or state law and regulations, separately from other education records and in a strictly confidential location and manner.

**G. RESPONSIBILITY FOR MAINTENANCE OF EDUCATION RECORDS**

1. The Director of Pupil Services is the Custodian of Records.

Deborah Mailloux-Petersen  
3 Primrose Street  
Newtown, CT 06470  
Phone: (203)-426-7628  
[petersend@newtown.k12.ct.us](mailto:petersend@newtown.k12.ct.us)

2. In addition, the following personnel are designated as the guardians of records for each of the schools:
  - a) Categories A, B & D: Principal at each school.
  - b) Category C: Case Manager at each school.
  - c) With respect to confidential HIV-related information, if the Principal is a recipient of an HIV-related disclosure, the Principal shall be the guardian of records. If not,

whoever was the recipient of the HIV-related disclosure shall be the guardian of the records.

- d) With respect to child abuse and neglect investigation material, the Superintendent of Schools or designee shall be the guardian of the records.
  - e) With respect to Title IX records and documentation, the District's Title IX Coordinator shall be the guardian of the records.
3. The chief custodian of records will annually list for public inspection the names and positions of the custodians of records in each of the schools.
  4. Each of the custodians of records shall supply parents, on request, a list of the types and locations of education records collected, maintained, or used within the Newtown Public Schools.
  5. The custodian of records is responsible for ensuring compliance with the confidentiality and access provisions of this Board policy and these administrative regulations.

Administrative Regulations Adopted:

**Annual Notification of Rights  
Under FERPA for Elementary and Secondary Institutions**

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

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

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

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

Parents or eligible students who wish to ask the District to amend a record should write the school principal or Director of Pupil Services, clearly identify the part of the record the parents or eligible student want changed, and specify why it should be changed.

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

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

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

Upon request, the District discloses a student's education record without consent to officials of another school, including other public schools, charter schools, and post-secondary institutions, in which the student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer. Further, and in accordance with state and

federal law and guidance, the District may disclose education records to another school for enrollment purposes, which may include exploration of educational placement options by the District or educational placement decisions made by a planning and placement or Section 504 team, or in order to explore placement options for the provision of alternative educational opportunities.

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

Student Privacy Policy Office  
U.S. Department of Education  
400 Maryland Avenue, S.W.  
Washington, DC 20202-8520

## **DIRECTORY INFORMATION**



Unless notified in writing by a parent or eligible student to the contrary within two weeks of the date of this notice, the school district will be permitted to disclose “Directory Information” concerning a student, without the consent of a parent or eligible student. Directory Information includes information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. It includes, but is not limited to, the parent’s name, address and/or e-mail address, the student’s name, address, telephone number, e-mail address, photographic, computer and/or video images, date and place of birth, major field(s) of study, grade level, enrollment status (full-time; part-time), participation in school-sponsored activities or athletics, weight and height (if the student is a member of an athletic team), dates of attendance, degrees, honors and awards received, the most recent previous school(s) attended and student identification numbers for the limited purposes of displaying a student identification card. The student identification number, however, will not be the only identifier used when obtaining access to education records or data. Directory information does not include a student’s social security number, student identification number or other unique personal identifier used by the student for purposes of accessing or communicating in electronic systems unless the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user’s identity, such as a PIN or password.

The school district may disclose directory information about students after they are no longer in enrollment in the school district. Notwithstanding the foregoing, the district will continue to honor any valid objection to the disclosure of directory information made while a student was in attendance unless the student rescinds the objection.

An objection to the disclosure of directory information shall not prevent the school district from disclosing or requiring a student to disclose the student’s name, identified or institutional email address in a class in which the student is enrolled. Parents and/or eligible students may not use the right to opt out of directory information disclosures to prohibit the school district from requiring students to wear or display a student identification card.

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

## **Notification of Data Sharing Agreements Under Conn. Gen. Stat § 10-234bb(g)**

**This notice must be sent on or before September 1 of each school year**

Pursuant to the requirements of Conn. Gen. Stat. § 10-234bb(g), the Newtown Board of Education (the “Board”) maintains and updates an Internet website with information relating to all contracts into which it has entered for which a contractor may gain access to student records, student information, or student-generated content (collectively, “student data”). The address of the Internet website is [www.newtown.k12.ct.us](http://www.newtown.k12.ct.us) . The Internet website includes copies of these contracts, and notices regarding each contract that include (1) the date the contract was executed, (2) a brief description of the contract and the purpose of the contract and (3) what student data may be collected as a result of the contract.

**NEWTOWN PUBLIC SCHOOLS  
RELEASE OF CONFIDENTIAL HIV-RELATED INFORMATION**

I hereby authorize \_\_\_\_\_ [name of individual who holds the information] \_\_\_\_\_, to release confidential HIV-related information, as defined in Conn. Gen. Stat. § 19a-581, concerning \_\_\_\_\_ [name of protected individual] \_\_\_\_\_, to the following personnel:

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

This authorization shall be valid for

- \_\_\_\_\_ 1) The student's stay at \_\_\_\_\_ School.
- \_\_\_\_\_ 2) The current school year.
- \_\_\_\_\_ 3) Other \_\_\_\_\_  
specify period

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

\_\_\_\_\_  
[Name]  
\_\_\_\_\_  
[Relationship to Student]  
\_\_\_\_\_  
[Date]

**11. NEWTOWN PUBLIC SCHOOLS  
12. TRANSFER OF CONFIDENTIAL STUDENT INFORMATION**

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

Pursuant to the Family Educational Rights and Privacy Act ("FERPA"), I hereby authorize the Newtown Public Schools to **release** and/or **obtain** (please circle) the following confidential records regarding my child for the purpose of \_\_\_\_\_:

**Name of Child:** \_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

**DOB:** \_\_\_\_\_

**Parent(s)/Guardian(s):** \_\_\_\_\_

**School:** \_\_\_\_\_

(Please check all that apply)

	<u>Obtain</u>	<u>Release</u>
All Records	<input type="checkbox"/>	<input type="checkbox"/>
Cumulative File	<input type="checkbox"/>	<input type="checkbox"/>
Pupil Personnel/Special Education	<input type="checkbox"/>	<input type="checkbox"/>
Disciplinary	<input type="checkbox"/>	<input type="checkbox"/>
Health/Medical*	<input type="checkbox"/>	<input type="checkbox"/>
Other (please specify)	<input type="checkbox"/>	<input type="checkbox"/>

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

To/From: \_\_\_\_\_

Name

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

Street

Town

State/Zip Code

Telephone: (\_\_\_\_) \_\_\_\_\_ Fax: (\_\_\_\_) \_\_\_\_\_

I understand that the information to be disclosed is protected as an "education record" under FERPA, and that such information shall not be redisclosed unless permitted under FERPA. I further understand that the officers, employees, and agents of any party that receives protected information under FERPA may use such information only for purposes for which the disclosure is made.

\_\_\_\_\_  
Signature of Parent/Guardian

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name of Parent/Guardian

\*\*\*\*\*

**If this authorization is being used to obtain Protected Health Information from a child's physician or other covered entity under HIPAA, the following section must also be completed:**

I, the undersigned, specifically authorize \_\_\_\_\_ to disclose my child's  
Name of Physician

medical information, as specified above, to my child's school, \_\_\_\_\_,  
Name of School

at the above address for the purposes described below (i.e. health assessment for school entry, special education evaluation etc.):

---

By signing below, I agree that a photocopy of this authorization will be valid as the original. This authorization will be valid for a period of one year from the date below. I understand that I may revoke this authorization at any time by notifying the physician's office in writing, but if I do, it will not have any effect on actions taken by the Physician prior to receiving such revocation.

I understand that under applicable law, the information disclosed under this authorization may be subject to further disclosure by the recipient and thus, may no longer be protected by federal privacy regulations.

I understand that my child's treatment or continued treatment with any health care provider or enrollment or eligibility for benefits with any health plan may not be conditioned upon whether or not I sign this authorization and that I may refuse to sign it.

Any information received by the school pursuant to this authorization is subject to all applicable state and federal confidentiality laws governing further use and disclosure of such information.

\*\*\*\*\*

\_\_\_\_\_  
Signature of Parent/Guardian

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name of Parent/Guardian

□ **Note: This mandated policy was first adopted in 2016 by S & G and revised in November 2020 at the suggestion of the CT Department of Children and Families to include the addresses for several resources listed at the end of the policy. This is a new policy for NPS.**

**If there is a change in assignment of a Safe School Climate Specialist, the policy will be updated with the name of the new Specialist assigned the responsibility. A change in personnel is not a policy revision as it is not a substantive change to the policy.**

- 
- **Series 5000**
- **5128**
- **Students**

## **CHILD SEXUAL ABUSE AND ASSAULT RESPONSE POLICY AND REPORTING PROCEDURE**

The Newtown Board of Education (the “Board”) has adopted a uniform child sexual abuse and/or sexual assault response policy and reporting procedure in connection with the implementation of its sexual assault and abuse prevention and awareness program.

### **I. Procedures for Reporting of Child Sexual Abuse and Sexual Assault**

- A. Students, or any individuals, may make written or verbal reports of suspected child sexual abuse and/or sexual assault to any school employee. For purposes of this policy, a “child” shall be considered any student enrolled in the Board’s schools, except for those enrolled only in an adult education program who are over the age of eighteen (18). The Safe School Climate Specialist or designee for the school in which the student is enrolled shall be notified of the report and shall cause such reports to be reviewed and actions taken consistent with this policy.
- B. School employees who receive a report of child sexual assault and/or abuse and have reasonable cause to suspect or believe that a child has been sexually abused and/or assaulted shall report such suspicion to the appropriate authority in accordance with Board **Policy 4135/4235**, pertaining to **Reports of Suspected Abuse or Neglect of Children or Reports of Sexual Assault of Students by School Employees**.

### **II. Procedures for Review of Reports of Child Sexual Abuse and/or Assault**

- A. The Safe School Climate Specialist or designee for the school in which the student is enrolled shall be responsible for reviewing any reports of suspected child sexual abuse and/or sexual assault. In the event that the suspected child sexual abuse and/or sexual assault has not yet been reported to the appropriate authority in accordance with Board **Policy 4135/4235**, pertaining to **Reports of Suspected Abuse or Neglect of Children or Reports of Sexual Assault of Students by School Employees**, the Safe

School Climate Specialist or designee shall promptly cause such a report to be made.

- B. If/when such report alleges that a school employee, as defined by Conn. Gen. Stat § 53a-65, is the perpetrator of child sexual abuse and/or sexual assault, the Safe School Climate Specialist or designee shall immediately notify the Superintendent of Schools or designee, who shall immediately notify the child's parent or guardian that a report has been made to the appropriate authorities in accordance with Board **Policy 4135/4235**, pertaining to **Reports of Suspected Abuse or Neglect of Children or Reports of Sexual Assault of Students by School Employees**. The notification requirement shall not apply if a parent or guardian is the individual suspected of perpetrating the child sexual abuse and/or sexual assault. If either a Department of Children and Families (“DCF”) investigation or a police investigation is pending pertaining to the report of suspected child sexual abuse and/or sexual assault, the Safe School Climate Specialist or designee shall obtain the permission of DCF and/or the police department conducting the investigation prior to informing the parents/guardians of the report.
- C. The Safe School Climate Specialist or designee shall offer to meet with the student and the parents or guardians of the student about whom a report of suspected child sexual abuse and/or sexual assault has been made, in order to discuss the District’s support procedures, including but not limited to: 1) actions that child victims of sexual abuse and/or sexual assault and their families may take to obtain assistance, 2) intervention and counseling options for child victims of sexual abuse and/or assault, and 3) access to educational resources to enable child victims of sexual abuse and/or sexual assault to succeed in school.
- D. In the event that the report of suspected child sexual abuse and/or sexual assault alleges that another student enrolled in the District is the perpetrator of the sexual abuse and/or sexual assault, the Safe School Climate Specialist or designee shall also take appropriate action to investigate or cause such a report to be investigated, and appropriate remedial actions taken, in accordance with Board **Policy 4135/4235**, pertaining to **Reports of Suspected Abuse or Neglect of Children or Reports of Sexual Assault of Students by School Employees**, Board **Policy 5131.911**, pertaining to **Bullying Prevention and Intervention**, and Board **Policy 5145.5, Prohibition of Sex Discrimination, Including Sex-Based Harassment**. In the event either a DCF investigation or a police investigation is pending pertaining to the report of suspected child sexual abuse and/or sexual assault, the Safe School Climate Specialist shall coordinate investigatory activities with DCF and/or the police in order to minimize the number of interviews of any child or student victim of sexual assault and share information with other persons authorized to conduct an investigation of child abuse or neglect, as appropriate and permitted by law.

- E. The Safe School Climate Specialist or designee shall develop a student support plan for anyone who has been a victim of child sexual abuse and/or sexual assault. The report of suspected sexual abuse and/or assault need not be verified prior to the implementation of a support plan. The elements of the support plan shall be determined in the discretion of the Safe School Climate Specialist or designee, and shall be designed to support the student victim's ability to access the school environment.

### **III. Support Strategies**

- A. Child sexual abuse and/or sexual assault can take many forms and can vary dramatically in the nature of the offense and the impact the behavior may have on the victim and other students. Accordingly, there is no one prescribed response to child sexual abuse and/or sexual assault.
- B. The following sets forth possible interventions and supports which may be utilized to support individual student victims of child sexual abuse and/or sexual assault:
  - 1. Referral to a school counselor, psychologist or other appropriate social or mental health service.
  - 2. Encouragement of the student victim to seek help when feeling overwhelmed or anxious in the school environment.
  - 3. Facilitated peer support groups.
  - 4. Designation of a specific adult in the school setting for the student victim to seek out for assistance.
  - 5. Periodic follow-up by the Safe School Climate Specialist and/or Title IX Coordinator with the victim of sexual abuse and/or assault.
- C. The following sets forth possible interventions and supports that may be utilized systemically as prevention and intervention strategies pertaining to child sexual abuse and/or sexual assault:
  - 1. School rules prohibiting sexual abuse and sexual assault and establishing appropriate consequences for those who engage in such acts.
  - 2. School-wide training related to prevention and identification of, and response to, child sexual abuse and/or sexual assault.
  - 3. Age-appropriate educational materials designed for children in grades kindergarten to twelve, inclusive, regarding child sexual abuse and sexual assault awareness and prevention that will include information pertaining to, and support for, disclosures of sexual abuse and sexual assault, including but not limited to:



- (a) the skills to recognize child sexual abuse and sexual assault, boundary violations and unwanted forms of touching and contact, and the ways offenders groom or desensitize victims; and
  - (b) strategies to promote disclosure, reduce self-blame and mobilize bystanders.
4. Promotion of parent involvement in child sexual abuse and sexual assault prevention and awareness through individual or team participation in meetings, trainings and individual interventions.
  5. Respectful and supportive responses to disclosures of child sexual abuse and/or sexual assault by students.
  6. Use of peers to help ameliorate the plight of victims and include them in group activities.
  7. Continuing awareness and involvement on the part of students, school employees and parents with regard to prevention and intervention strategies.

**IV. Safe School Climate Specialists**

The Safe School Climate Specialists for the District are:

<u>Hawley School</u> Carla Tischio, Lead Teacher <a href="mailto:tischioc@newtown.k12.ct.us">tischioc@newtown.k12.ct.us</a> Phone: (203) 426-6165	<u>Reed Intermediate School</u> Jenna Connors, Assistant Principal <a href="mailto:connorsj@newtown.k12.ct.us">connorsj@newtown.k12.ct.us</a> Phone: (203) 426-4880
<u>Head O’Meadow School</u> Karen Dreger, Lead Teacher <a href="mailto:dregerk@newtown.k12.ct.us">dregerk@newtown.k12.ct.us</a> Phone: (203)426-7670	<u>Newtown Middle School</u> Brian Walsh, Assistant Principal <a href="mailto:walshb@newtown.k12.ct.us">walshb@newtown.k12.ct.us</a> Phone: (203) 426-7641
<u>Middle Gate School</u> John Sullivan, Lead Teacher <a href="mailto:sullivanj@newtown.k12.ct.us">sullivanj@newtown.k12.ct.us</a> Phone: (203) 426-7662	<u>Newtown High School</u> Paul Ribeiro, Assistant Principal <a href="mailto:Ribeirop@newtown.k12.ct.us">Ribeirop@newtown.k12.ct.us</a> Phone: (203) 426-7674
<u>Sandy Hook School</u> Kelly Maclaren, Lead Teacher <a href="mailto:maclarenk@newtown.k12.ct.us">maclarenk@newtown.k12.ct.us</a> Phone: (203) 426-7657	

## V. Community Resources

The Board recognizes that prevention of child sexual abuse and sexual assault requires a community approach. Supports for victims and families will include both school and community sources. The national, state and local resources below may be accessed by families at any time, without the need to involve school personnel.

### A. National Resources:

#### National Center for Missing & Exploited Children Resource Center

<http://www.missingkids.com/Publications>

333 John Carlyle Street, Suite #125, Alexandria, Virginia 22314-5950

24-hour call center: 1-800-843-5678

- The online resource center contains publications on child safety and abuse prevention, child sexual exploitation, and missing children.

#### National Children's Advocacy Center

[www.nationalcac.org](http://www.nationalcac.org)

210 Pratt Ave., Huntsville, Alabama 35801

Telephone: (256) 533-5437

#### National Child Traumatic Stress Network

[www.nctsn.org](http://www.nctsn.org)

NCCTS — Duke University

1121 West Chapel Hill Street Suite 201

Durham, NC 27701

Telephone: (919) 682-1552

- The National Child Traumatic Stress Network offers general information on childhood trauma, including information on child sexual abuse.

#### National Sexual Violence Resource Center

<http://www.nsvrc.org/projects/multilingual-access/multilingual-access>

2101 N. Front Street

Governor's Plaza North, Building #2

Harrisburg, PA 17110

Toll Free Telephone: 877-739-3895

- The resource center includes multilingual access.

#### Darkness to Light

<http://www.d2l.org>

1064 Gardner Road, Suite 210

Charleston, SC 29407

National Helpline: (866) FOR-LIGHT

Administrative Office: (843) 965-5444

- Darkness to Light is a grassroots national non-profit organization to educate adults to prevent, recognize and react responsibly to child sexual abuse.

B. Statewide Resources:

Department of Children and Families

<http://www.ct.gov/dcf/site/default.asp>

505 Hudson Street

Hartford, Connecticut 06106

*Child Abuse and Neglect Careline: 1-800-842-2288*

Telephone, Central Office: (860) 550-6300

- DCF is the Connecticut agency responsible for protecting children who are abused or neglected.
- FAQs About Reporting Suspected Abuse and Neglect are available at:  
<http://www.ct.gov/dcf/cwp/view.asp?a=2534&Q=314388&dcfNav=>

The Connecticut Alliance to End Sexual Violence

<http://EndSexualViolenceCT.org/>

96 Pitkin Street

East Hartford, CT 06108

24-hour toll-free hotline: 1-888-999-5545 English/1-888-568-8332 Español

Telephone: (860) 282-9881

- The alliance is a statewide coalition of community-based sexual assault crisis service programs working to end sexual violence through victim assistance, public policy advocacy, and prevention education training. Each member center provides free and confidential 24/7 hotline services in English and Spanish, individual crisis counseling, support groups, accompaniment and support in hospitals, police stations, and courts, referral information, and other services to anyone in need.
- *To find a Connecticut Alliance to End Sexual Violence member program please visit:*  
<http://endsexualviolencect.org/who-we-are/>

Connecticut Children's Alliance

[www.ctchildrensalliance.org](http://www.ctchildrensalliance.org)

75 Charter Oak Ave Suite 1-309

Hartford, Connecticut 06106

Phone: (860) 610-6041

- CCA is a statewide coalition of Child Advocacy Centers and Multidisciplinary Teams.

Connecticut Network of Care

<http://connecticut.networkofcare.org>

- Connecticut Network of Care is an online information portal listing programs and support groups for sexual assault and abuse in Connecticut.

C. Local Resources:

Newtown Youth & Family Services

[www.newtownyouthandfamilyservices.org](http://www.newtownyouthandfamilyservices.org)

15 Berkshire Road

Sandy Hook, CT 06482

Phone: (203) 270-4335

- Newtown Youth and Family Services provides a wide array of programs and services to youth and families.

Family & Children's Aid

[www.fcaweb.org](http://www.fcaweb.org)

77 West Street

Danbury, CT 06810

Phone: (203) 748-5689

- Family and Children's Aid provides support to children and families in crisis by providing safe homes, effective mental health care and other supports to keep children healthy and communities stronger.

The Center for Empowerment & Education (formerly the Women's Center of Danbury)

<http://thecenterct.org>

2 West Street

Danbury, CT 06810

e-mail: [thecenter@thecenter.org](mailto:thecenter@thecenter.org)

- The center provides prevention, crisis intervention, and support services with regard to domestic violence, sexual assault, and other major life transitions.

**Legal References:**

Conn. Gen. Stat § 17a-101b Report by mandated reporter. Notification of law enforcement agency when allegation of sexual abuse or serious physical abuse. Notification of person in charge of institution, facility or school when staff member suspected of abuse or neglect.

Conn. Gen. Stat § 17a-101q State-wide sexual abuse and assault awareness and prevention program

Adopted:

Revised:

NEWTOWN PUBLIC SCHOOLS

Newtown, Connecticut

**1. Note: This is a best practice model policy recommended by S & G. The policy was written in accordance with Public Act 19-60, which allows students six (6) years of age and older to self-apply sunscreen in school prior to outdoor activities with the signed permission of the parent or guardian.**

**This Policy and Administrative Regulations were reviewed by the District Nursing Supervisor.**

**2. Series 5000  
5134**

**Students**

**POLICY AND ADMINISTRATIVE REGULATIONS  
CONCERNING SUNSCREEN APPLICATION IN SCHOOL**

The Newtown Board of Education (the “Board”) permits the application of sunscreen by students within the Newtown Public Schools (the “District”), in accordance with State law. Specifically, notwithstanding the provisions of Connecticut General Statutes § 10-212a and the Board’s policy and/or administrative regulations concerning the administration of medication in school, any student who is six (6) years of age or older may possess and self-apply an over-the-counter sunscreen product while in school prior to engaging in any outdoor activity.

For a student to apply sunscreen prior to engaging in any outdoor activity, the following elements must be met:

3. The student’s parent or guardian must sign the Board’s written authorization and submit the authorization to the school nurse; and
4. The student and the student’s parent or guardian, where applicable, must comply with any individual school procedures concerning the possession and self-application of sunscreen in school.

The Board authorizes the Superintendent or his/her designee to develop administrative regulations to implement this policy.

Legal References:

Conn. Gen. Stat. § 10-212a	Administration of medications in schools, at athletic events and to children in school readiness programs
Conn. Gen. Stat. § 10-212h	Self-application of sunscreen by students

Approved:  
Revised:

NEWTOWN PUBLIC SCHOOLS  
Newtown, Connecticut

**5. Series 5000**  
**5134 R**

**Students**

**ADMINISTRATIVE REGULATIONS  
CONCERNING SUNSCREEN APPLICATION IN SCHOOL**

The Newtown Public Schools (the “District”) permits the application of sunscreen by students within the District, in accordance with State law and Board of Education (“Board”) policy and administrative regulations. Specifically, notwithstanding the provisions of Connecticut General Statutes § 10-212a and the Board’s policy and/or administrative regulations concerning the administration of medication in school, any student who is six (6) years of age or older may possess and self-apply an over-the-counter sunscreen product while in school prior to engaging in any outdoor activity.

- A. For a student to apply sunscreen prior to engaging in any outdoor activity, the following elements must be met:
1. The student’s parent or guardian must sign the Board’s written authorization and submit the authorization to the school nurse; and
  2. The student and the student’s parent or guardian, where applicable, must comply with individual school procedures concerning the possession and self-application of sunscreen in school.
- B. Individual schools shall develop processes and procedures for the self-application of over-the-counter sunscreen in school by students age six (6) and older prior to engaging in an outdoor activity, which processes and procedures must include that (a) the student’s parent or guardian must sign the Board’s written authorization and submit the authorization to the school nurse and (b) a student may only apply sunscreen that belongs to and has been brought into school by the individual student; and may include the following:
1. The location for self-application of sunscreen.
  2. The time during the school day for self-application while in school.
  3. The labeling of the sunscreen.

Legal References:

Conn. Gen. Stat. § 10-212a	Administration of medications in schools, at athletic events and to children in school readiness programs
Conn. Gen. Stat. § 10-212h	Self-application of sunscreen by students

Administrative Regulations Adopted:

**NEWTOWN PUBLIC SCHOOLS  
3 Primrose Street  
Newtown, CT 06470**

**WRITTEN AUTHORIZATION FOR THE  
POSSESSION AND APPLICATION OF SUNSCREEN IN SCHOOL**

Name of Child: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Address of Child: \_\_\_\_\_

Name of  
Parent(s): \_\_\_\_\_

Address of  
Parent(s): \_\_\_\_\_  
(if different from child)

Connecticut law permits students six (6) years of age or older to possess and self-apply an over-the-counter sunscreen product while in school prior to engaging in any outdoor activity, with signed parent/guardian consent.

I, \_\_\_\_\_, the parent/guardian of \_\_\_\_\_,  
Print name of parent/guardian Print name of student

permit my child to possess and self-apply an over-the-counter sunscreen product while in school prior to engaging in any outdoor activity. I understand and agree that the Newtown Board of Education assumes no responsibility or liability whatsoever with regard to the possession or application of the over-the-counter sunscreen, including but not limited to whether, or the manner in which, the sunscreen is applied; the expiration of the sunscreen; and/or any reaction the student may have to the application of the sunscreen. Please ensure the sunscreen is labeled with your child's name, grade level, and teacher.

\_\_\_\_\_  
Signature of Parent/Guardian

\_\_\_\_\_  
Date

**Please return the completed original form to your child's school nurse.**

**Note: This policy was revised by S & G in August 2018 in accordance with Section 4 of Public Act 18-51. At that time, the General Assembly added a new definition of “exclusionary time out.”**

**The content of this Policy and Administrative Regulations is similar to the current NPS policy. The S & G policy is shorter because implementation or operational procedures are in the Administrative Regulations. If this policy is approved, the current policy should be rescinded.**

**This policy was reviewed by the Director of Pupil Services.**

**Series 5000  
Students**

**5144.1**

**POLICY AND ADMINISTRATIVE REGULATIONS CONCERNING  
PHYSICAL RESTRAINT AND SECLUSION OF STUDENTS AND USE OF  
EXCLUSIONARY TIME OUT**

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

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

Nothing within the associated administrative regulations shall be construed to interfere with the Board’s responsibility to maintain a safe school setting, in accordance with Connecticut General Statutes § 10-220. Under no circumstances shall employees or individuals under the supervision of the Board use corporal punishment with students or physically manage students for purposes of discipline.

**Legal References:**

Conn. Gen. Stat. § 10-76b  
Conn. Gen. Stat. § 10-76d  
Conn. Gen. Stat. § 10-236b  
Conn. Gen. Stat. §§ 53a-18 to 53a-2  
Reg. Conn. State Agencies. §§ 10-76b-5 to 10-76b-11

**Other References:**



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

Understanding the Laws and Regulations Governing the Use of Restraint and Seclusion, Connecticut State Department of Education (July 2018).

Guidance Related to Recent Legislation Regarding Restraint and Seclusion, Connecticut State Department of Education (Revised, July 2018).

Approved:  
Revised:

NEWTOWN PUBLIC SCHOOLS  
Newtown, Connecticut

**ADMINISTRATIVE REGULATIONS CONCERNING  
PHYSICAL RESTRAINT AND SECLUSION OF STUDENTS AND USE OF  
EXCLUSIONARY TIME OUT**

The Newtown Public Schools (the “District”) seeks to foster a safe and positive learning environment for all students. District employees will restrict the use of physical restraint and seclusion of students to emergency situations, in accordance with these administrative regulations and the associated policy and applicable law. Physical restraint or seclusion of a student may be necessary in an emergency situation to maintain the safety of the student or another individual. District employees will restrict the use of exclusionary time out with students to those instances permitted by applicable law, as described in these administrative regulations and applicable law.

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

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

I. Definitions:

- A. Exclusionary Time Out: A temporary, continuously monitored separation of a student from an ongoing activity in a non-locked setting, for the purpose of calming such student or deescalating such student’s behavior.
- B. Life-Threatening Physical Restraint: Any physical restraint or hold of a person that (1) restricts the flow of air into a person’s lungs, whether by chest compression or any other means, or (2) immobilizes or reduces the free movement of a person’s arms, legs or head while the person is in the prone position.
- C. Psychopharmacological Agent: Any medication that affects the central nervous system, influencing thinking, emotion or behavior.
- D. Physical Restraint: Any mechanical or personal restriction that immobilizes or reduces the free movement of a person’s arms, legs or head, including, but not limited to, carrying or forcibly moving a person from one location to another. The term does not include: (1) briefly holding a person in order to calm or

comfort the person; (2) restraint involving the minimum contact necessary to safely escort a person from one area to another; (3) medical devices, including, but not limited to, supports prescribed by a health care provider to achieve proper body position or balance; (4) helmets or other protective gear used to protect a person from injuries due to a fall; (5) helmets, mitts and similar devices used to prevent self-injury when the device is (i) part of a documented treatment plan or an Individualized Education Program (“IEP”); or (ii) prescribed or recommended by a medical professional, as defined in section 38a-976 of the Connecticut General Statutes, and is the least restrictive means available to prevent such injury; or (6) an exclusionary time out.

- E. School Employee: (1) Any individual employed by the District who is a teacher, substitute teacher, administrator, superintendent, guidance counselor, psychologist, social worker, nurse, physician, paraprofessional, coach; and (2) any other individual who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in the District pursuant to a contract with the District.
- F. Seclusion: The confinement of a person in a room from which the student is physically prevented from leaving. Seclusion does not include the following: (i) an exclusionary time out; or (ii) any confinement of a student in which the person is physically able to leave the area of confinement including, but not limited to, in-school suspension.
- G. Student: a child who is
  - 1. enrolled in grades kindergarten to twelve, inclusive, in a public school under the jurisdiction of a local or regional board of education;
  - 2. receiving special education and related services in an institution or facility operating under a contract with a local or regional board of education pursuant to subsection (d) of section 10-76d of the Connecticut General Statutes;
  - 3. enrolled in a program or school administered by a regional education service center established pursuant to section 10-66a of the Connecticut General Statutes; OR
  - 4. receiving special education and related services from an approved private special education program.

## II. Life-Threatening Physical Restraint

- A. No school employee shall under any circumstance use a life-threatening physical restraint on a student.
- B. Nothing in this section shall be construed as limiting any defense to criminal prosecution for the use of deadly physical force that may be available under sections 53a-18 to 53a-22, inclusive, of the Connecticut General Statutes.

### III. Procedures for Physical Restraint and Seclusion of Students

- A. No school employee shall use physical restraint or seclusion on a student EXCEPT as an emergency intervention to prevent immediate or imminent injury to the student or to others.
- B. Seclusion shall not be used as a planned intervention in a student's behavioral intervention plan, individualized education program or plan pursuant to Section 504 of the Rehabilitation Act.
- C. No school employee shall use physical restraint or seclusion on a student unless the school employee has received training in accordance with state law and/or the District's training plans as described in Section XI below, upon implementation thereof.
- D. Physical restraint and seclusion of a student shall never be used as a disciplinary measure or as a convenience.
- E. School employees must explore ALL less restrictive alternatives prior to using physical restraint or seclusion for a student.
- F. School employees must comply with all regulations promulgated by the Connecticut State Department of Education in their use of physical restraint and seclusion with a student.
- G. Monitoring
  - 1. Physical restraint: A school employee must continually monitor any student who is physically restrained. The monitoring must be conducted by either:
    - a. direct observation of the student; or
    - b. observation by way of video monitoring within physical proximity sufficient to provide aid as may be needed.
  - 2. Seclusion: A school employee must frequently monitor any student who is placed in seclusion. The monitoring must be conducted by either:
    - a. direct observation of the student; or
    - b. observation by way of video monitoring within physical proximity sufficient to provide aid as may be needed.
- H. Length
  - 1. Any period of physical restraint or seclusion:

- a. shall be limited to that time necessary to allow the student to compose him or herself and return to the educational environment; and
  - b. shall not exceed fifteen (15) minutes, except as provided below.
2. If any instance of physical restraint or seclusion of a student used as an emergency intervention exceeds fifteen (15) minutes, one of the following individuals, who have received training in the use of physical restraint or seclusion, will determine whether continued physical restraint or seclusion is necessary to prevent immediate or imminent injury to the student or to others:
  - a. an administrator, or such administrator's designee;
  - b. a school health or mental health personnel; or
  - c. a board certified behavior analyst.
3. The individual identified under subsection 2 (a-c) shall make a new determination every thirty (30) minutes thereafter regarding whether such physical restraint or seclusion is necessary to prevent immediate or imminent injury to the student or to others.
  - I. A school employee must regularly evaluate the student being physically restrained or secluded for signs of physical distress. The school employee must record each evaluation in the educational record of the person being physically restrained or secluded.

#### IV. Seclusion Room Requirements

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

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

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

1. the need to provide direct and immediate medical attention to the student;
2. fire;
3. the need to remove the student to a safe location during a building lockdown; or
4. other critical situations that may require immediate removal of the student from seclusion to a safe location.

F. have an unbreakable observation window or fixture located in a wall or door, which allows the student a clear line of sight beyond the area of seclusion, to permit frequent visual monitoring of the student and any school employee in such room. The requirement for an unbreakable observation window does not apply if it is necessary to clear and use a classroom or other room in the school building as a seclusion room for a student.

#### V. Use of Psychopharmacologic Agent

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

## VI. Procedures for Exclusionary Time Out

- A. No school employee may use exclusionary time out as a form of discipline for a student.
- B. At least one school employee must remain with the student, or be immediately available to the student such that the student and the employee are able to communicate verbally, throughout the exclusionary time out.
- C. The space used for an exclusionary time out must be clean, safe, sanitary and appropriate for the purpose of calming the student or deescalating the student's behavior.
- D. The exclusionary time period must end as soon as possible.
- E. Consistent with subsection D above, the exclusionary time out period may vary depending on the student's chronological and developmental age, individual needs and behavior.

## VII. Required Meetings

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

- a. conduct or revise a functional behavioral assessment (“FBA”);
  - b. create or revise any applicable behavior intervention plan (“BIP”), including but not limited to, such student’s individualized education program (“IEP”); and
  - c. review or revise the student’s IEP, as appropriate.
2. In the event that the exclusionary time out process is unsuccessful in addressing a student’s problematic behavior, the student’s PPT shall convene as soon as practicable to determine alternative interventions or strategies to address the student’s behavior.
- C. A District and/or school administrator(s) shall determine the school employee(s) responsible for reviewing the number of occurrences of the use of physical restraint or seclusion on a monthly basis to ensure that the appropriate meeting(s) has been convened following the fourth occurrence of physical restraint or seclusion in a twenty (20) day period.

#### VIII. Crisis Intervention Team

- A. Each school year, each school in the District must identify a crisis intervention team consisting of any teacher, administrator, school paraprofessional or other school employee designated by the school principal (in coordination with other appropriate administrators), and who has direct contact with students.
- B. Members of crisis intervention teams shall respond to any incident in which the use of physical restraint or seclusion may be necessary as an emergency intervention to prevent immediate or imminent injury to a student or others.
- C. The District shall maintain a list of the members of the crisis intervention team for each school.

#### IX. Documentation and Communication

- A. After each incident of physical restraint or seclusion, and no later than the school day following the incident, a school employee must complete the form provided by the District for reporting incidents of physical restraint and seclusion. The incident form must be included in the educational file of the student who was physically restrained or secluded. The information documented on the form must include the following:
  1. in the case of an emergency use, the nature of the emergency and what other steps, including attempts at verbal de-escalation, were taken to prevent the emergency from arising if there were indications that such an emergency was likely to arise;
  2. a detailed description of the nature of the restraint or seclusion;



3. the duration of the restraint or seclusion;
  4. the effect of the restraint or seclusion on the student's established behavioral support or educational plan; AND
  5. whether the seclusion of a student was conducted pursuant to an IEP.
- B. A school employee must notify the parent or guardian of a student of each incident that the student is physically restrained or secluded.
1. A school employee must make a reasonable attempt to immediately notify a parent or guardian after a student is initially placed in physical restraint or seclusion; in all circumstances, a school employee shall notify the parent or guardian within twenty-four (24) hours after a student is initially placed in physical restraint or seclusion.
  2. Notification must be made by telephone, e-mail, or other method which may include, but is not limited to, sending a note home with the student.
  3. The parent or guardian of a student who has been physically restrained or placed in seclusion shall be sent a copy of the completed incident report of such action no later than two (2) business days after the use of physical restraint or seclusion, regardless of whether the parent received the notification described in subsections 1 and 2 above.
  4. The Director of Pupil Services, or other responsible administrator, shall determine what school employees shall be permitted to ensure that required parent/guardian notifications are made.
- C. The Director of Pupil Services, or other responsible administrator, or his or her designee, must, at each initial PPT meeting for a student, inform the child's parent, guardian, or surrogate parent, or the student if such student is an emancipated minor or eighteen years of age or older, of the laws relating to physical restraint and seclusion as expressed through this regulation, and of the laws and regulations adopted by the Connecticut State Department of Education relating to physical restraint and seclusion.
1. The Director of Pupil Services or other responsible administrator, or his or her designee, shall provide to the child's parent, guardian, or surrogate parent, or the student if such student is an emancipated minor or eighteen years of age or older, at the first PPT meeting following the student's referral to special education the plain language notice of rights regarding physical restraint and seclusion developed by the Connecticut State Department of Education.
  2. The plain language notice developed by the Connecticut State Department of Education shall also be provided to the student's parent, guardian, or surrogate parent, or the student if such student is an emancipated minor or

eighteen years of age or older at the first PPT meeting at which the use of seclusion as a behavior intervention is included in the student's IEP.

- D. The Director of Pupil Services or other responsible administrator, or his or her designee, must be notified of the following:
  - 1. each use of physical restraint or seclusion on a student;
  - 2. the nature of the emergency that necessitated its use;
  - 3. whether the seclusion of a student was conducted pursuant to an IEP;  
AND
  - 4. if the physical restraint or seclusion resulted in physical injury to the student.
  
- X. Responsibilities of the Director of Pupil Services or other responsible administrator
  - A. The Director of Pupil Services or other responsible administrator, or his or her designee, must compile annually the instances of physical restraint and seclusion within the District, the nature of each instance of physical restraint and seclusion, and whether instances of seclusion were conducted pursuant to IEPs.
  - B. The Director of Pupil Services or other responsible administrator, or his or her designee, must report to the Connecticut State Department of Education within two (2) business days any instance of physical restraint or seclusion that resulted in physical injury (serious and non-serious) to the student.
  
- XI. Professional Development Plan and Training
  - A. The District shall provide training regarding the physical restraint and seclusion of students to the members of the crisis intervention team for each school in the District identified in Section VIII, above. The District may provide such training to any teacher, administrator, school paraprofessional or other school employee, designated by the school principal and who has direct contact with students. The District shall provide such training annually and the training shall include, but not be limited to:
    - 1. Beginning with the school year commencing July 1, 2017, an annual overview of the relevant laws and regulations regarding the use of physical restraint and seclusion on students and the proper uses of physical restraint and seclusion. Such overview shall be provided by the Department of Education in a manner and form as prescribed by the Commissioner of Education.
    - 2. The creation of a plan to provide training regarding the prevention of incidents requiring physical restraint or seclusion of students. This plan shall be implemented not later than July 1, 2018.

3. The creation of a plan to provide training regarding the proper means of physical restraint or seclusion of a student, including, but not limited to:
  - a. verbal defusing or de-escalation;
  - b. prevention strategies;
  - c. various types of physical restraint;
  - d. the differences between life-threatening physical restraint and other varying levels of physical restraint;
  - e. the differences between permissible physical restraint and pain compliance techniques;
  - f. monitoring methods to prevent harm to a student who is physically restrained or in seclusion; and
  - g. recording and reporting procedures on the use of physical restraint and seclusion.

This plan shall be implemented not later than July 1, 2018.

- B. Each member of a crisis intervention team must be recertified in the use of physical restraint and seclusion pursuant to Section XI.A.3, above, on an annual basis.

## XII. Review and Revision of Policies, Regulations and Procedures

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

### Legal References:

Conn. Gen. Stat. § 10-76b  
Conn. Gen. Stat. § 10-76d  
Conn. Gen. Stat. § 10-236b  
Conn. Gen. Stat. §§ 53a-18 to 53a-22  
Conn. Agencies Reg. §§ 10-76b-5 to 10-76b-11

Other References:

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

Understanding the Laws and Regulations Governing the Use of Restraint and Seclusion, Connecticut State Department of Education (July 2018).

Guidance Related to Recent Legislation Regarding Restraint and Seclusion, Connecticut State Department of Education (Revised, July 2018).

Administrative Regulations Approved:

**Note: S & G created this policy in 2016 and made technical edits in October 2020. NPS Policy 5141.27 was adopted on July 9, 2019. S & G places this policy in the Community Relations Series 1000, because use of Automatic External Defibrillators is not only for students, but also for visitors to schools and anyone who attends school-sponsored events. If this policy is adopted, NPS Policy 5141.27 should be rescinded. The Administrative Regulations should be added to the Board agenda as an Item of Information when the policy is adopted.**

**This policy was reviewed by the Nurse Supervisor.**

**Series 1000  
Community/Board Operations**

**1010**

### **POLICY AND ADMINISTRATIVE REGULATIONS REGARDING AUTOMATIC EXTERNAL DEFIBRILLATORS**

In order to assist individuals who may experience sudden cardiac arrest or a similar life-threatening emergency during the school's normal operational hours, during school-sponsored athletic practices and athletic events taking place on school grounds, and during school-sponsored events not occurring during the normal operational hours of the school, the Newtown Board of Education (the "Board") maintains at each school under the Board's jurisdiction, automatic external defibrillators ("AEDs") and school personnel trained in the operation of such automatic external defibrillators and the use of cardiopulmonary resuscitation. It is the policy of the Board to support the use of these automatic external defibrillators and trained school personnel during medically appropriate circumstances.

Requirements concerning the use and maintenance of AEDs are set forth in the accompanying Administrative Regulations as may be supplemented by or amended by the Administration from time to time.

For purposes of this policy and the accompanying regulations, an AED is a device that:

- 1) is used to administer an electric shock through the chest wall to the heart;
- 2) contains internal decision-making electronics, microcomputers or special software that allows it to interpret physiologic signals, make medical diagnosis and, if necessary, apply therapy;
- 3) guides the user through the process of using the device by audible or visual prompts; and
- 4) does not require the user to employ any discretion or judgment in its use.

Legal References:

Connecticut General Statutes

- |           |  |
|-----------|--|
| § 19a-175 | Definitions  |
| § 52-557b | Good Samaritan Law   |
| § 10-212d | Availability of Automatic External Defibrillators in Schools |

Regulations of Connecticut State Agencies

Department of Public Health § 19a-179-1 et seq.

Approved:  
Revised:

NEWTOWN PUBLIC SCHOOLS  
Newtown, Connecticut

**ADMINISTRATIVE REGULATIONS  
AUTOMATIC EXTERNAL DEFIBRILLATORS**

**I. Definitions:**

**Automatic External Defibrillator (AED)** — a device that: (A) is used to administer an electric shock through the chest wall to the heart; (B) contains internal decision-making electronics, microcomputers or special software that allows it to interpret physiologic signals, make medical diagnosis, and, if necessary, apply therapy; (C) guides the user through the process of using the device by audible or visual prompts; and (D) does not require the user to employ any discretion or judgment in its use.

**AED certified person**— a person who is certified in the operation of automatic external defibrillators and the use of cardiopulmonary resuscitation, and has a copy of his/her certification on record with the Newtown Public Schools.

**II. Defibrillator Location**

1. The Newtown Public Schools will have defibrillators and at least one AED certified person in each school building under the jurisdiction of the Newtown Board of Education (the “Board”).
2. The AEDs will be strategically placed and readily accessible to maximize rapid utilization.

**III. Responsibility for Operation, Maintenance and Record-Keeping**

1. The school nurse at each building in which an AED is installed will check the AED in the building on a regular basis, at least monthly. It will be that nurse's responsibility to verify that the unit is in the proper location, that it has all the appropriate equipment (battery, mask, case, emergency pack), that it is ready for use, and that a maintenance check has been performed. If the nurse notes any problems, or the AED’s maintenance check has identified any problems, the nurse must contact the School Nurse Supervisor or designee immediately to report the problem.

The athletic trainer is responsible for monitoring the two AED’s assigned to the Athletic Department.

2. After performing an AED check, the nurse shall indicate on the AED service log (Appendix III) that the unit has been inspected and that it was found to be “In-Service” or “Out-of-Service.”

3. The School Nurse Supervisor or his/her designee shall be responsible for the following:
  - a) AED service checks during the contracted school year;
  - b) the replacement of equipment and supplies for the AED;
  - c) the repair and service of the AED;
  - d) all recordkeeping for the equipment during the school year;
  - e) training, or scheduling training, for all Board employees who require such training or would like to receive such training;
  - f) maintaining a list of AED certified persons;
  - g) maintaining all records concerning incidents involving the use of an AED;
  - h) maintaining of copies of the certifications signed by the AED certified persons (Appendix IV);
  - i) reporting the need for revising the AED policy and administrative regulations to the Superintendent or designee.

#### **IV. Training for AED certified persons**

The Board will provide initial training or refresher training to the following classes of individuals on an annual basis:

1. Staff who work in the Health Services Department, including all school nurses and the School Nurse Supervisor;
2. Staff who work in the Athletic Department, including all athletic trainers, head coaches and the Athletic Director;
3. All building administrators; and
4. Other designated faculty and staff at each school.

The training will be provided in accordance with the standards set forth by the American Red Cross or American Heart Association. An individual completing this training will be considered an AED certified person.

#### **V. Procedures for Use of an AED**

1. To the extent practicable, AEDs should be retrieved and used by AED certified persons or other trained emergency medical services personnel. In the event no AED certified person or other trained emergency medical services personnel is available or present, an AED may be used by any individual in order to provide emergency care to an individual who may be in cardiac arrest or who may be experiencing a similar life-threatening emergency.
2. AEDs may only be used in medically appropriate circumstances.
3. In the event of use, the School Nurse Supervisor shall promptly thereafter complete an AED check and verify that the unit is in the proper location, that it



has all the appropriate equipment (battery, mask, case, emergency pack), that it is ready for use, and that a maintenance check has been performed. Any problems with the AED shall immediately be reported to the School Nurse Supervisor.

Administrative Regulations Adopted:

**APPENDIX I**

**NEWTOWN PUBLIC SCHOOLS  
AUTOMATIC EXTERNAL DEFIBRILLATOR LOG**

Any time the AED is retrieved and/or used, the AED must be returned to its original location after retrieval/use and the individual returning the AED must complete the necessary information below:

<b>Retrieved (Date &amp; Time)</b>	<b>In- Service</b>	<b>*Out- of- Service</b>	<b>Returned (Date &amp; Time)</b>	<b>In- Service</b>	<b>*Out- of- Service</b>	<b>User Signature</b>

**\*If out-of-service, immediately contact the School Nurse or School Nurse Supervisor.**

**APPENDIX II**

**NEWTOWN PUBLIC SCHOOLS  
AUTOMATIC EXTERNAL DEFIBRILLATOR  
INCIDENT REPORT**

Name of person completing report: \_\_\_\_\_

Date report is being completed: \_\_\_\_\_ Date of incident: \_\_\_\_\_

Name of individual on whom AED was used: \_\_\_\_\_

Age of individual on whom AED was used: \_\_\_\_\_

Known status of individual: \_\_\_\_\_ Student  
\_\_\_\_\_ Parent of Student  
\_\_\_\_\_ Other, Explain \_\_\_\_\_

Describe incident:

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List series of events from the beginning of the emergency until its conclusion:

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Signature of person completing form: \_\_\_\_\_

**Please forward to the School Nurse Supervisor no later than 48 hours after the incident.**

**APPENDIX III**

**NEWTOWN PUBLIC SCHOOLS  
AUTOMATIC EXTERNAL DEFIBRILLATOR SERVICE LOG**

<b>Date</b>	<b>Inspected and In-Service</b>	<b>Inspected and Out-of-Service</b>	<b>Signature of Nurse</b>

**Once per month or more often the School Nurse will inspect the AED. If the AED is out-of-service or does not have the appropriate equipment, the School Nurse will contact the School Nurse Supervisor or designee immediately.**

**APPENDIX IV**

**CERTIFICATION OF UNDERSTANDING AND AGREEMENT**

To: Newtown Board of Education

From: \_\_\_\_\_

I, \_\_\_\_\_, hereby certify that I have completed the training provided by the Newtown Board of Education concerning the operation of an automatic external defibrillator and the use of cardiopulmonary resuscitation. I further certify that I have read, understand, and agree to comply with the Newtown Board of Education **Policy 1010** Regarding Automatic External Defibrillators and the accompanying Administrative Regulations.

Sincerely,

\_\_\_\_\_  
AED certified person

\_\_\_\_\_  
Date

**Note : S & G revised this policy to reflect a number of changes made by Public Act 24-45 and Public Act 24-93 related to student discipline. Public Act 24-45 reduces the maximum number of consecutive days for in-school suspensions from ten to five. Public Act 24-45 also alters the out-of-school suspension requirements for students in preschool through grade two, limiting such out-of-school suspensions to five, rather than ten, consecutive days and permitting them only for behavior that “causes physical harm on school grounds,” rather than behavior that was “of a violent or sexual nature.” Additionally, the Act mandates that upon return to school from an out-of-school suspension, students in these early grades must receive specific intervention services, and the administration must consider whether a Planning and Placement Team (PPT) meeting is required to evaluate the need for potential special education services. Public Act 24-93 updates the notification requirements for expulsion hearings, stating that parents or guardians must be informed at least five business days before the hearing, excluding the day of the hearing. The Act also introduces new parental notification requirements related to behavior intervention meetings requested by a teacher for a student whose behavior caused (1) a serious disruption to other students’ instruction, (2) self-harm, or (3) physical harm to the teacher, another student, or staff in the teacher’s classroom. This policy has the new notification requirements.**

**At the time this policy is adopted, the following policies can be rescinded: 5114–Suspension and Expulsion/Due Process; 5131.5–Vandalism; 5131.7–Weapons and Dangerous Instruments; 5131.8–Off School Grounds Misconduct; 5145.2–Activism and Dissent; and 5145.31–Gambling.**

**Series 5000  
Students**

**5114**

**POLICY REGARDING STUDENT DISCIPLINE AND ADMINISTRATIVE  
REGULATIONS REGARDING ALTERNATE EDUCATIONAL  
OPPORTUNITIES FOR EXPELLED STUDENTS**

It is the policy of the Newtown Board of Education (the “Board”) to create a school environment that promotes respect of self, others, and property within the Newtown 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.
- 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 only, 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 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.**
  - 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:***

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 and/or use 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, 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; or

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, 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 and/or sexual situation or activity for the purposes of recording it by electronic means and/or recording such situation or activity by electronic means. Reporting recordings to school officials may warrant exceptions from disciplinary action in certain circumstances.
36. The unauthorized publication or dissemination of a recording (photographic or audio) of another individual without permission of the individual or a school employee. Reporting recordings to school officials may warrant exceptions from disciplinary action in certain circumstances.
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 twelve, 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 twelve, 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 IX of this policy whenever the Administration has reason to believe that that a student enrolled in such preschool program was in **possession of a firearm** as defined in 18 U.S.C. § 921, as amended from time to time, on or off school grounds, 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 twelve, inclusive, for one (1) full calendar year for the conduct described in Section IV.B(1), (2) and (3) of this policy and to



expel a student enrolled in a preschool program for one (1) calendar year for the conduct described in Section IV.C. For any mandatory expulsion offense, the Board may modify the term of expulsion on a case-by-case basis.

1. V. Procedures Governing Behavior that Causes a Serious Disruption

- A. A school principal or other school administrator shall notify a parent or guardian of a student whose behavior has caused a serious disruption to the instruction of other students; caused self-harm; or caused physical harm to a teacher, another student, or other school employee not later than twenty-four (24) hours after such behavior occurs.
- B. 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.
- C. If the teacher of record in the classroom ultimately requests a behavior intervention meeting with the crisis intervention team for the school, the parent or guardian must be notified that such meeting will occur.
- D. If a behavior intervention meeting occurs, the crisis intervention team shall, not later than seven (7) days after the behavior intervention meeting, provide 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.

2.

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

4. VII. 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 the following: five (5) consecutive school days for an in-school suspension; ten (10) consecutive school days for an out-of-school suspension for students in grades three through twelve, inclusive; or five (5) consecutive school days for an out-of-school suspension for students in grades preschool to two, inclusive. In cases where suspension is contemplated, the following procedures shall be followed.
1. Unless an emergency situation exists, no student shall be suspended prior to having an informal hearing before the responsible administrator or the administrator's designee at which the student is informed of the alleged misconduct and given an opportunity to respond. In the event of an emergency, the informal hearing shall be held as soon after the suspension as possible.
  2. If suspended, such suspension shall be an in-school suspension, except the responsible administrator or the administrator's designee may impose an out-of-school suspension on any student:
    - a. in grades three to twelve, inclusive, if, during the informal hearing, (i) 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 (ii) the responsible administrator or the administrator's designee determines that an out-of-school suspension is appropriate based on evidence of (A) the student's previous disciplinary problems that have led to suspensions or expulsion of such student, and (B) previous efforts by the 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
    - b. in grades preschool to two, inclusive, if the responsible administrator or the administrator's designee
      - (i) determines that an out-of-school suspension is appropriate for such student based on evidence that such student's conduct on school grounds is behavior that caused physical harm;
      - (ii) requires that such student receives services that are trauma-informed and developmentally appropriate and align with any behavioral

intervention plan, individualized education program (“IEP”) or plan pursuant to Section 504 of the Rehabilitation Act of 1973 (“Section 504”) for such student upon such student's return to school immediately following the out-of-school suspension; and

- (iii) considers whether to convene a Planning and Placement Team (“PPT”) meeting for the purposes of conducting an evaluation to determine whether such student may require special education or related services.
3. Evidence of past disciplinary problems that have led to removal from a classroom, suspension, or expulsion of a student who is the subject of an informal hearing may be received by responsible administrator or the administrator’s designee, but only considered in the determination of the length of suspensions.
  4. By telephone, responsible administrator or the administrator’s designee shall make reasonable attempts to immediately notify the parent or guardian of a minor student following the suspension and to state the cause(s) leading to the suspension.
  5. Whether or not telephone contact is made with the parent or guardian of such minor student, responsible administrator or the administrator’s designee shall forward a letter promptly to such parent or guardian to the last address reported on school records (or to a newer address if known by the responsible administrator or the administrator’s designee), offering the parent or guardian an opportunity for a conference to discuss same.
  6. In all cases, the parent or guardian of any minor student who has been suspended shall be given notice of such suspension within twenty-four (24) hours of the time of the institution of the suspension.
  7. Not later than twenty-four (24) hours after the commencement of the suspension, the 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.
  8. The student shall be allowed to complete any classwork, including examinations, without penalty, which the student missed while under suspension.
  9. 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 parents to pay for participation in the program. The Superintendent may delegate this authority to building or program level administrators.

10. Notice of the suspension shall be recorded in the student's cumulative educational record. Such notice shall be expunged from the cumulative educational record if the student graduates from high school. In cases where the student's period of suspension is shortened or waived in accordance with Section VII.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.
  11. If the student has not previously been suspended or expelled, and the Administration chooses to expunge the suspension notice from the student's cumulative record prior to graduation, the Administration may refer to the existence of the expunged disciplinary notice, notwithstanding the fact that such notice may have been expunged from the student's cumulative file, for the limited purpose of determining whether any subsequent suspensions or expulsions by the student would constitute the student's first such offense.
  12. The decision of the responsible administrator or the administrator's designee with regard to disciplinary actions up to and including suspensions shall be final.
  13. During any period of suspension served out of school, the student shall not be permitted to be on school property and shall not be permitted to attend or participate in any school-sponsored activities, unless the 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.

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

IX. 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(s)/Guardian(s):***

5. Written notice of the expulsion hearing must be given to the student, and, if the student is a minor, to the student's parent(s) or guardian(s) at least five (5) business days before such hearing, not including the day of such hearing.
6. 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(s) or guardian(s), at the time the notice is sent that an expulsion hearing will be convened.
7. 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(s) or 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(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'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(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/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 Superintendent or designee, the Presiding Officer and/or by the Board (or the 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. 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 VII.A (9), (10), (11), above, and Section XI, below. The Board (or the



impartial board) may ask the Superintendent or designee for a recommendation as to the discipline to be imposed.

13. 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. 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 panel) 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.
16. Except for a student who has been expelled based on possession of a firearm or deadly weapon as described in subsection IV.B(1) and (2) above, the Board (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 parents to pay for participation in the program.
17. 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(s) or guardian(s), stating the reasons on which the decision is based, and the disciplinary action to be imposed. Said decision shall be based solely on evidence presented at the hearing. The parents or guardian or any minor student who has been expelled shall be given notice of such disciplinary action within twenty-four (24) hours of the time of the institution of the period of the expulsion.

18. 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(s) or legal guardian(s) of a student facing expulsion may choose to enter into a Joint Stipulation of the Facts and a Joint Recommendation to the Board concerning the length and conditions of expulsion. Such Joint Stipulation and Recommendation shall include language indicating that the parent(s) or legal guardian(s) understand their right to have an expulsion hearing held pursuant to these procedures, and language indicating that the Board, in its discretion, has the right to accept or reject the Joint Stipulation of Facts and Recommendation. If the Board (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 parents (or legal guardians) of a student facing expulsion may also choose to enter into a Joint Stipulation of the Facts and submit only the Stipulation of the Facts to the Board (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 parents 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.

X. 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 X, and subject to Subsection X.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 X.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.

XI. 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 IX.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 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. 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.

## XII. Change of Residence During Expulsion Proceedings

### A. *Student moving into the 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 IX 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 IX and consistent with the requirements of Conn. Gen. Stat. § 10-233d or Conn. Gen. Stat. § 10-233i, 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 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.

**XIII. 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 parents of the student of the decision to suspend on the date on which the decision to suspend was made, and a copy of the special education procedural safeguards must either be hand-delivered or sent by mail to the parents on the date that the decision to suspend was made.
2. During the period of suspension, the 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(s)/guardian(s) of the student of the recommendation of expulsion or the suspension that would constitute a change in educational placement, and provide the parents(s)/guardian(s) a copy of the special education procedural safeguards either by hand-delivery or by mail (unless other means of transmission have been arranged).
2. The 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:***

1. 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:

- a. Was in possession of a dangerous weapon, as defined in 18 U.S.C. 930(g)(2), as amended from time to time, on school grounds, on school transportation, or at a school-sponsored activity, or
  - b. Knowingly possessed or used illegal drugs or sold or solicited the sale of a controlled substance while at school, on school transportation, or at a school-sponsored activity; or
  - c. Has inflicted serious bodily injury upon another person while at school, on school premises, on school transportation, or at a school function.
2. The following definitions shall be used for this subsection XIII.C.:
- a. **Dangerous weapon** means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2.5 inches in length.
  - b. **Controlled substance** means a drug or other substance identified under schedules I, II, III, IV, or V in section 202(c) of the Controlled Substances Act, 21 U.S.C. 812(c).
  - c. **Illegal drug** means a controlled substance but does not include a substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or under any other provision of federal law.
  - d. **Serious bodily injury** means a bodily injury which involves: (A) a substantial risk of death; (B) extreme physical pain; (C) protracted and obvious disfigurement; or (D) protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

XIV. Procedures Governing Expulsions for Students Identified as Eligible under 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 parents of the student must be notified of the decision to recommend the student for expulsion.
  2. The District shall immediately convene the student's Section 504 team ("504 team") for the purpose of reviewing the relationship between the student's disability and the behavior that led to the recommendation for expulsion. The 504 team will determine whether the student's behavior was a manifestation of 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.

XV. 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 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 any 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.

8. XVI. 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.

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(s) and/or guardian(s) of this policy.

9. 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:

- § 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
- § 53-344 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 or age

Public Act 24-45, “An Act Concerning Education Mandate Relief, School Discipline and Disconnected Youth.”

Public Act 24-93, “An Act Concerning Various and Assorted Revisions to the Education Statutes.”

*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:

Revised:

NEWTOWN PUBLIC SCHOOLS

Newtown, Connecticut

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

I. Applicability of these Administrative Regulations

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

II. Responsible Personnel

The administrator responsible for a school program (“responsible administrator”) from which the student has been expelled, or designee(s), shall maintain responsibility for compliance with these administrative regulations relative to the individual student who is being provided with the alternative educational opportunity.

III. Student Placement Procedures

A. After a student has been expelled, and unless extraordinary circumstances exist, the responsible administrator, or designee(s), will take the following steps:

1. Meet with the expelled student’s parent(s)/guardian(s) prior to the student’s placement in an alternative educational setting to provide information concerning the potentially appropriate alternative educational opportunities for the student and to inform the parent(s)/guardian(s) and student of the right to apply for early readmission to school in accordance with Conn. Gen. Stat. Section 10-233d(j).
2. Consult with relevant school personnel from the school from which the student was expelled, who are knowledgeable about the student, to obtain information regarding the student’s academic, social, and behavioral history that will help inform the decision concerning an appropriate alternative educational opportunity. Such information may be gathered by written reports.
3. After placement options have been shared with the parent(s)/guardian(s), convene a placement meeting at which all alternative educational opportunities are explored and a placement decision is made.

B. The educational programming and placement for expelled students who are eligible to receive special education and related services under the Individuals with Disabilities Education Act (“IDEA”) shall be determined

by the student's Planning and Placement Team ("PPT"). In such case, Subsection A above shall not apply.

#### IV. Individualized Learning Plan

##### A. Development of the Individualized Learning Plan

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

##### B. Contents of the Individualized Learning Plan

1. The ILP will reference student records with information relevant to the provision of an alternative educational opportunity. These records may include:
  - a. Student success plan (for students who have a student success plan as mandated by state law, the student success plan may inform the ILP but does not replace the ILP);
  - b. Individualized education program ("IEP");
  - c. Section 504 Plan;
  - d. Individualized health care plan or emergency care plan; and/or
  - e. Other relevant academic and behavioral data.
2. The ILP will address the following:
  - a. The student's academic and behavioral needs and appropriate academic and behavioral goals and interventions, including the student's core classes at the time of expulsion and the student's current placement or progress in the curriculum for those classes so that the student has an opportunity to continue to progress in the Board's academic program and earn graduation credits, if applicable;
  - b. Benchmarks to measure progress towards the goals and ultimately, progress towards graduation;

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

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

- A. A review of the appropriateness of the placement must occur at least once per marking period.
- B. The placement review must include:
  - 1. Review of the ILP to (1) assess progress and make adjustments as necessary and (2) determine its alignment with the goals of the student's IEP, where applicable; and
  - 2. Consideration of opportunities for early readmission as set forth in the ILP, as established by the Board or Superintendent, as applicable.

VI. Transition Plan for Readmission

- A. Before a student is readmitted to the school or program from which the student was expelled, relevant staff should provide an opportunity to meet with the parents/guardians and student to discuss the student's

readmission. As part of the readmission process and the student's ILP, the responsible administrator, or designee, should consider:

1. Efforts to readmit the student at a semester starting point (at the high school level);
  2. A plan to transfer the student's credits and records back to the school or program from which the student was expelled:
    - a. The District will award an expelled high school student appropriate high school credit for work satisfactorily completed during the period the student participates in the alternative educational opportunity and will transfer relevant records back to the school or program from which the student was expelled;
    - b. The District will provide an expelled student transferring to a new school district a progress summary of all work completed during the course of the student's expulsion, and will indicate the course credit earned by the student for that work.
  3. The student's need for academic and other supports upon returning to school; and
  4. Efforts to connect the returning student with opportunities to participate in extracurricular activities.
- B. In the event the responsible administrator, or designee, determines that a student's alternative educational opportunity is no longer beneficial to the student, but it remains inappropriate to return the student to the school or program from which the student was expelled, a plan for a different alternative educational opportunity may be developed in accordance with the procedures outlines in these Administrative Regulations.

#### Legal References:

##### Connecticut General Statutes:

Conn. Gen. Stat. § 10-233d

##### Federal law:

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

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



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

Administrative Regulations Adopted:

NEWTOWN PUBLIC SCHOOLS  
3 Primrose Street  
Newtown, Connecticut 06470

(Date)

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED & U.S. MAIL**

*(Parent) (If the Student is aged 18 or older, this notice should be sent directly to the student, with copies to the parent(s)).*

*(Parent's/Student's Address)*

*(Non-custodial Parent, if applicable)*

*(Parent's Address)*

***Re: Expulsion Hearing Concerning Student Name; D.O.B.; State-Assigned Student Identifier (SASID)***

Dear *(Parent/Guardian)*:

In accordance with the *(name of district)* Board of Education Policy *(policy # & title)*, I am writing to advise you that the *(name of district)* Board of Education (the "Board") will hold a formal hearing concerning your child, *(name of student)* to consider the recommendation of *(name of administrator)* that your child be expelled from school. ***[In cases where the district uses an impartial hearing board, add the following: Please be advised that the Board has appointed an Attorney [Name(s)], to serve as an impartial hearing board in this matter.]*** This hearing is being held pursuant to Section 10-233d ***[In cases where a preschool student is recommended for expulsion, add the following: and Section 10-233l]*** and Sections 4-176e to 4-180a, inclusive, and Section 4-181a of the Connecticut General Statutes and the *(name of district)* Board Policy *(policy # & title)*, a copy of which is enclosed. The Board ***(OR the impartial hearing board)*** intends to conduct the hearing in executive session, due to the confidential nature of this hearing.

The hearing will address the allegations that your child ***(for on or off-campus conduct: violated Board Policy cite Student Discipline Policy number and any other specific policy number on date and seriously disrupted the educational process) (and/or, for on-campus conduct: endangered persons or property)*** by engaging in the following conduct:

***(The law governing these hearings requires a short, plain statement of the facts to be included within this notice letter, and should be inserted here.***

***Example: carrying a knife on the school bus on a specified date and brandishing it at other students on the bus).***

***(If the student has admitted to this conduct, note the admission here).***

The hearing has been scheduled for (*date, time, place [note: unless an emergency exists, the notice must be given to the student/parent/guardian at least five (5) business days before the hearing, not including the day of such hearing]*). (*If a manifestation determination must be held prior to the expulsion hearing, add the following language: Prior to the expulsion hearing, your child's [planning and placement (PPT) team OR Section 504 team] will determine if your child's conduct constitutes a manifestation of the child's disability. The expulsion hearing will be canceled if the [PPT OR Section 504 team] determines that the conduct was a manifestation of your child's disability; otherwise, the hearing will proceed as scheduled.* You and your child are asked to attend this hearing. Your child has the right to be represented by an attorney or other advocate at your expense, has the right to cross-examine administration witnesses, and may present relevant evidence, both documentary and testimonial, concerning the allegations. The hearing will be the parties' sole opportunity to present such evidence. The Board (***OR the impartial hearing board***) may also question witnesses. An opportunity will also be given for the administration and your child or your child's representatives to present argument concerning the evidence presented at the hearing. If you need the services of a translator or an interpreter for this hearing, please let me know as soon as possible.

Unless the administration has determined that an emergency exists, you have the right to have the expulsion hearing postponed for up to one week to allow time to obtain representation. If you would like to request a postponement, please let me know as soon as possible.

The administration may recommend expulsion from school for up to one calendar year. The Board (***OR the impartial hearing board***) has discretion to adopt any period of expulsion up to one calendar year.

As mentioned above, your child has a right to be represented, at your own expense, by an attorney or other advocate at the expulsion hearing. Obtaining an attorney or other advocate is the responsibility of the family. Very low income families may be able to obtain free or reduced rate advice or legal representation through Statewide Legal Services, Inc. ("SLS"). To apply for such assistance, those families should contact SLS immediately at 1-800-453-3320.

In the event your child is expelled as a result of the scheduled hearing, and your child is under sixteen (16) years of age, the Board will offer your child an alternative educational opportunity during any period of exclusion from school as determined by the Administration in accordance with applicable law and Board policy. If your child is between sixteen (16) and eighteen (18) and has not been expelled before, the Board shall also offer to your child an alternative educational opportunity if your child wishes to continue their education. Please know however, that the Board is not required to offer an alternative educational opportunity to any student between sixteen (16) and eighteen (18) years of age who have previously been expelled or to students who are eighteen (18) years of age or older.

If you have any questions, please call my office at (***number***).

Sincerely,

*(Name of Superintendent)*  
*(Name of District)* Public Schools

Cc: *(Name of District)*, Chairman, *(Name of District)* Board of Education  
*(Name of Special Education Director, where applicable)*  
*(Name of Responsible Administrator at school that student attends)*  
*(Name of Board of Education Attorney, where applicable)*  
*(Name of Administration's Attorney, where applicable)*

## AGREEMENT

NAME OF SUPERINTENDENT, (Superintendent of Schools for Newtown Public Schools, NAME OF STUDENT and NAME(S) OF PARENT(S)/GUARDIAN(S) (the parent(s)/guardian(s) of NAME OF STUDENT) agree as follows with respect to the Superintendent's request that NAME OF STUDENT be expelled from \_\_\_\_\_ School:

1. NAME OF STUDENT (D.O.B. \_\_\_\_\_; SASID \_\_\_\_\_) is currently enrolled as a \_\_\_\_\_ grade student at \_\_\_\_\_ School.
2. NAME OF STUDENT admits having engaged in the following conduct (*insert a short, plain statement of the conduct*) on or about \_\_\_\_\_, 20\_\_.
3. NAME OF STUDENT's conduct, as described above, violates Newtown Board of Education Policy 5114(Student Discipline) (*Cite other policies here as appropriate*), and is considered by the district administration to be seriously disruptive of the educational process. (*For conduct that occurs on school grounds, on school transportation, or at a school-sponsored activity, you may alternatively or additionally state whether such conduct is considered to endanger persons or property*). (*If the student has admitted to this conduct, note the admission here*).
4. Students are notified of applicable Board policies regarding prohibited conduct by publication in the student handbook.
5. (*Optional Section for students with disabilities*): A manifestation determination was made on (*date*) concerning this conduct and it was determined that the conduct was not a manifestation of the student's disability.
6. Students are notified of applicable Board policies regarding prohibited conduct by publication in the student handbook.
7. Subject to the approval of the Newtown Board of Education (the "Board"), NAME OF STUDENT shall be expelled, effective \_\_\_\_\_, 20\_\_ and continuing through \_\_\_\_\_, 20\_\_, under the following conditions:
  - a) During the period of expulsion, the Board will provide NAME OF STUDENT with an alternative education opportunity deemed appropriate by the Administration in accordance with applicable law and Board policy.

**(Optional alternative language if the parties agree to an alternative educational opportunity other than that required by the state standards:**

**The NAME OF PARENT(S) and NAME OF STUDENT understand and acknowledge that, pursuant to Section 10-233d of the Connecticut General Statutes, NAME OF STUDENT is entitled to an alternative educational opportunity during the Expulsion Period which shall be (1) alternative education, as defined by Section 10-74j of the Connecticut General Statutes, with an individualized learning plan, if the Board provides such alternative education, or (2) in accordance with the standards adopted by the State Board of Education, pursuant to section 3 of public act 17-220 (a "Statutory Alternative Educational Opportunity"). The NAME OF PARENT(S) and NAME OF**

**STUDENT hereby waive NAME OF STUDENT's right to a Statutory Alternative Educational Opportunity and accordingly waive the application of the *Standards of Educational Opportunities for Students Who have Been Expelled*, adopted by the Connecticut State Board of Education, and the Board's Administrative Regulations concerning the implementation of said standards. In lieu of a Statutory Alternative Educational Opportunity, the NAME OF PARENT(S) and NAME OF STUDENT agree that during the Expulsion Period, the Board will provide NAME OF STUDENT with an alternative educational opportunity as follows:**

*[Describe alternative educational opportunity agreed to by parties.]*

**If NAME OF STUDENT becomes ineligible to attend the Newtown Public Schools pursuant to Board Policy and/or if the Parents withdraw NAME OF STUDENT from enrollment as a student at [name of school], the Board will have no obligation to provide NAME OF STUDENT with the alternative educational opportunity described herein.**

- b) During the period of expulsion, NAME OF STUDENT will not be permitted to be on school grounds or school transportation, and will not be permitted to attend or participate in any school-sponsored activities, except as authorized in writing in advance by the Superintendent of Schools.

*(Optional Sections regarding early readmission):*

- c) Prior to \_\_\_\_\_, the Superintendent will review NAME OF STUDENT's conduct, attendance and effort level in the alternative educational opportunity [list other conditions as applicable], for the purpose of determining, in the Superintendent's sole discretion, whether NAME OF STUDENT should be readmitted to school on or about \_\_\_\_\_.
- d) If the Superintendent determines that NAME OF STUDENT should be readmitted to school early in accordance with the preceding section, and if NAME OF STUDENT subsequently commits any offense that would warrant suspension and/or expulsion under the policies of the Board, the Superintendent may reinstate NAME OF STUDENT's expulsion for the remainder of the expulsion period, through *(date)*, without the need for any further proceedings before the Board.

*(Optional Section for expungement if the expulsion is the student's first expulsion):*

- e) Prior to *(date)*, the Superintendent will review NAME OF STUDENT's conduct, attendance and effort level since the expulsion, for the purpose of determining, in the Superintendent's sole discretion, whether the expulsion hearing record of NAME OF STUDENT should be expunged from NAME OF STUDENT's educational record as of *(date)*.
- 8. All parties to this Agreement request that this Agreement be presented to the Board for the Board's consideration, in lieu of the submission of any other evidence by the Superintendent and/or NAME OF STUDENT or NAME OF STUDENT's parents, and they agree that this Agreement is sufficient for the Board to expel NAME OF STUDENT from school.
  - 9. NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) understand and acknowledge that, pursuant to Section 10-233d of the Connecticut General Statutes and Board Policy, NAME OF STUDENT is entitled to an expulsion hearing before the Newtown Board of Education to contest

NAME OF STUDENT's proposed expulsion from the Newtown Public Schools. NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) further understands and acknowledges that at such hearing NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) would have the right to call witnesses and to introduce documentary evidence, to cross examine witnesses called by the Administration, and to be represented by an attorney or other advocate at their own expense. Accordingly, NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) waive NAME OF STUDENT's right to an expulsion hearing pursuant to Section 10-233d of the Connecticut General Statutes.

10. The Superintendent, NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) understand that this Agreement is subject to the approval of the Board. In the event that the Board does not approve this Agreement, the Superintendent, NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) agree that the expulsion hearing concerning NAME OF STUDENT shall be rescheduled to a mutually agreeable date for the purposes of conducting an evidentiary hearing before the Board concerning the Superintendent's expulsion request. NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) agree that NAME OF STUDENT will remain out of school until the evidentiary hearing has been completed. NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) also agree that the Board's consideration of this proposed Agreement will not disqualify any member of the Board from serving as a Board member in the evidentiary hearing, and they hereby waive any right to make such a claim in any proceeding in any forum.

11. NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) enter into this Agreement voluntarily and with a full understanding of the provisions of this Agreement.

\_\_\_\_\_  
NAME OF SUPERINTENDENT  
Superintendent of Schools

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

\_\_\_\_\_  
NAME OF STUDENT  
Student

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

\_\_\_\_\_  
NAME OF PARENT/GUARDIAN  
OF STUDENT

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

\_\_\_\_\_  
NAME OF PARENT/GUARDIAN  
OF STUDENT

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

**Note: This is a sample Individualized Learning Plan drafted in accordance with the Standards for Educational Opportunities for Students Who Have Been Expelled, which was approved by the State Board of Education on January 3, 2018. The specific goals and benchmarks can be customized to meet the needs of individual students.**

**Newtown Public Schools  
Individualized Learning Plan**

**Student Name:** \_\_\_\_\_ **Date of Birth:** \_\_\_\_\_ **Gr.** \_\_\_\_\_

**School/Program Prior to Expulsion:** \_\_\_\_\_ **SASID:** \_\_\_\_\_

\_\_\_\_\_

Does the student have an Individualized Education Program?     Yes     No

Does the student have a Section 504 Plan?                                     Yes     No

**Records Reviewed with Relevant Information  
for the Provision of an Alternative Educational Opportunity**

<input type="checkbox"/> Student Success Plan <input type="checkbox"/> Individualized Education Program (IEP) <input type="checkbox"/> Behavioral Intervention Plan (BIP) <input type="checkbox"/> Section 504 Plan <input type="checkbox"/> Individualized Health Care Plan/Emergency Care Plan	<input type="checkbox"/> Report Cards and Current Grades <input type="checkbox"/> Attendance Records <input type="checkbox"/> Disciplinary/Behavioral Records <input type="checkbox"/> Other: _____ <input type="checkbox"/> Other: _____
--	---

**ILP Developed Through Collaboration With (check all that apply):**

<input type="checkbox"/> Parent/Guardian: _____ <input type="checkbox"/> Parent/Guardian: _____ <input type="checkbox"/> Student: _____ <input type="checkbox"/> Administrator: _____ <input type="checkbox"/> School Counselor: _____	<input type="checkbox"/> Teacher: _____ <input type="checkbox"/> Teacher: _____ <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Other (specify): _____
--	---

**Records Transferred**

Date of transfer of relevant student records from the student's school/program to provider of alternative educational opportunity: _____	Date of transfer of records from provider of alternative educational opportunity to the student's school/program: _____
--	---



**Records Distribution and Storage**

Copies of the Individualized Learning Plan will be distributed to the following locations and/or individuals and stored in accordance with the District's student records policy:

- Student's cumulative file
- The Student's receiving school or alternative educational placement
- Student's parent/guardian

*[Note: Districts should insert or delete locations where this record may be kept in accordance with their student records policies and practices]*

**Student's Classes Prior to Expulsion**

Core Class	Placement/Progress in Class at Time of Expulsion <i>(e.g. current grade, current unit, etc.)</i>

*Note: If the student receives special education and related services, the alternative educational opportunity provider must also refer to the student's IEP.*

**NEEDS**

**Academic Needs**

See IEP *(if applicable)*

Other:

**Behavioral Needs**

See IEP *(if applicable)*

Other:

**GOALS**

**Academic Goals**

<input type="checkbox"/> See IEP ( <i>if applicable</i> )	<input type="checkbox"/> Satisfactory work completion	<input type="checkbox"/> Satisfactory progress in coursework and toward meeting relevant academic standards
<input type="checkbox"/> Other:		

<b>Benchmarks to Measure Progress Toward Academic Goals</b>		
<input type="checkbox"/> See IEP ( <i>if applicable</i> )	<input type="checkbox"/> Passing grades on midterm progress reports	<input type="checkbox"/> Passing grades on report card
<input type="checkbox"/> Other:		
Progress monitoring <i>mm/dd/yy</i> :		

<b>Behavioral Goals</b>		
<input type="checkbox"/> See IEP ( <i>if applicable</i> )	<input type="checkbox"/> Satisfactory attendance	<input type="checkbox"/> Satisfactory compliance with behavioral expectations and disciplinary policies
<input type="checkbox"/> Other:		

<b>Benchmarks to Measure Progress Toward Behavioral Goals</b>		
<input type="checkbox"/> See IEP ( <i>if applicable</i> )	<input type="checkbox"/> Fewer than _____ teacher referrals to administration for disciplinary matters	<input type="checkbox"/> Fewer than _____ contacts to parents/guardians for disciplinary matters
<input type="checkbox"/> Attends alternative program _____% or more of scheduled days/sessions.	<input type="checkbox"/> Other:	
Progress monitoring <i>mm/dd/yy</i> :		

## INTERVENTIONS

### Academic Interventions

<input type="checkbox"/> See IEP <i>(if applicable)</i>	<input type="checkbox"/> See Section 504 Plan <i>(if applicable)</i>
<input type="checkbox"/> Tier 1 _____	<input type="checkbox"/> Tier 2 _____
<input type="checkbox"/> Tier 3 _____	
<input type="checkbox"/> Other:	

### Behavioral Interventions

<input type="checkbox"/> See IEP <i>(if applicable)</i>	<input type="checkbox"/> See Section 504 Plan <i>(if applicable)</i>
<input type="checkbox"/> Tier 1 _____	<input type="checkbox"/> Tier 2 _____
<input type="checkbox"/> Tier 3 _____	
<input type="checkbox"/> Other:	

## Review and Communication of Progress to Parents/Guardians or Student

**Method of monitoring and review:** *(for most students, monitoring and reviewing progress will include monitoring the student's attendance, work completion, and progress toward meeting the relevant academic standards for particular coursework, and thus progressing toward graduation, if applicable)*

- Monitoring attendance
- Monitoring work completion
- Monitor progress toward meeting relevant academic standards
- Review and monitor progress in accordance with IEP and/or BIP (if applicable)
- Other: \_\_\_\_\_

**Timing for communication of progress to parents/guardians or student:** *(Progress must be communicated to the parent/guardian or student with the same frequency as similar progress for students in the regular school environment is reported and communicated to parents/guardians or students)*

- Each marking period
- Other: \_\_\_\_\_

## Early Readmission

The expulsion decision contains the following early readmission criteria:

- The student may apply to the Board of Education for early readmission and such readmission shall be at the discretion of the Board of Education.
- The student applied to the Board of Education for early readmission on \_\_\_\_\_ and the Board of Education granted the request and has conditioned such early readmission on the following criteria:
- The student applied to the Board of Education for early readmission on \_\_\_\_\_ and early readmission was not granted.

- The student may apply to the Superintendent for early readmission and such readmission shall be at the discretion of the Superintendent.
- The student applied to the Superintendent for early readmission on \_\_\_\_\_ and the Superintendent granted the request and has conditioned such early readmission on the following criteria:
- The student applied to the Superintendent for early readmission on \_\_\_\_\_ and early readmission was not granted.

### **Review of Placement and ILP:**

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

- Review of the ILP to (1) assess progress and make adjustments as necessary and (2) determine its alignment with the goals of the student's IEP, where applicable.
- Consideration of opportunities for early readmission as set forth in the ILP (see Early Readmission section)

### **Transition Plan for Readmission:**

The following has been considered and, where appropriate, addressed:

- Efforts to readmit the student at a semester starting point (at the high school level)
- A plan to transfer the student's credits and record back to the student's school/program
- The student's need for academic and other supports upon returning to school/program
- Efforts to connect the student with opportunities to participate in extracurricular activities

**Note: S & G revised this policy and administrative regulations in December 2023 to prohibit the unauthorized use of generative artificial intelligence by students using their own private technological devices on school property and/or during school-sponsored activities. Additionally, they made technical revisions to this policy for clarity. S & G places this policy in the Student Series, 5000. It is recommended to adopt this policy and rescind Policy 6141.321, adopted November 7, 2018.**

**Series 5000  
Students**

**5115**

**POLICY AND ADMINISTRATIVE REGULATIONS REGARDING  
STUDENT USE OF THE DISTRICT'S COMPUTER SYSTEMS  
AND INTERNET SAFETY**

Computers, computer networks, electronic devices, Internet access, and electronic messaging systems are effective and important technological resources. The Newtown Board of Education (the "Board") has installed computers and a computer network(s), including Internet access and electronic messaging systems on Board premises, and may provide other electronic devices that can access the network(s) and/or have the ability to send and receive messages with an operating system or network communication framework. Devices include but are not limited to personal computing devices, cellular phones, Smartphones, Smartwatches, network access devices, radios, personal cassette players, CD players, tablets, walkie-talkies, personal gaming systems, Bluetooth speakers, personal data assistants, and other electronic signaling devices. Electronic messaging systems include mobile, chat, and instant message; cloud collaboration platforms, including internal chat, peer-to-peer messaging systems, and draft email message transfer; and products that have the ability to create duration-based or subjective removal of content, such as Snapchat, and security focused platforms, such as Signal. The Board's computers, computer network, electronic devices, Internet access, and electronic messaging systems are referred to collectively as "the computer systems" and are provided in order to enhance both the educational opportunities for our students and the business operations of the Newtown Public Schools (the "District").

These computer systems are business and educational tools. As such, they are made available to students in the District for education-related uses. The Administration shall develop regulations setting forth procedures to be used by the Administration in an effort to ensure that such computer systems are used by students solely for education-related purposes. The District will educate minor students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response. Additionally, the District will implement a technology protection measure to block or filter Internet access to visual depictions that contain material that is obscene or obscene as to minors or contains child pornography, and ensure that such filtering technology is operative during computer use by minor students to the extent practicable when such students are using Board-owned computers or devices and Board-provided Internet access.

As the owner of the computer systems, the Board reserves the right to monitor the use of the District's computers and computer systems.

Legal References:

Conn. Gen. Stat. § 10-221

Conn. Gen. Stat. §§ 53a-182b; 53a-183; 53a-250 *et seq.*

Electronic Communication Privacy Act of 1986, 18 U.S.C. §§ 2510 through 2523

Children's Internet Protection Act, 47 U.S.C. § 254(h)

No Child Left Behind Act of 2001, 20 U.S.C. § 6777

Protecting Children in the 21st Century Act, 47 U.S.C. § 254(h)(5)(B)(iii)

Adopted:

Revised:

NEWTOWN PUBLIC SCHOOLS

Newtown, Connecticut

**ADMINISTRATIVE REGULATIONS REGARDING STUDENT USE OF  
THE DISTRICT'S COMPUTER SYSTEMS AND INTERNET SAFETY**

1. Introduction

a. *Access to District Computer Systems When Students Are Physically Present on School Property*

When students are physically present on Newtown Public Schools (“District”) property, the Newtown Board of Education (the “Board”) is pleased to offer students access to the District's computers and computer networks, including access to electronic messaging systems (including email) and the Internet, as well as electronic devices (all of which will be referred to collectively as "computer systems"). Access to the school's computer systems will enable students to explore online resources, including but not limited to libraries, blogs, wikis, databases, websites, and bulletin boards, while exchanging information with others. Such access is provided solely for education-related purposes. Use of the District's computer systems will be allowed only for students who act in a considerate and responsible manner in using such systems.

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

These computer systems are expensive to purchase, install and maintain. As the property of the District, these computer systems must be carefully handled and their integrity preserved for the benefit of all. Therefore, students are required to adhere to a set of policies and procedures, as set forth in detail below, in conjunction with their use of the computer systems. Violations may lead to withdrawal of the access privilege and/or disciplinary measures in accordance with the Board’s student discipline policy.

b. *Access to District Computer Systems When Students Are Engaged in Digital or Remote Learning*

The Board and the Administration recognize that technology is integral to the delivery of instruction if and when the District implements any form of digital or remote learning. The District may therefore provide students with remote access to some or all of the District’s computer systems so that students may access the District’s virtual learning environment. Such access, if granted, is provided solely for education-related purposes. Use of the District's computer systems will be allowed only for students who comply with District policies and procedures concerning computer system use, and demonstrate the ability to use the computer systems in a considerate and responsible manner.

These computer systems are expensive to purchase, install and maintain. As the property of the District, these computer systems must be carefully handled and their integrity preserved for



the benefit of all. Therefore, students will be required to adhere to a set of policies and procedures, as set forth in detail below, in conjunction with their use of the computer systems. Violations may lead to withdrawal of the access privilege and/or disciplinary measures in accordance with the Board's student discipline policy.

## 2. Definitions

**“Obscene”** means any material or performance if, a) taken as a whole, it predominantly appeals to the prurient interest, b) it depicts or describes in a patently offensive way a prohibited sexual act and c) taken as a whole, it lacks serious literary, artistic, educational, political or scientific value.

**“Obscene as to minors”** means any material or performance if it depicts a prohibited sexual act and, taken as a whole, it is harmful to minors.

For purposes of this section, **“harmful to minors”** means that quality of any description or representation, in whatever form, of a prohibited sexual act, when a) it predominantly appeals to the prurient, shameful or morbid interest of minors, b) it is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material for minors, and c) taken as a whole, it lacks serious literary, artistic, educational, political or scientific value for minors.

For the purposes of this section, **“prohibited sexual act”** means erotic fondling, nude performance, sexual excitement, sado-masochistic abuse, masturbation or sexual intercourse.

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

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

## 3. Monitoring

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

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

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

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

#### 4. Student Conduct

Students are permitted to use the District's computer systems for legitimate educational purposes. Personal use must be specifically authorized by a District staff member. Unauthorized personal use of District computer systems is expressly prohibited. Conduct which constitutes inappropriate use includes, but is not limited to the following:

Sending any form of a harassing, threatening, or intimidating message, at any time, to any person (such communications may also be a crime);

Gaining or seeking to gain unauthorized access to computer systems;

Damaging computers, computer files, computer systems or computer networks;

Downloading or modifying computer software of the District in violation of the District's licensure agreement(s) and/or without authorization from a teacher or administrator;

Using another person's password under any circumstances;

Trespassing in or tampering with any other person's folders, work or files;

Sending any message that breaches the District's confidentiality requirements, or the confidentiality of students;

Sending any copyrighted material over the system;

Using computer systems for any personal purpose, or in a manner that interferes with the District's educational programs;

Accessing or attempting to access any material that is obscene, obscene as to minors, or contains child pornography, as defined above;

Transmitting or receiving email communications or accessing information on the Internet for non-educational purposes;

Cyberbullying;

Accessing or attempting to access social networking sites (e.g., Facebook, Twitter/X, Instagram, Snapchat, TikTok, etc.) without a staff member's authorization and/or a legitimate educational purpose;

The unauthorized use of generative artificial intelligence on any of the Board's computer systems. For purposes of this policy, "generative artificial intelligence" 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.

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

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

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

#### 5. Internet Safety

The Administration will take measures to assure the digital safety and security of students when using electronic messaging systems, email, chat rooms, distance learning platforms, and other forms of direct electronic communications; to prohibit unauthorized access, including "hacking" and other unlawful activities by minors online; to prohibit unauthorized disclosure, use, and dissemination of personally identifiable information regarding students; to educate minor students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response; and to restrict students' access to online materials that are obscene or obscene as to minors or contain child pornography, to the extent practicable when students are using Board-owned computers or devices and Board-provided Internet access.

#### 6. Student Use Agreement

Before being allowed to use the District's computer systems, students and/or their parents/guardians must sign a computer system use agreement, stating that they have read and understood the District's policies and regulations regarding the use of its computer systems.

Legal References:

Conn. Gen. Stat. § 10-221

Conn. Gen. Stat. §§ 53a-182b; 53a-183; 53a-250 *et. seq.* (computer-related offenses)

Conn. Gen. Stat. § 53a-193 (definition of obscene and obscene as to minors)

18 U.S.C. § 2256 (definition of child pornography)

Electronic Communications Privacy Act of 1986, 18 U.S.C. §§ 2510 through 2523

Children's Internet Protection Act, 47 U.S.C. § 254(h)

No Child Left Behind Act of 2001, 20 U.S.C. § 6777

Protecting Children in the 21st Century Act, 47 U.S.C. § 254(h)(5)(B)(iii)

Miller v. California, 413 U.S. 15 (1973) (definition of obscene)

Administrative Regulations Adopted:

**NEWTOWN PUBLIC SCHOOLS**  
Newtown, Connecticut

**Newtown School District**  
**Responsible Use of District Technology Agreement**

## Grades 5-12

### Statement of Purpose:

The Newtown Public School District, believes that all students should have access to technology when they act in a responsible, efficient, courteous, and legal manner. Internet access and other online services, available to students and teachers, offer a multitude of global resources. Our goal in providing these services is to enhance the educational development of our students as digital citizens.

Responsible use of technology, whether provided by district or student-owned, is devoted to activities that support teaching and learning. The following are our agreements about the use of technology in the Newtown Schools.

### Terms of Agreement:

The district

- will take reasonable steps to ensure that students use information technology responsibly.
- cannot guarantee nor be held responsible for the accuracy of the information students find on the Internet.
- utilizes a filtering system to minimize the possibility of a student reaching inappropriate sources.
- may review files and messages stored on our servers or transmitted within our network (File space is comparable to a school locker).

**It is important for parents and students to understand the responsibilities that accompany the use of district technology and are listed below.**

Students

- must use District-provided technologies, such as computers, network resources and the Internet solely for educational purposes. They must:
  - o respect the intellectual property of others.
  - o always cite electronic sources from which information is accessed.
  - o never intentionally access, transmit, copy, or create material that is illegal (such as obscenity, stolen materials, or illegal copies of copyrighted works).
- must respect the rights of the individual and practice safe behaviors. They must:
  - o never distribute private information about themselves or others.
  - o only use their own assigned accounts.
  - o always maintain the privacy of their own user account and respect the privacy of another's account.
  - o always report to a staff member any perceived problem with information that someone is giving or asking of them.
- must use computers, electronic devices, and the network appropriately. They must:
  - o never destroy or damage data, networks, or other resources belonging to fellow network users or the school community.
  - o never disable or circumvent any technology protection measure installed on school technological resources.

- o report inappropriate behaviors and uses to an administrator or staff member including hacking, altering system/network configurations, bypassing Internet content filtering systems and/or the installation of software or hardware without the permission of a staff member.
- must respect and practice the principles of community. They must:
  - o only communicate in ways that are kind and respectful.
  - o never use technology to harass, humiliate or defame any individual.
  - o always report threatening or discomfiting respect the rights of the individual and practice safe behaviors.

**Consequences:**

Inappropriate use of the Newtown Public Schools' network and technology resources may result in loss of user privileges in addition to other disciplinary and/or legal actions.

**(This is only included if paper form is handed out)**

**Newtown School District  
Responsible Use of District Technology Agreement**

**Grades 5-12**

The district will provide an environment consistent with its mission, the requirements of the Connecticut State Board of Education, and federal/state laws, where students can receive the benefits available through the instructional use of technology that will assist them in accomplishing the goals of the district.

Signing below indicates we understand the Responsible Use of Technology Agreement.

**Student:** \_\_\_\_\_ **Parent/Guardian:** \_\_\_\_\_

**Printed name:** \_\_\_\_\_ **Printed name:** \_\_\_\_\_

**School:** \_\_\_\_\_ **Grade:** \_\_\_\_\_ **Date:** \_\_\_\_\_

Parents of students entering grades 5, 7 & 9 and newly-enrolled students will be asked to complete this form. Please return this signed form to your child's school.

**Please return this signed form to your child's school.**

**Note: S & G developed this model policy and administrative regulations in 2016 to provide districts with the option to include crowdfunding activities. In December 2020, S & G made minor technical edits to the policy and regulations. NPS Policy 3281.2, adopted on April 4, 2017, includes crowdfunding. Also, S & G places this policy in the Student Series. It is recommended to adopt this policy in Series 5000, Students, and to rescind the following policies: [3281–School Fund Raisers](#); [3281.2–School Fund Raisers, Online Fundraising Campaigns–Crowdfunding](#); [1314/1324 Fundraising and Solicitation–Guidelines Pertaining to 7-12 Athletics](#).**

**Series 5000  
Students**

**5127**

### **POLICY AND ADMINISTRATIVE REGULATIONS CONCERNING FUNDRAISING ACTIVITIES**

Students may engage in raising funds for school-sponsored activities, subject to the provisions of regulations to be developed by the Superintendent. No such fund-raising activities may involve door-to-door solicitation in the community by students.

The Board of Education will not be responsible for any fundraising activities that are not approved in accordance with the procedures set forth in this policy and the accompanying regulations.

Any fundraising activities must comply with all applicable state and federal laws and regulations, including those provisions relating to the sale of healthy foods and beverages on school grounds or at school-sponsored events.

#### Legal References:

Conn. Gen. Stat. § 10-215f Certification that food meets nutrition standards

Adopted:  
Revised:

NEWTOWN PUBLIC SCHOOLS  
Newtown, Connecticut



## ADMINISTRATIVE REGULATIONS CONCERNING FUNDRAISING ACTIVITIES

These administrative regulations shall serve to implement the Newtown Board of Education's (the "Board") policy pertaining to fundraising activities. The Board is not responsible for any fundraising activities that are not approved in accordance with the procedures set forth in the policy and these accompanying regulations.

### **Criteria for Fundraising Activities:**

To be approved, a fundraising activity must be conducted for the educational benefit of students and satisfy all of the following criteria:

1. Each student, parent support or other sanctioned fundraising activity shall have one adult designated with the overall responsibility for continuing compliance with the Board's policy and these administrative regulations pertaining to fundraising (the "Sponsor");
2. The fundraising must have a purpose consistent with the purposes of the school district and be for the benefit of its educational programs, student groups or extra-curricular activities;
3. The fundraising must not be anticipated to bring additional costs to the school district;
4. The fundraising activity must be suitable for the age and maturity of the students involved in the fundraising activity;
5. Students may not be compelled to participate in fundraising; all such fundraising activity shall be voluntary in nature;
6. Prior to a student engaging in any fundraising activity, his/her parents shall be informed;
7. The fundraising must not be inappropriate or harmful to the best educational interests of students, as determined by the administration;
8. The fundraising will not be considered an official endorsement of any business or product;
9. The fundraising must not be in conflict with any provisions of the school code or public law;
10. Door-to-door solicitations by students are prohibited by these regulations; and
11. The fundraising must comply with all applicable provisions of Board policy and regulations relating to the sale of healthy foods and beverages on school grounds or at school-sponsored events.

### **Prior approval required:**

Fundraising activities shall not be initiated until prior approval is secured as set forth in these regulations.

Requests for prior approval for fundraising activities shall be made in advance in writing to the building Principal or his/her designee, at least one (1) month prior to the commencement of the activity on Form 1. The Principal or his/her designee shall indicate his/her approval in writing to the club or organization applying for approval.

### **Crowdfunding Activities**

Prior to engaging in any crowdfunding activities (e.g. DonorsChoose, Kickstarter, GoFundMe, etc.) for the Board, its schools, classes, or extracurricular teams or clubs, an employee, student, parent support or other fundraising group must first apply in writing to the building Principal and receive prior approval for the crowdfunding activity as outlined above. However, requests to the building Principal for prior approval of crowdfunding activities must also include the name of the website or application to be utilized, a full description of the reason for the crowdfunding activity, a copy of the proposed personal profile to be listed on the site/application, and the proposed content to be uploaded to the crowdfunding website or application, including images.

In addition to following the procedures outlined below for the handling of funds and record-keeping, the following additional regulations apply to funds received from crowdfunding activities. Any funds received from crowdfunding activities must be deposited directly into a school activity fund and may not first be received by the employee, student, parent group or other fundraising group. Crowdfunding activities must comply with all Board policies, regulations and procedures, and shall not include photos of students or the sharing of any confidential student information.

### **Handling of Funds and Record-Keeping:**

The fundraising activity must comply with all applicable policies and procedures with respect to the processing of monies by staff members and/or students (e.g. school activity fund regulations and regulations pertaining to maintaining cash within classrooms or school buildings).

Student, parent support or other sanctioned fundraising groups shall keep detailed and accurate contemporaneous records of the fundraising activity, with the Sponsor responsible for ensuring compliance with this requirement.

Such detailed and accurate records shall be subject to inspection by school officials at any time.

At the end of the activity, the Sponsor shall produce a final report showing the amount of money raised, the number of students who participated, the purposes for which the designated funds will be used, and any other information as may be required by the Principal and/or Superintendent of Schools.

Administrative Regulations Adopted:



**Note: This is a best practice policy developed by S & G. It was updated in December 2020. Current NPS Policy 6153 was adopted in December 2018 and should be rescinded when this policy is adopted and the administrative regulations are shared with the Board as an Item of Information.**

**Series 5000  
Students**

**5129**

**POLICY AND ADMINISTRATIVE REGULATIONS  
REGARDING FIELD TRIPS**

The Newtown Board of Education (the “Board”) encourages and sanctions student field trips that are of value in helping achieve each participating student's educational objectives.

All student field trips shall require prior written approval by the building principal. In addition, all student field trips that are scheduled to last more than one day shall require the prior written approval of the Superintendent or his/her designee and the Board.

All student field trips that require public solicitation of funds shall require approval by the building principal prior to any fundraising by involved students or others on their behalf. In addition, any such fundraising activities must comply with the provisions of the Board Policy concerning fundraising activities Policy 5127 and any administrative regulations implementing such Board Policy.

The Superintendent or designee is authorized to develop administrative regulations to implement this policy. The Board will not be responsible for any field trip that is not approved in accordance with the procedures set forth in this policy and any accompanying administrative regulations.

Approved:  
Revised:

NEWTOWN PUBLIC SCHOOLS  
Newtown, Connecticut

## ADMINISTRATIVE REGULATIONS REGARDING FIELD TRIPS

### Field Trips

Staff are required to give at least two weeks prior notice of field trips to the school nurse, in order to allow time for the nurse to review updated medical information and to make arrangements for the safe participation of students with disabilities or special health needs.

For the purposes of medication administration on school sponsored trips, field trips shall be categorized as “curricular” and “extracurricular” field trips. For curricular field trips, the school nurse will prepare necessary medication, equipment and emergency supplies. The nurse will train designated staff in medication administration as needed. For extracurricular field trips, the nurse will be available as a resource to staff to aid in planning for student health and safety needs.

When subsidy for educational field trips is not provided in the school budget, such an educational activity may be planned by staff members with students and conducted with participating students sharing in the cost of the trip. If a student is unable to pay his/her share of the trip costs, the building administrator may use available resources, including funds from local organizations, to help defray expenses.

It is expected that all educational field trips shall use common carriers or school buses unless otherwise authorized by the principal.

In order to minimize the cost to students and their families of multi-day field trips that involve specific classes or groups of students, the teaching staff should select locations closest to Connecticut that meet the approved educational objectives of the planned activities.

**Curricular Field Trips:** primarily educational trips that enhance students’ understanding of their studies by extending the school experience. (examples: museum trip, nature center, science lab)

**Extracurricular Trips:** educational, cultural and/or recreational trips that occur outside of the school day and may be organized by an approved extracurricular club, organization or program. Such trips may enhance the educational experience but are not designed as part of the curricular study. (examples: Debate Club, Ski Club)

Administrative Regulations Adopted:

**Note: S & G revised this policy and administrative regulations regarding the Safe School Climate Plan in May 2023 to add definitions of “discrimination” and “harassment.” While not required by law, these revisions are designed to provide guidance to districts in determining whether conduct in question constitutes discrimination or harassment. They also clarified that the policy is applicable to both schools and alternative school programs operated by a board of education.**

**The current policy addressing Bullying, 5131.911, was adopted on November 1, 2022 and Policy 5131.914, Safe School Climate Plan, was adopted on July 18, 2017. If Policy 5137 is adopted and Administrative Regulations 5137 R are an Item of Information on the Board agenda, then current NPS Policies 5131.911—Bullying, and 5131.914—Safe School Climate Plan, should be rescinded.**

**Series 5000  
Students**

**5137**

**BULLYING PREVENTION AND INTERVENTION POLICY  
AND ADMINISTRATIVE REGULATIONS REGARDING  
SAFE SCHOOL CLIMATE PLAN**

The Newtown Board of Education (the “Board”) is committed to creating and maintaining an educational environment within the Newtown Public Schools (the “District”) that is physically, emotionally and intellectually safe and thus free from bullying, teen dating violence, harassment and discrimination. In accordance with state law and the Board’s Safe School Climate Plan, the Board expressly prohibits any form of bullying behavior on school grounds; at a school-sponsored or school-related activity, function or program, whether on or off school grounds; at a school bus stop; on a school bus or other vehicle owned, leased or used by a local or regional board of education; or through the use of an electronic device or an electronic mobile device owned, leased or used by the Board.

The Board also prohibits any form of bullying behavior outside of the school setting if such bullying (i) creates a hostile environment at school for the student against whom such bullying was directed, (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school. Discrimination and/or retaliation against an individual who reports or assists in the investigation of an act of bullying is likewise prohibited.

Students who engage in bullying behavior or teen dating violence shall be subject to school discipline, up to and including expulsion, in accordance with the Board’s policies on student discipline, suspension and expulsion, and consistent with state and federal law.

For purposes of this policy, “**Bullying**” means an act that is direct or indirect and severe, persistent or pervasive, which:

- (1) causes physical or emotional harm to an individual;
- (2) places an individual in reasonable fear of physical or emotional harm; or

- (3) 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, gender, sexual orientation, gender identity and 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.

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

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

For purposes of this policy, “**Discrimination**” means unlawful discrimination that 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 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”).

For purposes of this policy, “**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 a school. Harassment does not have to include intent to harm, be directed at a specific target, or involve repeated incidents. Harassment may be an act of bullying.

Consistent with the requirements under state law, the Board authorizes the Superintendent or designee(s), along with the Safe School Climate Coordinator, to be responsible for developing and implementing a Safe School Climate Plan in furtherance of this policy. As provided by state law, such Safe School Climate Plan shall include, but not be limited to provisions which:

- (1) enable students to anonymously report acts of bullying to school employees and require students and the parents or guardians of students to be notified at the beginning of each school year of the process by which students may make such reports;
- (2) enable the parents or guardians of students to file written reports of suspected bullying;

- (3) require school employees who witness acts of bullying or receive reports of bullying to orally notify the safe school climate specialist, or another school administrator if the safe school climate specialist is unavailable, not later than one school day after such school employee witnesses or receives a report of bullying, and to file a written report not later than two school days after making such oral report;
- (4) require the safe school climate specialist to investigate or supervise the investigation of all reports of bullying and ensure that such investigation is completed promptly after receipt of any written reports made under this section and that the parents or guardians of the student alleged to have committed an act or acts of bullying and the parents or guardians of the student against whom such alleged act or acts were directed receive prompt notice that such investigation has commenced;
- (5) require the safe school climate specialist to review any anonymous reports, except that no disciplinary action shall be taken solely on the basis of an anonymous report;
- (6) include a prevention and intervention strategy for school employees to deal with bullying and teen dating violence;
- (7) provide for the inclusion of language in student codes of conduct concerning bullying;
- (8) require each school and/or alternative school program operated by the Board (“alternative school program”) to notify the parents or guardians of students who commit any verified acts of bullying and the parents or guardians of students against whom such acts were directed not later than forty-eight hours after the completion of the investigation described in subdivision (4), above (A) of the results of such investigation, and (B) verbally or by electronic mail, if such parents’ or guardians’ electronic mail addresses are known, that such parents or guardians may refer to the plain language explanation of the rights and remedies available under Conn. Gen. Stat. Section 10-4a and 10-4b published on the Internet website of the Board;
- (9) require each school and/or alternative school program to invite the parents or guardians of a student against whom such act was directed to a meeting to communicate to such parents or guardians the measures being taken by the school and/or alternative school program to ensure the safety of the student against whom such act was directed and policies and procedures in place designed to prevent further acts of bullying;
- (10) require each school and/or alternative school program to invite the parents or guardians of a student who commits any verified act of bullying to a meeting, separate and distinct from the meeting required in subdivision (9) above, to discuss specific interventions undertaken by the school or alternative school program designed to prevent further acts of bullying;



- (11) establish a procedure for each school and alternative school program to document and maintain records relating to reports and investigations of bullying in such school and/or alternative school program and to maintain a list of the number of verified acts of bullying in such school and/ alternative school program and make such list available for public inspection, and annually report such number to the Department of Education and in such manner as prescribed by the Commissioner of Education;
- (12) direct the development of case-by-case interventions for addressing repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual that may include both counseling and discipline;
- (13) prohibit discrimination and retaliation against an individual who reports or assists in the investigation of an act of bullying;
- (14) direct the development of student safety support plans for students against whom an act of bullying was directed that address safety measures the school and/or alternative school program will take designed to protect such students against further acts of bullying;
- (15) require the responsible administrator of a school and/or alternative school program, or designee, to notify the appropriate local law enforcement agency when such responsible administrator, or designee, believes that any acts of bullying constitute criminal conduct;
- (16) prohibit bullying (A) on school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by a local or regional board of education, or through the use of an electronic device or an electronic mobile device owned, leased or used by the Board, and (B) outside of the school setting if such bullying (i) creates a hostile environment at school for the student against whom such bullying was directed, or (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school;
- (17) require, at the beginning of each school year, each school and/or alternative school program to provide all school employees with a written or electronic copy of the District's safe school climate plan; and
- (18) require that all school employees annually complete the training described in Conn. Gen. Stat. §§ 10-220a or 10-222j related to the identification, prevention and response to bullying.

The notification required pursuant to subdivision (8) (above) and the invitation required pursuant to subdivisions (9) and (10) (above) shall include a description of the response of school employees to such acts and any consequences that may result from the commission of

further acts of bullying. Any information provided under this policy or accompanying Safe School Climate Plan shall be provided in accordance with the confidentiality restrictions imposed under the Family Educational Rights Privacy Act ("FERPA") and the District's Confidentiality and Access to Student Information policy and regulations.

The Board shall submit its Safe School Climate Plan to the Connecticut State Department of Education (the "Department") for review and approval. Not later than thirty (30) calendar days after approval by the Department, the Board shall make such plan available on the Board's and each individual school or alternative school program in the District's web site and ensure that the Safe School Climate Plan is included in the District's publication of the rules, procedures and standards of conduct for schools and alternative programs operated by the Board and in all student handbooks.

As required by state law, the Board, after consultation with the Department and the Connecticut Social and Emotional Learning and School Climate Advisory Collaborative (the "Collaborative"), shall provide on the Board's website training materials to school administrators regarding the prevention of and intervention in discrimination against and targeted harassment of students based on such students' (1) actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression, socioeconomic status, academic status, physical appearance or mental, physical, developmental or sensory disability, or (2) association with individuals or groups who have or are perceived to have one or more of such characteristics.

As required by state law, the Board shall post on its website the plain language explanation of rights and remedies under Connecticut General Statutes §§ 10-4a and 10-4b, as developed and provided to the Board by the Collaborative.

#### Legal References:

Public Act 21-95

Conn. Gen. Stat. § 10-145a

Conn. Gen. Stat. § 10-145o

Conn. Gen. Stat. § 10-220a

Conn. Gen. Stat. § 10-222d

Conn. Gen. Stat. § 10-222g

Conn. Gen. Stat. § 10-222h

Conn. Gen. Stat. § 10-222j

Conn. Gen. Stat. § 10-222k

Conn. Gen. Stat. § 10-222l

Conn. Gen. Stat. § 10-222q

Conn. Gen. Stat. § 10-222r

Conn. Gen. Stat. §§ 10-233a through 10-233f

## SAFE SCHOOL CLIMATE PLAN

The Newtown Board of Education (the “Board”) is committed to creating and maintaining a physically, emotionally, and intellectually safe educational environment within the Newtown Public Schools (the “District”), free from bullying, teen dating violence, harassment and discrimination. In order to foster an atmosphere conducive to learning, the Board has developed the following Safe School Climate Plan (the “Plan”), consistent with state law and Board policy. This Plan represents a comprehensive approach to addressing bullying, cyberbullying and teen dating violence and sets forth the Board’s expectations for creating a positive school climate and thus preventing, intervening, and responding to incidents of bullying and teen dating violence.

Bullying behavior and teen dating violence are strictly prohibited, and students who are determined to have engaged in such behavior are subject to disciplinary action, which may include suspension or expulsion from school. The District’s commitment to addressing bullying behavior and teen dating violence, however, involves a multi-faceted approach, which includes education and the promotion of a positive school climate in which bullying will not be tolerated by students or school staff.

### **I. Prohibition Against Bullying, Teen Dating Violence and Retaliation**

- A. The Board expressly prohibits any form of bullying behavior and teen dating violence on school grounds; at a school-sponsored or school-related activity, function or program whether on or off school grounds; at a school bus stop; on a school bus or other vehicle owned, leased or used by a local or regional board of education; or through the use of an electronic device or an electronic mobile device owned, leased or used by the Board.
- B. The Board also prohibits any form of bullying behavior outside of the school setting if such bullying (i) creates a hostile environment at school for the student against whom such bullying was directed, (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school.
- C. The Board further prohibits any form of teen dating violence outside of the school setting if such violence substantially disrupts the educational process.
- D. In addition to prohibiting student acts that constitute bullying, the Board also prohibits discrimination and/or retaliation against an individual who reports or assists in the investigation of an act of bullying.
- E. Students who engage in bullying behavior or teen dating violence in violation of Board policy and the Plan shall be subject to school discipline, up to and including expulsion, in accordance with the Board's policies on student discipline, suspension and expulsion, and consistent with state and federal law.

## II. Definition of Bullying

- A. **“Bullying”** means an act that is direct or indirect and severe, persistent or pervasive, which:
- (1) causes physical or emotional harm to an individual;
  - (2) places an individual in reasonable fear of physical or emotional harm; or
  - (3) infringes on the rights or opportunities of an individual at school.
- B. 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, gender, sexual orientation, gender identity and 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.

## III. Other Definitions

- A. **“Cyberbullying”** means any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any electronic communications.
- B. **“Discrimination”** means unlawful discrimination that 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 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”).
- C. **“Electronic communication”** means any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectronic or photo-optical system.
- D. **“Emotional intelligence”** means the ability to (1) perceive, recognize and understand emotions in oneself or others, (2) use emotions to facilitate cognitive activities, including, but not limited to, reasoning, problem solving and interpersonal communications, (3) understand and identify emotions, and (4) manage emotions in oneself and others.
- E. **“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 a school. Harassment does not have to include intent to harm, be directed at a

specific target, or involve repeated incidents. Harassment may be an act of bullying.

- F. **“Hostile environment”** means a situation in which bullying among students is sufficiently severe or pervasive to alter the conditions of the school climate.
- G. **“Mobile electronic device”** means any hand-held or other portable electronic equipment capable of providing data communication between two or more individuals, including, but not limited to, a text messaging device, a paging device, a personal digital assistant, a laptop computer, equipment that is capable of playing a video game or a digital video disk, or equipment on which digital images are taken or transmitted.
- H. **“Outside of the school setting”** means at a location, activity or program that is not school related, or through the use of an electronic device or a mobile electronic device that is not owned, leased or used by the Board.
- I. **“Positive school climate”** means a school climate in which (1) the norms, values, expectations and beliefs that support feelings of social, emotional and physical safety are promoted, (2) students, parents, and guardians of students and school employees feel engaged and respected and work together to develop and contribute to a shared school vision, (3) educators model and nurture attitudes that emphasize the benefits and satisfaction gained from learning, and (4) each person feels comfortable contributing to the operation of the school and care of the physical environment of the school.
- J. **“Prevention and intervention strategy”** may include, but is not limited to,
  - (1) implementation of a positive behavioral interventions and supports process or another evidence-based model approach for safe school climate or for the prevention of bullying identified by the Connecticut State Department of Education (the “Department”),
  - (2) school rules prohibiting bullying, teen dating violence, harassment and intimidation and establishing appropriate consequences for those who engage in such acts,
  - (3) adequate adult supervision of outdoor areas, hallways, the lunchroom and other specific areas where bullying is likely to occur,
  - (4) inclusion of grade-appropriate bullying and teen dating violence education and prevention curricula in kindergarten through high school,
  - (5) individual interventions with the bully, parents and school employees, and interventions with the bullied child, parents and school employees,
  - (6) school-wide training related to safe school climate,
  - (7) student peer training, education and support,

- (8) promotion of parent involvement in bullying prevention through individual or team participation in meetings, trainings and individual interventions, and
  - (9) culturally competent school-based curriculum focusing on social-emotional learning, self-awareness and self-regulation.
- K. **“School climate”** means the quality and character of school life based on patterns of students’, parents’ and guardians’ and school employees’ experiences of school life, including but not limited to, norms, goals, values, interpersonal relationships, teaching and learning practices and organizational structures.
- L. **“School employee”** means
- (1) a teacher, substitute teacher, school administrator, school superintendent, guidance counselor, school counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by the Board or working in a public elementary, middle or high school; or
  - (2) any other individual who, in the performance of the individual’s duties, has regular contact with students and who provides services to or on behalf of students enrolled in a public elementary, middle or high school, pursuant to a contract with the Board.
- M. **“School-Sponsored Activity”** shall mean any activity conducted on or off school property (including school buses and other school-related vehicles) that is sponsored, recognized or authorized by the Board.
- N. **“Social and emotional learning”** means the process through which children and adults achieve emotional intelligence through the competencies of self-awareness, self-management, social awareness, relationship skills and responsible decision-making.
- O. **“Teen dating violence”** means any act of physical, emotional or sexual abuse, including stalking, harassing and threatening, that occurs between two students who are currently in or who have recently been in a dating relationship.

#### IV. Leadership and Administrative Responsibilities

##### A. Safe School Climate Coordinator

The Superintendent shall appoint, from existing District staff, a District Safe School Climate Coordinator (“Coordinator”). The Coordinator shall:

- (1) be responsible for implementing the District’s Safe School Climate Plan (“Plan”);

- (2) collaborate with Safe School Climate Specialists, the Board, and the Superintendent to prevent, identify and respond to bullying in District schools and programs;
- (3) provide data and information, in collaboration with the Superintendent, to the Department regarding bullying; and
- (4) meet with Safe School Climate Specialists at least twice during the school year to discuss issues relating to bullying in the District and to make recommendations concerning amendments to the Plan.

**B. Safe School Climate Specialist**

The Principal of each school (or principal’s designee) or responsible administrator of any alternative education program operated by the Board (“responsible administrator”) shall serve as the Safe School Climate Specialist. The Safe School Climate Specialist shall investigate or supervise the investigation of reported acts of bullying, collect and maintain records of reports and investigations of bullying in the school and act as the primary school official responsible for preventing, identifying and responding to reports of bullying in the school or program.

**V. Development and Review of Safe School Climate Plan**

- A. The Principal of each school or responsible administrator shall establish a committee or designate at least one existing committee (“Committee”) in the school or program to be responsible for developing and fostering a safe school climate and addressing issues relating to bullying in the school or program. Such committee shall include:
- (1) at least one parent/guardian of a student enrolled in the school or program, as appointed by the school principal or responsible administrator;
  - (2) school personnel, including, but not limited to, at least one teacher selected by the exclusive bargaining representative for certified employees;
  - (3) medical and mental health personnel assigned to such school or program; and
  - (4) in the case of a committee for a high school, at least one student enrolled at such high school who is selected by the students of such school in a manner determined by the school principal or responsible administrator.
- B. The Committee shall:
- (1) receive copies of completed reports following bullying investigations;
  - (2) identify and address patterns of bullying among students in the school or program;

- (3) implement the provisions of the school security and safety plan, regarding the collection, evaluation and reporting of information relating to instances of disturbing or threatening behavior that may not meet the definition of bullying,
  - (4) review and amend school or program policies relating to bullying;
  - (5) review and make recommendations to the Coordinator regarding the Plan based on issues and experiences specific to the school or program;
  - (6) educate students, school employees and parents/guardians on issues relating to bullying;
  - (7) collaborate with the Coordinator in the collection of data regarding bullying; and
  - (8) perform any other duties as determined by the principal or responsible administrator that are related to the prevention, identification and response to school bullying.
- C. Any parent/guardian or student serving as a member of the Committee shall not participate in any activities that may compromise the confidentiality of any student, including, but not limited to, receiving copies of investigation reports, or identifying or addressing patterns of bullying among students in the school or program.
  - D. The Board shall approve the Plan developed pursuant to Board policy and submit such plan to the Department. Not later than thirty (30) calendar days after approval by the Board, the Board shall make such Plan available on the Board's and each individual school or program on the District's web site and ensure that the Plan is included in the District's publication of the rules, procedures and standards of conduct for schools and programs and in all student handbooks.

## **VI. Procedures for Reporting and Investigating Complaints of Bullying**

- A. Students and parents (or guardians of students) may file written reports of bullying. Written reports of bullying shall be reasonably specific as to the basis for the report, including the time and place of the alleged conduct, the number of incidents, the target of the suspected bullying, and the names of potential witnesses. Such reports may be filed with any building or program administrator and/or the Safe School Climate Specialist (*i.e.*, building principal or designee), and all reports shall be forwarded to the Safe School Climate Specialist for review and actions consistent with this Plan.
- B. Students may make anonymous reports of bullying to any school employee. Students may also request anonymity when making a report, even if the student's identity is known to the school employee. In cases where a student requests anonymity, the Safe School Climate Specialist or designee shall meet with the student (if the student's identity is known) to review the request for anonymity



and discuss the impact that maintaining the anonymity of the complainant may have on the investigation and on any possible remedial action. All anonymous reports shall be reviewed and reasonable action will be taken to address the situation, to the extent such action may be taken that does not disclose the source of the report, and is consistent with the due process rights of the student(s) alleged to have committed acts of bullying. No disciplinary action shall be taken solely on the basis of an anonymous report.

- C. School employees who witness acts of bullying or receive reports of bullying shall orally notify the Safe School Climate Specialist, or another school or program administrator if the Safe School Climate Specialist is unavailable, not later than one (1) school day after such school employee witnesses or receives a report of bullying. The school employee shall then file a written report not later than two (2) school days after making such oral report.
- D. The Safe School Climate Specialist shall be responsible for reviewing any anonymous reports of bullying and shall investigate or supervise the investigation of all reports of bullying and ensure that such investigation is completed promptly after receipt of any written reports. The Safe School Climate Specialist shall also be responsible for promptly notifying the parents or guardians of the student alleged to have committed an act or acts of bullying, and the parents or guardians of the student against whom such alleged act or acts were directed, that an investigation has commenced. In order to allow the District to adequately investigate complaints filed by a student or parent/guardian, the parent of the student suspected of being bullied should be asked to provide consent to permit the release of that student's name in connection with the investigation process, unless the student and/or parent has requested anonymity.
- E. In investigating reports of bullying, the Safe School Climate Specialist or designee will consider all available information known, including the nature of the allegations and the ages of the students involved. The Safe School Climate Specialist will interview witnesses, as necessary, reminding the alleged perpetrator and other parties that retaliation is strictly prohibited and may result in disciplinary action.

## **VII. Responding to Verified Acts of Bullying**

- A. Following investigation, if acts of bullying are verified, the Safe School Climate Specialist or designee shall notify the parents or guardians of the students against whom such acts were directed as well as the parents or guardians of the students who commit such acts of bullying of the finding **not later than forty-eight (48) hours** after the investigation is completed. This notification shall include a description of the school or program's response to the acts of bullying; the results of such investigation; and verbally or by electronic mail, if such parents' or guardians' electronic mail addresses are known, that such parents or guardians may refer to the plain language explanation of the rights and remedies available under Conn. Gen. Stat. Sections 10-4a and 10-4b once such explanation has been provided to the Board by the Connecticut Social and Emotional Learning and School Climate Advisory Collaborative and published on the Internet website of

the Board. In providing such notification, however, the District will take care to respect the statutory privacy rights of other students, including the perpetrator of such bullying. The specific disciplinary consequences imposed on the perpetrator, or personally identifiable information about a student other than the parent/guardian's own child, may not be disclosed except as provided by law.

- B. In any instance in which bullying is verified, the Safe School Climate Specialist or designee shall invite the parents or guardians of the student against whom such act was directed to a meeting to communicate the measures being taken by the school or program to promote the safety of the student/victim and policies and procedures in place designed to prevent further acts of bullying. The Safe School Climate Specialist or designee shall also invite the parents or guardians of a student who commits any verified act of bullying to a meeting, separate and distinct from the previously described meeting, to discuss specific interventions undertaken by the school designed to prevent further acts of bullying. The invitations may be made simultaneous with the notification described above in Section VII.A.
- C. If bullying is verified, the Safe School Climate Specialist or designee shall develop a student safety support plan for any student against whom an act of bullying was directed. Such support plan will include safety measures designed to protect against further acts of bullying.
- D. A specific written intervention plan shall be developed to address repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual. The written intervention plan may include counseling, discipline and other appropriate remedial actions as determined by the Safe School Climate Specialist or designee and may also incorporate a student safety support plan, as appropriate.
- E. Notice to Law Enforcement  
  
If the principal of a school or responsible administrator (or designee) reasonably believes that any act of bullying constitutes a criminal offense, the principal or responsible administrator shall notify appropriate law enforcement. Notice shall be consistent with the Board's obligations under state and federal law and Board policy regarding the disclosure of personally identifiable student information. In making this determination, the principal, responsible administrator or designee, may consult with the school resource officer, if any, and other individuals the principal, responsible administrator or designee deems appropriate.
- F. If a bullying complaint raises a concern about Protected Class discrimination or harassment, the Safe School Climate Specialist or designee shall also coordinate any bullying investigation with other appropriate personnel within the District as appropriate (e.g. Title IX Coordinator, Section 504 Coordinator, etc.), in a manner designed to ensure that any such bullying investigation complies with the requirements of such policies regarding nondiscrimination.

## **VIII. Teen Dating Violence**

- A. The District strictly prohibits, and takes very seriously any instances of, teen dating violence, as defined above. The District recognizes that teen dating violence may take many different forms and may also be considered bullying and/or sexual harassment.
- B. Students and parents (or guardians of students) may bring verbal or written complaints regarding teen dating violence to any building or program administrator. The building or program administrator shall promptly refer the complaint to the Title IX Coordinator.
- C. Prevention and intervention strategies concerning teen dating violence shall be implemented in accordance with Section X below. Discipline, up to and including expulsion, may be imposed against the perpetrator of teen dating violence, whether such conduct occurs on or off campus, in accordance with Board policy and consistent with federal and state law.

#### **IX. Documentation and Maintenance of Log**

- A. Each school and program operated by the Board shall maintain written reports of bullying, along with supporting documentation received and/or created as a result of bullying investigations, consistent with the Board's obligations under state and federal law. Any educational record containing personally identifiable student information pertaining to an individual student shall be maintained in a confidential manner, and shall not be disclosed to third parties without prior written consent of a parent, guardian or eligible student, except as permitted under Board policy and state and federal law.
- B. The Principal of each school or responsible administrator shall maintain a list of the number of verified acts of bullying in the school or program and this list shall be available for public inspection upon request. Consistent with District obligations under state and federal law regarding student privacy, the log shall not contain any personally identifiable student information or any information that alone or in combination would allow a reasonable person in the school community to identify the students involved. Accordingly, the log should be limited to basic information such as the number of verified acts, name of school and/or grade level and relevant date. Each investigation that results in a verified act of bullying for that school year shall be tallied as one verified act of bullying unless the specific actions that are the subject of each report involve separate and distinct acts of bullying. The list shall be limited to the number of verified acts of bullying in each school or program and shall not set out the particulars of each verified act, including, but not limited, to any personally identifiable student information, which is confidential information by law.
- C. The Principal of each school or responsible administrator shall report the number of verified acts of bullying in the school or program annually to the Department in such manner as prescribed by the Connecticut Commissioner of Education.

#### **X. Other Prevention and Intervention Strategies**

- A. Bullying behavior and teen dating violence can take many forms and can vary dramatically in the nature of the offense and the impact the behavior may have on the victim and other students. Accordingly, there is no one prescribed response to verified acts of bullying or to teen dating violence. While conduct that rises to the level of “bullying” or “teen dating violence,” as defined above, will generally warrant traditional disciplinary action against the perpetrator of such bullying or teen dating violence, whether and to what extent to impose disciplinary action (e.g., detention, in-school suspension, suspension or expulsion) is a matter for the professional discretion of the building principal (or responsible program administrator or designee). No disciplinary action may be taken solely on the basis of an anonymous complaint of bullying. As discussed below, schools and programs may also consider appropriate alternatives to traditional disciplinary sanctions, including age-appropriate consequences and other restorative or remedial interventions.
- B. A specific written intervention plan shall be developed to address repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual. This plan may include safety provisions, as described above, for students against whom acts of bullying have been verified and may include other interventions such as counseling, discipline, and other appropriate remedial or restorative actions as determined by the responsible administrator.
- C. The following sets forth possible interventions, which may also be utilized to enforce the Board’s prohibition against bullying and teen dating violence:
- (1) Non-disciplinary interventions

When verified acts of bullying are identified early and/or when such verified acts of bullying do not reasonably require a disciplinary response, students may be counseled as to the definition of bullying, its prohibition, and their duty to avoid any conduct that could be considered bullying. Students may also be subject to other forms of restorative discipline or remedial actions, appropriate to the age of the students and nature of the behavior.

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

When an act or acts of teen dating violence are identified, the students involved may be counseled as to the seriousness of the conduct, the prohibition of teen dating violence, and their duty to avoid any such conduct. Students may also be subject to other

forms of restorative discipline or remedial actions, appropriate to the age of the students and nature of the behavior.

(2) Disciplinary interventions

When acts of bullying are verified or teen dating violence occurs, and a disciplinary response is warranted, students may be subject to the full range of disciplinary consequences. Anonymous complaints of bullying, however, shall not be the basis for disciplinary action.

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

Expulsion may be imposed only after a hearing before the Board, a committee of the Board or an impartial hearing board designated by the Board in accordance with the Board's Student Discipline policy. This consequence shall normally be reserved for serious incidents of bullying and teen dating violence, and/or when past interventions have not been successful in eliminating bullying behavior and/or teen dating violence.

(3) Interventions for bullied students and victims of teen dating violence

The building principal (or other responsible program administrator) or designee shall intervene in order to address incidents of bullying or teen dating violence against a single individual. Intervention strategies for a bullied student or victim of teen dating violence may include the following:

- (a) Referral to a school counselor, psychologist or other appropriate social or mental health service;
- (b) Increased supervision and monitoring of student to observe and intervene in bullying situations or instances of teen dating violence;
- (c) Encouragement of student to seek help when victimized or witnessing victimization;
- (d) Peer mediation or other forms of mediation, where appropriate;
- (e) Student Safety Support plans;
- (f) Restitution and/or restorative interventions; and

- (g) Periodic follow-up by the Safe School Climate Specialist and/or Title IX Coordinator with the bullied student or victim of teen dating violence.

(4) General prevention and intervention strategies

In addition to the prompt investigation of complaints of bullying and direct intervention when acts of bullying are verified, other District actions may ameliorate potential problems with bullying in school or at school-sponsored activities. Additional District actions may also ameliorate potential problems with teen dating violence. While no specific action is required, and school needs for specific prevention and intervention strategies may vary from time to time, the following list of potential prevention and intervention strategies shall serve as a resource for administrators, teachers and other professional employees in each school and District program. Such prevention and intervention strategies may include, but are not limited to:

- (a) School and program rules prohibiting bullying, teen dating violence, harassment and intimidation and establishing appropriate consequences for those who engage in such acts;
- (b) Adequate adult supervision of outdoor areas, hallways, the lunchroom and other specific areas where bullying or teen dating violence are likely to occur;
- (c) Inclusion of grade-appropriate bullying and teen dating violence education and prevention curricula in kindergarten through high school, which may include instruction regarding building safe and positive school communities including developing healthy relationships and preventing dating violence as deemed appropriate for older students;
- (d) Individual interventions with the perpetrator, parents and school employees, and interventions with the bullied student, parents and school employees;
- (e) School-wide training related to safe school climate, which training may include Title IX sex discrimination/sexual harassment prevention training, Section 504/ADA training, cultural diversity/multicultural education or other training in federal and state civil rights legislation or other topics relevant to safe school climate;
- (f) Student peer training, education and support;
- (g) Promotion of parent involvement in bullying prevention through individual or team participation in meetings, trainings and individual interventions;

- (h) Implementation of a positive behavioral interventions and supports process or another evidence-based model approach for a safe school climate or for the prevention of bullying and teen dating violence, including any such program identified by the Department;
  - (i) Respectful responses to bullying and teen dating violence concerns raised by students, parents or staff;
  - (j) Planned professional development programs addressing prevention and intervention strategies, which training may include school violence prevention, conflict resolution and prevention of bullying and teen dating violence, with a focus on evidence-based practices concerning same;
  - (k) Use of peers to help ameliorate the plight of victims and include them in group activities;
  - (l) Avoidance of sex-role stereotyping;
  - (m) Continuing awareness and involvement on the part of school employees and parents with regards to prevention and intervention strategies;
  - (n) Modeling by teachers of positive, respectful, and supportive behavior toward students;
  - (o) Creating a school atmosphere of team spirit and collaboration that promotes appropriate social behavior by students in support of others;
  - (p) Employing classroom strategies that instruct students how to work together in a collaborative and supportive atmosphere; and
  - (q) Culturally competent school-based curriculum focusing on social-emotional learning, self-awareness and self-regulation.
- D. In addition to prevention and intervention strategies, administrators, teachers and other professional employees may find opportunities to educate students about bullying and help eliminate bullying behavior through class discussions, counseling, and reinforcement of socially-appropriate behavior. Administrators, teachers and other professional employees should intervene promptly whenever they observe mean-spirited student conduct, even if such conduct does not meet the formal definition of “bullying.”
- E. Funding for the school-based bullying intervention and school climate improvement strategy may originate from public, private, federal or philanthropic sources.

## **XI. Improving School Climate**

Each school will outline affirmative steps to improve the quality of school climate as defined within a particular school. These strategies should align with school improvement plans and school climate assessments, and be based on current data available on the quality of school climate within the school, program and/or district including, but not limited to, the type, nature, frequency etc. of behavior that may constitute or lead to bullying, teen dating violence, harassment or similar behavior. This section is intended to be broader in scope and should be targeted towards fostering positive school climate rather than exclusively preventing, investigating and otherwise responding to specific incidences of bullying and teen dating violence.

## **XII. Annual Notice and Training**

- A. Students, and parents or guardians of students shall be notified annually of the process by which students may make reports of bullying.
- B. The Board shall provide for the inclusion of language in student codes of conduct concerning bullying.
- C. At the beginning of each school year, each school and program shall provide all school employees with a written or electronic copy of the District's safe school climate plan and require that all school employees annually complete training on the identification, prevention and response to bullying as required by law.
- D. As required by state law, the Board, after consultation with the Department and the Social and Emotional Learning and School Climate Advisory Collaborative (the "Collaborative"), shall also provide on its website training materials to school administrators regarding the prevention of and intervention in discrimination against and targeted harassment of students based on such students' (1) actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression, socioeconomic status, academic status, physical appearance or mental, physical, developmental or sensory disability, or (2) association with individuals or groups who have or are perceived to have one or more of such characteristics.
- E. Any person appointed by the District to serve as District safe school climate coordinator shall complete mental health and first aid training offered by the Commissioner of Mental Health and Addiction Services.

## **XIII. School Climate Assessments**

Biennially, the Board shall require each school and program in the District to complete an assessment using the school climate assessment instruments, including surveys, approved and disseminated by the Department. The Board shall collect the school climate assessments for each school and program in the District and submit such assessments to the Department.



Legal References:

Conn. Gen. Stat. § 10-222d

Conn. Gen. Stat. § 10-222g

Conn. Gen. Stat. § 10-222h

Conn. Gen. Stat. § 10-222j

Conn. Gen. Stat. § 10-222k

Conn. Gen. Stat. § 10-222l

Conn. Gen. Stat. § 10-222q

Conn. Gen. Stat. § 10-222r

Conn. Gen. Stat. §§ 10-233a through 10-233f

Connecticut State Department of Education Circular Letter C-8,  
Series 2008-2009 (March 16, 2009)

Connecticut State Department of Education Circular Letter C-3,  
Series 2011-2012 (September 12, 2011)

Connecticut State Department of Education Circular Letter C-2,  
Series 2014-2015 (July 14, 2014)

Connecticut State Department of Education Circular Letter C-1,  
Series 2018-2019 (July 12, 2018)

Connecticut State Department of Education Circular Letter C-1,  
Series 2019-2020 (July 16, 2019)

Administrative Regulations Adopted:



Indicate if there are witnesses who can provide more information regarding your report. If the witnesses are not school district staff or students, please provide contact information.

Name	Address	Telephone Number	Email Address
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Have there been previous incidents? (circle one)                      Yes                      No

If “yes”, please describe the behavior of concern, or the violence that occurred; include the approximate date(s) and the location(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Were these incidents reported to school employees? (circle one)    Yes    No

If “Yes”, to whom was it reported and when?

\_\_\_\_\_

Was the report verbal or written?

\_\_\_\_\_

Proposed Solution:

Indicate your opinion on how this problem might be resolved in the school setting. Be as specific as possible.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I certify that the above information and events are accurately depicted to the best of my knowledge.

_____	_____	_____	_____
Signature of Reporter	Date Submitted	Received By	Date Received



**NEWTOWN PUBLIC SCHOOLS**

**REPORT OF BULLYING FORM/INVESTIGATION SUMMARY**

**For Staff Use Only:** \_\_\_\_\_

**School** \_\_\_\_\_ **Date** \_\_\_\_\_

**Location(s)** \_\_\_\_\_

Reporter Information:

Anonymous student report \_\_\_\_\_

Employee report \_\_\_\_\_ Name \_\_\_\_\_

Parent/Guardian report \_\_\_\_\_ Name \_\_\_\_\_

Student report \_\_\_\_\_ Name \_\_\_\_\_

**Student Reported as Committing Act:** \_\_\_\_\_

**Student Reported as Victim:** \_\_\_\_\_

**Description of Alleged Act(s):** \_\_\_\_\_

\_\_\_\_\_

**Time and Place:** \_\_\_\_\_

**Names of Potential Witnesses:** \_\_\_\_\_

\_\_\_\_\_

**Action of Reporter:** \_\_\_\_\_

**Administrative Investigation Notes (use separate sheet if necessary):**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Bullying Verified? Yes** \_\_\_\_ **No** \_\_\_\_

**Remedial Action(s) Taken:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**If Bullying Verified, Has Notification Been Made to Parents of Students Involved?**

Parents' Names: _____	Date Sent: _____
Parents' Names: _____	Date Sent: _____
Parents' Names: _____	Date Sent: _____
Parents' Names: _____	Date Sent: _____

**If Bullying Verified, Have Invitations to Meetings Been Sent to Parents of Students Involved?**

Parents' Names: _____	Date Sent: _____
Parents' Names: _____	Date Sent: _____
Parents' Names: _____	Date Sent: _____
Parents' Names: _____	Date Sent: _____

**Date of Meetings:**

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

**If Bullying Verified, Has School or Program Developed Student Safety Support/Intervention Plan?**

Y      N

**(Attach bullying complaint and witness statements. If bullying is verified, attach: 1) notification to parents of students involved that includes a description of the school or program's response to the acts of bullying, the results of the investigation, and via e-mail if e-mail addresses are known, a statement that the parents may refer to the plain language explanation of rights and remedies available under Conn. Gen. Stat. §§ 10-4a and 10-4b once such explanation has been provided to the Board by the Connecticut Social and Emotional Learning and School Climate Advisory Collaborative and published on the District's website; 2) invitations to parent meetings; and 3) and records of parent meetings).**

**Newtown Public Schools**  
**Report of Bullying/Consent to Release Student Information**

**Date:** \_\_\_\_\_

**Name of Student:** \_\_\_\_\_

**School:** \_\_\_\_\_

---

To Parent/Guardian:

A report of bullying has been made on behalf of your child alleging that your child has been the victim of bullying. In order to facilitate a prompt and thorough investigation of the report, the [\_\_\_\_\_] Public Schools may wish to disclose the fact that this complaint has been filed in connection with investigation.

*(Please check one):*

\_\_\_\_\_ I hereby give permission for the [\_\_\_\_\_] Public Schools to disclose the fact that a complaint concerning my child has been filed as part of its investigation of that complaint.

\_\_\_\_\_ I do **NOT** give permission for the [\_\_\_\_\_] Public Schools to disclose the fact that a complaint concerning my child has been filed as part of its investigation of that complaint.

\_\_\_\_\_  
Signature of Parent/Guardian

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name (Please print)

**Newtown Public Schools**  
**Report of Teen Dating Violence/Consent to Release Student Information**

**Date:** \_\_\_\_\_

**Name of Student:** \_\_\_\_\_

**School:** \_\_\_\_\_

---

To Parent/Guardian:

A report of teen dating violence has been made on behalf of your child alleging that your child has been the victim of teen dating violence. In order to facilitate a prompt and thorough review of the report, the [\_\_\_\_\_] Public Schools may wish to disclose the fact that this complaint has been filed in connection with its review.

***(Please check one):***

\_\_\_\_\_ I hereby give permission for the [\_\_\_\_\_] Public Schools to disclose the fact that a complaint concerning my child has been filed as part of its review of that complaint.

\_\_\_\_\_ I do **NOT** give permission for the [\_\_\_\_\_] Public Schools to disclose the fact that a complaint concerning my child has been filed as part of its review of that complaint.

\_\_\_\_\_  
Signature of Parent/Guardian

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name (Please print)



**Note: Under Connecticut law, qualified school employees may administer epinephrine with a cartridge injector to a specific student with a medically diagnosed allergic condition that may require prompt treatment to protect the student against serious harm or death either (1) with the written medication order of an authorized prescriber and the written authorization of the student's parent or guardian or (2) in an emergency, without such prior written authorization, provided that a number of conditions are met. The law previously required qualified school employees who administer epinephrine for purposes of emergency first aid without prior written authorization to annually complete the training program developed by the Departments of Education and Public Health in consultation with the School Nurse Advisory Council described in Connecticut General Statutes Section 10-212g. Public Act 24-93 expands this requirement to explicitly include employees who administer epinephrine with the written authorization of a parent or guardian and authorized prescriber. S & G has edited the policy to reflect this change.**

**This policy was reviewed by the Nurse Supervisor.**

**Series 5000  
Students**

**5141.21**

## **POLICY REGARDING 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 Newtown 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 extracurricular 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 or guardian of such student, except for the administration of epinephrine or naloxone for the purpose of emergency first aid as set forth in 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 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.

Qualified school employee means a principal, teacher, licensed athletic trainer, licensed physical or occupational therapist employed by a school district, coach or paraeducator.

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 or guardian or eligible student; and

- (c) the written permission of a parent for the exchange of information between the prescriber and the school nurse necessary to ensure safe administration of such medication.
- (2) Prescribed medications shall be administered to and taken by only the person for whom the prescription has been written.
  - (3) 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 who has been trained in the administration of medication in accordance with Section J of this policy. 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 or 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 or 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 or 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 or 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 or 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 or 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 in accordance with Section J of this policy, during intramural or interscholastic athletic events, may administer inhalant medications prescribed to treat respiratory conditions and/or medication administered with a cartridge injector for students with medically diagnosed allergic conditions which may require prompt treatment to protect the student against serious harm or death, provided all of the following conditions are met:
  - (i) the school nurse has determined that a self-administration plan is not viable;
  - (ii) the school nurse has provided to the coach a copy of the authorized prescriber's order and parental permission form;
  - (iii) the parent/guardian has provided the coach or licensed athletic trainer with the medication in accordance with Section 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 paraeducator who has been trained in the administration of medication in accordance with Section J of this policy, 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 parents/guardian to administer the medication in school;
  - (ii) medication is administered pursuant to the written order of (A) a physician licensed under chapter 370 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 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 parents/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 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 paraeducator annually completes the training program established by the Connecticut State Department of Education and the Association of School Nurses of Connecticut as required by Connecticut General Statutes § 10-212a, 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 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 or guardian to the parent or 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 (CGM) 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 or 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 used to administer glucagon to a student with diabetes that may require prompt treatment in order to protect the student against serious harm or death, under the following conditions:
  - (a) The student's parent or guardian has provided written authorization;
  - (b) A written order for such administration has been received from the student's physician licensed under Chapter 370 of the Connecticut General Statutes;
  - (c) The school employee is selected by either the school nurse or principal and is a principal, teacher, licensed athletic trainer, licensed physical or occupational therapist employed by a school district, coach or 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 used to administer glucagon;
  - (f) The school nurse and school medical advisor have attested in writing that the selected 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 for the purpose of emergency first aid to students who experience allergic reactions and do not have prior written authorization of a parent or guardian or a prior written order of a qualified medical professional for the administration of epinephrine.
  - (a) The school nurse, in consultation with the school nurse supervisor, shall determine the supply of epinephrine in cartridge injectors that shall be available in the individual school.
  - (b) In determining the appropriate supply of epinephrine in cartridge injectors, the nurse may consider, among other things, the number of students regularly in the school building during the regular school day and the size of the physical building.
- (3) The school nurse or school principal shall select principal(s), teacher(s), licensed athletic trainer(s), licensed physical or occupational therapist(s) employed by the Board, coach(es) and/or paraeducator(s) to maintain and administer the epinephrine in cartridge injectors 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 for the purpose of emergency first aid, as described in Connecticut General Statutes § 10-212g.
  - (c) The selected personnel must voluntarily agree to complete the training and administer epinephrine in cartridge injectors for the purpose of emergency first aid.
- (4) Either the school nurse or, in the absence of the school nurse, at least one of the selected and trained personnel as described in Paragraph (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 or 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 or guardians have refused emergency administration of epinephrine.
  - (b) The Board shall annually notify parents or guardians of the need to provide such written notice.
- (7) Following the emergency administration of epinephrine by selected and trained personnel as identified in this section:
  - (a) Such emergency administration shall be reported immediately to:
    - (i) The school nurse or school medical advisor, if any, by the personnel who administered the epinephrine; and
    - (ii) The student's parent or guardian, by the school nurse or personnel who administered the epinephrine.
  - (b) A medication administration record shall be:
    - (i) Submitted to the school nurse by the personnel who administered the epinephrine as soon as possible, but no later than the next school day; and
    - (ii) filed in or summarized on the student's cumulative health record, in accordance with the Document and Record Keeping section of this policy.

- (c) 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 or 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 parents 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), 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 or 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 or guardians have refused emergency administration of opioid antagonists.
  - (b) The Board shall annually notify parents or 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 or 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 or guardian, the written parental permission for the exchange of information by the prescriber and school nurse to ensure safe administration of such medication, and the completed medication administration record for each student shall be filed in the student's cumulative health record or, for before 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 or guardian, advising of the nature of the error and all steps taken or being taken to rectify the error, including contact with the authorized prescriber and/or any other medical action(s); 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 or guardian, advising of the existence and nature of the medication emergency and all steps taken or being taken to resolve the emergency and protect the health and safety of the student, including contact with the authorized prescriber and/or any other medical action(s) that are being or have been taken.

#### 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

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 pursuant to Sections B and 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, as described in Connecticut General Statutes § 10-212g.
- (4) The principal(s), teacher(s), licensed athletic trainer(s), licensed physical or occupational therapist(s), coach(es) and/or 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, or other responsible adult to the nurse assigned to the student's school or, in the absence of such nurse, the school principal who has been trained in the appropriate administration of medication. Medications administered by coaches of intramural or interscholastic athletics or licensed athletic trainers must be delivered by the parent or guardian directly to the coach or licensed athletic trainer in accordance with Section B(3)(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 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 or guardian or, if the medication cannot be returned to the parent or guardian, the medication shall be destroyed in collaboration with the school nurse:
  - (a) non-controlled drugs shall be destroyed in the presence of at least one witness;
  - (b) controlled drugs shall be destroyed in pursuant to Section 21a-262-3 of the Regulations of Connecticut State Agencies; 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 or guardian or an eligible student.
  - (c) A school nurse shall provide consultation to the program director, lead teacher or school administrator who has been trained in the administration of medication regarding the safe administration of medication within these programs. The school medical advisor 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 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 school readiness program. In the event that it is not possible for the parent or guardian to provide a separate supply of medication, then a plan shall be in place to ensure the timely transfer of the medication from the school to the program and back on a daily basis.
- (6) Documentation of any administration of medication shall be completed on forms provided by the school and the following procedures shall be followed:
  - (a) a medication administration record for each student shall be maintained by the program;
  - (b) administration of a cartridge injector medication shall be reported to the school nurse at the earliest possible time, but no later than the next school day;
  - (c) all instances of medication administration, except for the administration of cartridge injector medication, shall be reported to the school nurse at least monthly, or as frequently as required by the individual student plan; and
  - (d) the administration of medication record must be submitted to the school nurse at the end of each school year and filed in the student's cumulative health record.
- (7) The procedures for the administration of medication at school readiness programs and before 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. 24-93, "An Act Concerning Various and Assorted Revisions to the Education Statutes."

Section 10-206

Section 10-212

Section 10-212a

Section 10-212c

Section 10-212g

Section 10-220j

Section 14-276b

Section 19a-900

Section 21a-240

Section 21a-286

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)

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

Adopted: November 8, 2023

Revised:

NEWTOWN PUBLIC SCHOOLS

Newtown, Connecticut



# Newtown Public Schools

3 Primrose Street  
Newtown, CT 06470

## REFUSAL TO PERMIT ADMINISTRATION OF EPINEPHRINE FOR EMERGENCY FIRST AID

Name of Child: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Address of Child: \_\_\_\_\_

Name of Parent(s): \_\_\_\_\_

Address of Parent(s): \_\_\_\_\_  
(if different from child)

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

I, \_\_\_\_\_, the parent/guardian of \_\_\_\_\_,  
Print name of parent/guardian Print name of student

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

Signature of Parent/Guardian

Date

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

\_\_\_\_\_ *[Insert address of*  
*medical advisor].*

9/27/2023



# Newtown Public Schools

3 Primrose Street  
Newtown, CT 06470

## REFUSAL TO PERMIT ADMINISTRATION OF OPIOID ANTAGONISTS FOR EMERGENCY FIRST AID

Name of Child: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Address of Child: \_\_\_\_\_

Name of Parent(s): \_\_\_\_\_

Address of Parent(s): \_\_\_\_\_  
(if different from child)

Connecticut law authorizes the school nurse and other qualified school personnel in all public schools to maintain opioid antagonists (Narcan) for the purpose of administering emergency first aid to students who experience an opioid-related drug overdose and do not have a prior written authorization of a parent or guardian or a prior written order of a qualified medical professional for the administration of opioid antagonists. State law permits the parent or guardian of a student to submit a written directive to the **school nurse or school medical advisor** that opioid antagonists shall not be administered to such student in emergency situations. **This form is provided for those parents who refuse to have opioid antagonists administered to their child.** The refusal is valid for only for the 20\_-20\_ school year.

I, \_\_\_\_\_, the parent/guardian of \_\_\_\_\_,  
Print name of parent/guardian Print name of student  
refuse to permit the administration of opioid antagonists to the above named student for purposes of emergency first aid in the case of an opioid-related drug overdose.

Signature of Parent/Guardian

Date

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

\_\_\_\_\_ *[Insert address of*  
*medical advisor].*

9/27/2023



**Note: This policy was updated by S & G in December 2020. NPS policy and administrative regulations regarding search and seizure were adopted in November 2021. The S & G administrative regulations incorporate use of dogs on school properties and breathalyzers on school properties or school sponsored events. If this policy is adopted, the following NPS policies should be rescinded: 5145.12–Search and Seizure; 5145.122–Use of Dogs to Search School Property ( adopted July 2017); and 5145.124–Breathalyzer Testing (adopted November 2021).**

**Series 5000  
Students**

**5145.12**

**POLICY AND ADMINISTRATIVE REGULATIONS  
REGARDING SEARCH AND SEIZURE**

1. Search of a Student and the Student’s Effects
  - A. Fourth Amendment rights to be free from unreasonable searches and seizures apply to searches conducted by public school officials. A student and his/her effects may be searched if there are reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school. The way the search is conducted should be reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student and the nature of the infraction.
2. Search of a Locker, Desk and Other Storage Area
  - A. Lockers, desks and other storage areas provided by the school system for use by students are the property of the school system. Such storage areas are provided for the temporary convenience of students only. The Board of Education (the “Board”) authorizes the administration and/or law enforcement officials to search lockers and other school property available for use by students for the presence of weapons, contraband or the fruits of a crime if there are reasonable grounds at the inception of the search for suspecting that the search will reveal evidence that the student has violated or is violating either the law or the rules of the school. Moreover, the scope of the search shall be reasonably related to the objectives of the search and shall not be excessively intrusive in light of the age and sex of the student and the nature of the infraction.
  - B. If the school administration reasonably suspects that a student is not maintaining a locker or other storage area assigned to him/her in a sanitary condition, or that the storage area contains items the possession of which is illegal or in violation of school regulations or that endangers the health, safety or welfare of the student or others, it has the right to open and examine the storage area and to seize any such items that are found.

- C. When required by law and otherwise at the option of the building principal, items that have been seized shall be submitted to the police department for proper disposition. Items not submitted to the police department shall be disposed of as directed by the building principal.
- 3. The decision to search shall be made by the principal or the principal's designee. The search shall be made in the presence of at least one witness. Discovery of illegal or dangerous materials shall be reported to the Office of the Superintendent.
- 4. Use of drug-detection dogs and metal detectors, similar detective devices; and/or breathalyzers and other passive alcohol screening devices may be used only on the express authorization of the Superintendent, in accordance with such procedures as the Superintendent may devise.

Legal References:

Conn. Gen. Stat. § 10-221, Board of education to prescribes rules, policies and procedures

Conn. Gen. Stat. § 54-33n, Search of school locker and property

New Jersey v. T.L.O., 469 U.S. 325 (1985)

Adopted:  
Revised:

NEWTOWN PUBLIC SCHOOLS  
Newtown, Connecticut

**ADMINISTRATIVE REGULATION REGARDING SEARCH AND SEIZURE**

1. Search of a Student and the Student's Effects
  - A. All searches of students shall be conducted or directed by an authorized school administrator, i.e., the principal or vice principal, in the presence of a witness.
  - B. A search of a student's handbag, gym bag, cellular telephone, personal electronic device or similar personal property carried by a student may be conducted if there are reasonable grounds for suspecting that the search will produce evidence that the student has violated or is violating either the law or the rules of the school. A student's other effects are also subject to the same rule. Effects may include motor vehicles located on school property.
  - C. A search of a student's person may be conducted only if there are reasonable grounds at the inception of the search for suspecting that the search will reveal evidence that the student has violated or is violating either the law or the rules of the school. Moreover, the scope of the search shall be reasonably related to the objectives of the search and shall not be excessively intrusive in light of the age and sex of the student and the nature of the infraction. Metal detectors, breathalyzers and/or drug sniffing dogs may be used to detect the presence of contraband, including weapons, drugs or alcohol, in furtherance of this policy and to the extent authorized by law.
  - D. Strip searches are prohibited except when there are reasonable grounds for suspecting that such a search will produce evidence of conduct which places students, staff or school property in immediate danger. Such searches may be conducted at the request of the school principal, generally by a member of the police department. During such searches, a member of the school staff shall be present at all times as a witness, and both the police officer conducting the search and the witness shall be of the same sex as the student searched.
  - E. Any evidence of illegal conduct or conduct violative of the rules of the school produced as a result of searches according to these regulations shall be subject to seizure. Where required by law and otherwise at the option of the building principal, such evidence shall be submitted to the police department for proper disposition. Evidence not submitted to the police department shall be disposed of as directed by the building principal.
2. Search of a Locker, Desk and Other Storage Area

- A. The Board of Education (the “Board”) provides lockers, desks, gym baskets and other storage areas in which students may keep and store personal belongings and materials provided by the Board. Such storage areas are the property of the Board.
- B. No student shall keep or store personal belongings or materials provided by the Board in any storage area other than one provided by the Board and designated for the student’s use by the school administration.
- C. Each student shall be responsible for maintaining any storage area assigned to the student for the student’s use in an orderly and sanitary condition.
- D. No student shall keep or store in a storage area assigned to the student for the student’s use any item the possession of which is illegal or in violation of school regulations or that endangers the health, safety or welfare of self or others (such as matches, chemicals, ammunition, weapons, drugs, tobacco, alcoholic beverages, etc.).
- E. The use of lockers and other storage areas by students is a privilege. At all times such storage areas remain the property of the Board. If the school administration reasonably suspects that a student is not maintaining a storage area assigned to the student in a sanitary condition, or that the locker contains items the possession of which is illegal or in violation of school regulations or that endangers the health, safety or welfare of the student or others, it has the right to open and examine the storage area and to seize any such items that are found. The school administration may authorize law enforcement officials to search lockers/storage areas in accordance with Board Policy 5145.12, Section 2(A).
- F. When required by law and otherwise at the option of the building principal, items that have been seized shall be submitted to the police department for proper disposition. Items not submitted to the police department shall be disposed of as directed by the building principal.

Legal References:

Conn. Gen. Stat. § 10-221, Board of education to prescribes rules, policies and procedures

Conn. Gen. Stat. § 54-33n, Search of school locker and property

New Jersey v. T.L.O., 469 U.S. 325 (1985)

Administrative Regulations Adopted:

**ADMINISTRATIVE REGULATION REGARDING SEARCH AND SEIZURE  
ADDENDUM REGARDING USE OF DOGS ON SCHOOL PROPERTY**

The Board of Education (the “Board”) shall permit the administration to invite law enforcement agencies or other qualified agencies or individuals to search school property with dogs specially trained when necessary to protect the health and safety of students, employees or property of Newtown Public Schools (the “District”), and for the purpose of detecting the presence of illegal substances or contraband, including alcohol and/or drugs.

The use of trained detection dogs is subject to the following:

1. The administration shall authorize the search and the principal or his/her designee shall be present while the search is taking place.
2. All school property such as lockers, classrooms, parking areas and storage areas may be searched.
3. Dogs shall not be used in rooms occupied by persons except as part of a program designed to inform students/parents of the capabilities of the dogs. Individual(s) shall not be subjected to a search by dogs.
4. Parents and students shall be notified of the Board’s policy concerning search and seizure and this regulation, which shall be publicized to students. Specific dates of planned searches need not be released
5. When conducting a search of an individual or his/her effects based upon a dog’s signal, the principal or his/her designee shall conform to the requirements of the Board’s policy and regulation pertaining to searches of a student, his/her effects and/or locker searches.
6. The administration of the District shall have sole authority for determining internal disciplinary action in regard to illegal substances or contraband on school property.
7. Although detection dogs may be under the control of law enforcement agencies, the administration of the District shall have sole determination as to when a sweep of school property will be conducted.
8. When detection dogs are employed, the school should follow standard protocol for a lockdown procedure prior to the dogs and their handlers entering the building.

**ADMINISTRATIVE REGULATION REGARDING SEARCH AND SEIZURE  
ADDENDUM REGARDING USE OF BREATHALYZERS  
ON SCHOOL PROPERTY AND SCHOOL SPONSORED EVENTS**

The Board of Education (the “Board”) supports the use of both passive alcohol screening (“PAS”) devices and breathalyzers during the school day or at school-sponsored events, on or off campus, to deter the use of alcohol by students in the Newtown Public Schools (the “District”) and to promote the health and safety of all students.

This regulation provides the basic structure for the use of passive alcohol sensors and breathalyzers in this District to detect/confirm alcohol consumption by students. Such instruments shall be used by the District to 1) to confirm a reasonable suspicion that a particular student has used or is under the influence of alcohol at school during the school day, or at a voluntary, extracurricular school-sponsored event; and/or 2) systematically screen students attending extracurricular/voluntary school-sponsored events for possible alcohol use.

The passive alcohol sensor (“PAS”) device is a non-invasive high-speed breath alcohol-screening instrument which can be used as a “sniffer” for overt or covert alcohol detection. This device may be used to sample a student’s breath in order to detect alcohol use, with results reported as either “positive” or “negative.” A breathalyzer is a device that detects and measures alcohol in expired air so as to determine the concentration of alcohol in a person's blood.

Only designated school personnel will be trained in the use of the PAS device and/or breathalyzer test. All testing instruments shall be properly calibrated and will be checked for accuracy and for full calibration in accordance with the manufacturer’s standards. Testing of students using these devices will be conducted in a separate area, to the extent practicable, to maintain student privacy.

Results from a PAS device or breathalyzer will be maintained in a confidential manner, and released in accordance with District policy and state and federal law.

**A. Testing to Confirm Reasonable Suspicion of Alcohol Use**

If there is reasonable suspicion that a student is under the influence of alcohol at school or at a school-sponsored event, the student shall be removed to a separate area for observation and questioning concerning alcohol consumption. The student will be informed as to how the PAS device operates and will be asked to breathe across the intake part of the device. Testing will be conducted by trained personnel, in a separate area whenever possible, to maintain student privacy. Any student who tests positive will be asked to submit to a second test using a breathalyzer. If the student tests positive for a second time, the school will contact the student’s parents. If necessary, the student will be brought to the school nurse for medical treatment and emergency medical protocols shall be followed.

If the student tests positive on either test, or if the student refuses to take the test when there is reasonable suspicion of alcohol use, the student may be subject to appropriate disciplinary action consistent with District policies and procedures.

**Reasonable suspicion shall include**, but not be limited to, any of the following:

1. Observed use or possession of alcohol;
2. Alcohol odor or the presence of an alcohol container;
3. Slurred speech, unsteady gait, lack of coordination, bloodshot or glazed eyes; or
4. Marked changes in personal behavior not attributable to other factors.

**B. Extracurricular/Voluntary School-Sponsored Events**

The Board also allows for the use of PAS devices and breathalyzers in connection with students' participation in extracurricular/voluntary school-sponsored events and activities without the need for school personnel to first have reasonable suspicion of alcohol use. Such suspicionless testing will occur only if students are notified prior to the event or school-sponsored activity that a PAS or breathalyzer may be used, and that they may be denied entry and/or removed from the event or activity for either refusing to submit to such testing or for testing positive for alcohol use. Students will be notified through a variety of means, including orientation programs, student handbooks and/or electronic publication.

When PAS devices and/or a breathalyzer will be used at a voluntary school-sponsored event (i.e. school dances, proms, etc.), such devices shall be administered as follows:

1. All students participating in the activity or school-sponsored event will be asked to submit to a PAS screening. Students will be asked to breathe across the intake part of the device.
2. If the PAS device detects alcohol, the student shall be removed to a separate area for observation and questioning concerning alcohol consumption. After fifteen (15) minutes, the student will be asked to submit to a breathalyzer test to confirm the presence of alcohol.
3. Should the student test positive after the second test, school personnel will contact the student's parents and the student shall be removed/denied entry to the activity or school-sponsored event.
4. Any student who refuses to breathe into the PAS device, or who refuses to submit to the breathalyzer test, may be excluded or removed from the activity or school-sponsored event and may face additional disciplinary actions.
5. The District retains the right to contact local law enforcement officials at any time, as deemed appropriate, consistent with District practice and policy.

**Note: This is a mandated policy and it was originally written pursuant to legislation passed in 2023 which required, beginning with the graduating class of 2025, students had to meet certain requirements related to the FAFSA in order to graduate. Public Act 24-45 delays these requirements until the graduating class of 2027, and S & G revised its policy to reflect this change. This is a new policy for NPS.**

**This policy was reviewed by Dr. Longobucco.**

**Series 5000  
Students**

**5146**

## **POLICY AND ADMINISTRATIVE REGULATIONS TO IMPROVE COMPLETION RATES OF THE FREE APPLICATION FOR FEDERAL STUDENT AID (FAFSA)**

The Newtown Board of Education (the “Board”) understands that completion of the Free Application for Federal Student Aid (“FAFSA”) is an important step in the path to postsecondary education and is associated with higher rates of college enrollment. The Board is committed to improving the completion rates of the FAFSA for students enrolled in the Newtown Public Schools (the “District”).

### Program to Improve FAFSA Completion Rates

In order to improve the completion rates of the FAFSA by students enrolled in grade twelve in the District and students enrolled in the District’s adult education program, the District shall develop a systematic program through which students are educated about the purpose and content of the FAFSA, encouraged to complete the FAFSA, and assisted in the completion of the FAFSA, as may be necessary and appropriate. The Board directs the Superintendent or designee to develop administrative regulations in furtherance of this policy. The Board further directs the Superintendent or designee to conduct periodic assessments of such regulations, at least annually, to determine the effectiveness of such regulations in improving completion rates of the FAFSA.

### FAFSA Graduation Requirements

Students graduating in 2027 and beyond are required to have satisfied one of the following prior to graduation:

- (1) completed a FAFSA;
- (2) for students without legal immigration status, completed and submitted to a public institution of higher education an application for institutional financial aid; or
- (3) completed a waiver of completion of the FAFSA and/or financial aid application, as applicable, on a form prescribed by the Commissioner of Education, signed by the student’s parent or guardian or signed by the student if the student is eighteen or older.

On and after March 15 of each school year, a principal, school counselor, teacher, or other certified educator may complete the waiver on behalf of any student who has not satisfied the above requirements if such principal, school counselor, teacher, or other certified educator affirms that they have made a good faith effort to contact the parent/guardian or student about completion of such applications.



Confidentiality of FAFSA

Any information contained in a FAFSA held by the Board shall not be a public record for purposes of the Freedom of Information Act and thus shall not be subject to disclosure under the provisions of section 1-210 of the Connecticut General Statutes.

Reporting of FAFSA Completion Rates

Each year, the Superintendent or designee will report to the Board the FAFSA completion rate for each high school in the District and for the District’s adult education program.

Gifts, Grants and Donations to Implement Policy

The Board may accept gifts, grants and donations, including in-kind donations, to implement the provisions of this policy.

Legal References:

Conn. Gen. Stat. § 10a-11i

Conn. Gen. Stat. § 10-223m

Conn. Gen. Stat. § 10-221a

Conn. Gen. Stat. § 10-221z

Public Act No. 24-45, “An Act Concerning Education Mandate Relief, School Discipline, and Disconnected Youth”

Adopted:

Revised:

NEWTOWN PUBLIC SCHOOLS

Newtown, Connecticut

**ADMINISTRATIVE REGULATIONS ADDRESSING  
IMPROVING THE COMPLETION RATES OF FAFSA**

In order to improve the completion rates of the Free Application for Federal Student Aid (“FAFSA”) by students enrolled in the Newtown Public Schools (the “District”) and students enrolled in the District’s adult education program, the District will:

- Develop a FAFSA Task Force to identify challenges, successes, and next steps in improving the completion rates of the FAFSA among students in grade twelve and students enrolled in the District’s adult education program.
- Track data from such students regarding FAFSA completion, including date of completion.
- Identify FAFSA coaches who will be assigned a caseload of students to assist students in completing the FAFSA and monitor their completion rates
- Provide incentives to students who have completed the FAFSA, which may include but are not limited to, spirit days and giveaways, if funding permits.
- Conduct annual presentations to students about the purpose and importance of the FAFSA and the District’s resources available to help students in completing the FAFSA.
- Provide professional development to identified District staff regarding the FAFSA and best practices for supporting students in completing the FAFSA.

Legal References:

Conn. Gen. Stat. § 10-221a

Conn. Gen. Stat. § 10-221z

Conn. Gen. Stat. § 10-223m

Public Act No. 24-45, “An Act Concerning Education Mandate Relief, School Discipline, and Disconnected Youth”

**Please note: These minutes are pending Board approval.  
Board of Education  
Newtown, Connecticut**

Minutes of the Board of Education meeting held on October 29, 2024 at 7:00 p.m. in the Council Chambers, 3 Primrose Street, Newtown, CT.

A. Plante, Chair	A. Uberti
J. Vouros, Vice Chair	T. Gouveia (absent)
D. Zukowski, Secretary	3 Staff
S. Tomai (virtual)	2 Public
C. Gilson	1 Press
D. Linnetz	
B. Leonardi	

Mrs. Plante called the meeting to order at 7:06 p.m.

Item 1 – Pledge of Allegiance

Item 2 – Consent Agenda

MOTION: Ms. Zukowski moved that the Board of Education approve the consent agenda which includes the Newtown High School Choir trip to Orlando, Florida. Mrs. Linnetz seconded. Ms. Zukowski amended the motion to include the correspondence report. Mrs. Linnetz seconded. All were in favor of the amendment. Main motion passes unanimously.

Item 3 – Public Participation

Item 4 – Reports

Chair Report: Mrs. Plante thanked Dr. JeanAnn Paddyfote for her service to the Newtown Public Schools since July and noted that she would be leaving on November 1<sup>st</sup>. We are grateful for her time with us and her work on our policies, jobs descriptions and special education.

Superintendent's Report: Mrs. Uberti spoke about busing concerns. A letter was sent to All-Star about their failures to fulfill their contractual obligations and if they aren't resolved in 30 days we will be seeking damages as outlined in their contract. We are also working on the school to home routes impacted by their lack of drivers. We met with Steve Gardner and Alan Colangelo to better understand the impact the two-tier system has on the ongoing issues and their ability to provide services outlined in their contract. There is no intention of returning to a three-tier system but we will continue to see if bus issues are caused by that change. We will continue to work with them. Budgets are due from the departments the end of this week. Tonight the middle and high schools will present their school strategic plans. On behalf of the Newtown Public Schools, Mrs. Uberti offered condolences to the Blomberg family for the unexpected death of Peter Blomberg. He served in our custodial department for 19 years and just retired last month. Our thought and prayers go out to his family and friends.

Mr. Leonardi appreciated acknowledging Mr. Blomberg. Regarding Hawley School, he asked for an update on the status of the HVAC there and our concerns about getting it functioning.

Committee and Liaison Reports:

Dr. Gilson noted that the CABE/CAPSS Convention is coming up November 15. He attended last year and it was very informative.

Mrs. Linnetz said the Policy Committee met and are continuing their work. We have a tracker that included what policies we will be reviewing.

Ms. Zukowski attended the National Honor Society and Music Honor Society programs. The joint budget workgroup met recently and they are looking to make the budget process work better.

Mrs. Plante noted that we would leverage the budget presentations and materials to the Board of Finance to bring them up to speed on our budget.

Ms. Zukowski said the Board of Finance needs to understand the rationale for our budgets so they can make the case to the Legislative Council.

Mrs. Plante said the Charter dictates how the process works. We will present our budget to the Board of Finance and they send it to the Legislative Council which begins with their Education Subcommittee where we will also provide a presentation.

Mrs. Uberti noted that our budget book is very thorough. There is a better way to present the budget and share what is being requested and reduced. Our process is quite lengthy and she wants to streamline our message, which will be beneficial for all.

#### Item 5 – Presentations

Newtown Middle School Strategic Plan:

Jim Ross, Newtown Middle School Principal, spoke about the four strategic priorities, which included their desired outcomes, action plans, and deliverables (evidence) for the middle school.

Mr. Leonardi asked him to expand on priority #3 regarding grading practices being inconsistent. Mr. Ross said that sometimes you find teachers who develop their own system and are not the same as others so we need to tighten up the practices to address inconsistencies.

Mr. Leonardi has observed differences in grading and subject matter.

Mr. Ross stated we needed to make it easier for families to understand what a grade means.

Mr. Leonardi asked if Mr. Ross' work on this plan will be presented to the Board and needs our approval.

Mrs. Uberti responded that this was not something that needs Board approval. Parents need to understand the grades so we would communicate his plan.

Mrs. Linnetz referred to the testing baselines. What can we do regarding the 7<sup>th</sup> and 8<sup>th</sup> grade testing results?

Mr. Ross said the middle school is more challenging. We will look to have a creative schedule where the students take a test with their subject teacher. Regarding the scores, when we adopt a new resource it's not uncommon to see grades take a dip.

Dr. Gilson asked how he was looking to decrease the percentage of absences.

Mr. Ross said we meet with our clusters and review data which includes attendance. We partner with parents to see how we can help.

Ms. Zukowski asked how we would know how well we are doing helping students become self-directed learners.

Mr. Ross said to measure that we look at them in class and being on task and giving them feedback. We also see if the instruction motivates the students.

Mr. Leonardi agrees to having a rigorous approach to grading. In speaking about students handing in homework late and not being a big concern, sometimes there are extenuating circumstances to be considered. He wants to be sure in setting up students to thrive post-graduation they need to know there are deadlines and consequences for not meeting those deadlines. He wants to make sure that element is part of the process.

Mr. Vouros spoke about the cluster concept in the middle school. If a family unit is solid, the students do well. That happiness translates into wonderful behavior and grades. Not every cluster is the same but the rigor has to be there. The more in 8<sup>th</sup> grade there is, the better off we are as they go to the high school. He also suggested having students switch clusters for a specific class if possible.

Newtown High School Strategic Plan:

Dr. Kim Longobucco, Newtown High School Principal, also spoke about the four strategic priorities and their desired outcomes, action plans, and deliverables (evidence) for the high school.

Mrs. Uberti noted an error on the chart on the last page. The green bar should be red. Also, besides the students, the teachers are not using cell phones in class either.

Mr. Leonardi referred to outcome #3 regarding post high school career options and asked if they looked to partner with companies who have offices in the area such as Sikorskys.

Dr. Longobucco said we have a board with local agencies who tell us what they can offer which includes banking to professional culinary people. They are just speaking to us about these options for now.

Mr. Leonardi asked if there were presentations by the military also.

Dr. Longobucco stated that we have all branches who come into the high school and stay through the lunch waves so we give students that possibility.

Mr. Vouros asked what other trade courses are offered besides auto and culinary.

Dr. Longobucco said many of those programs could be certificate program we are looking into. We offer graphics, filmmaking, robotics, engineering, architectural design, video game design, travel and tourism, business law, and banking and management.

Ms. Zukowski referred to the 24 new courses from universities and asked what was happening to the courses our students are currently taking.

Dr. Longobucco said we aren't collapsing courses to get these in. There are just three or four new ones. The others are pre-existing.

Ms. Zukowski asked how we would know that students are becoming more self-directed and can take ownership of their futures before they go further.

Dr. Longobucco said the expectations for students in 9<sup>th</sup> and 10<sup>th</sup> grades are higher. The Capstone Project is completely self-lead. There are skills received through other exposures.

Mrs. Linnetz said guidance is critical for students and asked how you build community at the high school.

Dr. Longobucco stated that students rally together and attend many activities. Some students do the morning announcements. They find their own in the high school and we have activities that all can participate in. She agrees that counselors have a critical role to help students select

the right courses. The school counseling role shifts as they approach their junior year and begin to address what they want to do.

Mr. Vouros asked how often guidance counselors meet with struggling students.

Dr. Longobucco said they meet with them all of the time and with the assistant principals once a rotation to bring struggling student to them. Freshman meet twice in quarter one and quarter two they go into counselor workshops.

Mr. Vouros told her that when she presents the high school budget to be sure whatever help is needed to relieve her and the assistant principals from clerical work is included because that is taking you away from the classrooms and students.

Item 6 – Old Business (none)

Item 7 – New Business

MOTION: Ms. Zukowski moved that the Board of Education approve the minutes of October 15, 2024. Mr. Vouros seconded. Motion passes unanimously.

Item 8 – Public Participation

MOTION: Mr. Vouros moved to adjourn. Ms. Zukowski seconded. Motion passes unanimously.

Item 9 – Adjournment

The meeting adjourned at 9:09 p.m.

Respectfully submitted:

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Deborra J. Zukowski  
Secretary

## Regulations from November 19, 2024 BOE Meeting

### Old Business

**Items of Information–Administrative Regulations** (Please note there are 3 stand-alone Adm. Regs. and the rest are attached to a policy.)

1. 1050 R Administrative Regulations Regarding Non-Discrimination Complaints (Community Members)
2. 4118.11 R Administrative Regulations Regarding Discrimination Complaints  
4218.11 R (Personnel)
3. 4118.112 R Administrative Regulations Regarding Prohibition of Sex Discrimination,  
4218.112 R Including Sex-Based Harassment
4. 4118.14 R Administrative Regulations Regarding Section 504 of the Rehabilitation  
4218.14 R Act of 1973 and Title II of the Americans with Disabilities Act of 1990
5. 5117 R Administrative Regulations Regarding School Attendance Areas
6. 5119 R Administrative Regulations Regarding Student Transportation
7. 5121.3 R Administrative Regulations Regarding Academic Dishonesty: Cheating  
and Plagiarism
8. 5125 R Administrative Regulations Regarding Confidentiality and Access  
to Education Records
9. 5131.91 R Administrative Regulations Regarding Hazing
10. 5134 R Administrative Regulations Concerning Sunscreen Application in School
11. 5144.1 R Administrative Regulations Concerning Physical Restraint and Seclusion  
of Students and Use of Exclusionary Time Out

### New Business

**Items of Information–Administrative Regulations–First Read** (These are all attached to a policy.)

1. 1010 R Administrative Regulations Regarding Automatic External Defibrillators
2. 5114 R Administrative Regulations Regarding Alternate Educational  
Opportunities for Expelled Students
3. 5115 R Administrative Regulations Regarding Student Use of the District's  
Computer System and Internet Safety
4. 5127 R Administrative Regulations Regarding Fundraising Activities
5. 5129 R Administrative Regulations Regarding Field Trips
6. 5137 R Administrative Regulations Regarding Safe School Climate Plan
7. 5145.12 R Administrative Regulations Regarding Search and Seizure
8. 5146 R Administrative Regulations to Improve Completion Rates of the Free  
Application for Federal Student Aid (FAFSA)