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**Series 5000: Students****Concepts and Roles in Student Policies**

The focus of the school system is on the students. The students' educational development is the central concern of the Board of Education's policies and the administrators' regulations.

Each child shall be given equal opportunity. However, children vary widely in capacities, interests, social and economic backgrounds. Therefore, no two can be treated exactly alike if the fullest development of each is to be achieved.

The Board of Education will attempt to eliminate any limitations of facilities and means that stand in the way of our schools' availability to all who wish to learn.

Discrimination among students attending our schools with respect to race, sexual orientation, color, religious creed, age, marital status, national origin, gender or disability is prohibited.

**Legal Reference:**

*Connecticut General Statutes*

10-15c Discrimination in public schools prohibited

Title IX of the Education Amendments of 1972 (Section 504, U.S. Rehabilitation Act. 1973)

Policy Adopted: February 1989

Policy Reviewed: August 2002

**Series 5000: Students****Attendance****Admission**

The schools shall be open to all children who are five years of age or older on or before January 1 of the school year.

Children who apply for initial admission to the district's schools by transfer from non-public schools or from schools outside the district will be placed at the grade they would have reached elsewhere. If deemed necessary, such placements will be verified by observation and evaluation by classroom teachers, guidance personnel, and the school principal. After such observations and evaluations have been completed, the principal may modify the grade placement of the children.

**Legal Reference:**

*Connecticut General Statutes*

10-261, Definitions

10-15, Towns to maintain schools

10-15c, School attendance by five year olds State Board of Education  
Regulations

10-76d-7, Admission of student requiring special education

Policy Adopted: February 1989

Policy Revised: August 2002

**Series 5000: Students****Ages of Attendance**

According to Connecticut General Statute 10-186 the Board of Education shall provide education for all persons five years of age and older and under twenty-one years of age who have not graduated from a high school or vocational school, except as provided in Connecticut General Statutes 10-233c and 10-233d. According to Connecticut General Statute 10-76d (b2), special education will be provided for children who have not attained school age but have been identified as being in need of special education, and whose educational potential will be irreparably diminished without special education.

Parents and those who have the care of children seven years of age and older and under eighteen years of age are obligated by Connecticut law to cause any such child to attend public day school or its equivalent.

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

10-15, Towns to maintain schools

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

10-184, Duties of parents (re: mandatory schooling for children age seven or older and under eighteen years, inclusive

10-186, Duties of local and regional boards of education re: school attendance.

Hearing. Appeal to state board. Establishment of hearing board.

10-233c, Suspension of pupils

10-233d, Expulsion of pupils

10-76ca – 10-76g, re: special education

*State Board of Education Regulations*

10-76a-1, General definitions

(c) “Child”

(d) “Children requiring special education”

(e) “Preschool children requiring special education”

(f) “School age child”

Policy Adopted: February 1989

Policy Revised: August 2002

**Series 5000: Students****Attendance and Excuses**

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

Board policy with respect to unexcused absences stresses prevention and inquiry leading to remediation of absences rather than imposition of punitive measures. Only when all local resources are exhausted is referral to legal authorities recommended.

An absence shall be considered "excused or incapacitating" when a child does not attend school due to illness, injury, death in the immediate family, religious holiday, doctor visits, suspension, court appearance, approved school activities, an emergency, or other exceptional circumstances. Written or verbal excuses for such absences should be submitted to school officials by the child's parent or guardian. All other absences with or without written explanation shall be considered unexcused.

**Request for Release of a Student during School Day**

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

Parents requesting dismissal before the normal end of the school day must make a written request, and depending on the age of the student, must come into the school office to pick up the student and sign the student out.

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

**Legal Reference:**

*Connecticut General Statutes*

10-184, Duties of parents

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

10-221(b), Board of Education to prescribe rules *Campbell vs. New Milford*, 193 Conn 93 (1984)

Policy Adopted: February 1989

Policy Revised: August 2002

**Series 5000:      Students**

**Attendance and Excuses**

**Procedures for Attendance and Excuses**

Regular school attendance is required if students are to gain maximum benefit from their educational experience. Students must, by Connecticut law, attend school between the ages of seven and eighteen. An elementary student who is absent or tardy for any cause is expected to bring to the classroom/homeroom teacher a written excuse from his/her parent/guardian for such absence or tardiness. Middle and high school students who are absent or tardy are expected to provide the school with verbal or written verification of the reason for the absence or tardiness. Such an excuse shall be acceptable for sickness of the student or other valid reasons. When a student is to be absent, the parent or guardian is asked to call the school with this information.

When it is known that a student will be absent over three days, and it is possible for the student to study at home, the parent/guardian should call the school and make arrangements to receive homework for the student in an effort to keep the youngster academically updated.

A formal attendance policy is in effect at Southington High School. The attendance policy is clearly delineated in the school's student handbook.

Regulation Approved:    August 1989  
Regulation Revised:     May 1991  
Regulation Revised:     August 2002

**Series 5000:      Students**

Attendance and Excuses

**Procedures for Dismissal of Students**

***Dismissal of Students of Separated Parents***

In the case of a request for dismissal of a student of separated parents, where legal custody has not been established, such request for dismissal must bear the signature of the requesting parent. If legal custody has been established, the signature of the legal guardian must appear on the request for dismissal. If the non-custodial parent insists upon removing the child without the appropriate authorization, the police should be called.

In cases of family dissension, a request may come to the school from the custodial parent to prohibit the non-custodial parent from taking the child from school. Such requests should be honored if legal status has been established.

Any unpreventable irregularity which might prove hazardous to the student should be reported to the police at once.

***Dismissal of Ill Students***

Ill students waiting to be picked up should not be dismissed to go home without verification that they are actually being picked up by the designated adult. The adult who picks up the ill or early dismissed student will sign a register in either the nurse's office or the school office and may be required to provide photo identification.

***Requests for Early Dismissal of Students***

Students, except when ill or in cases of family emergency, are expected to participate in the full school day activities. Parents are urged to schedule family business, routine medical appointments and other activities involving students at times which do not conflict with regular school hours.

The school principal shall approve requests for early dismissal only when a substantial reason exists and conflict with the school schedule is unavoidable. As with the dismissal of ill students, precautions are to be taken to ensure that students are picked up by authorized adults. Adults authorized to pick up students dismissed early may be required to provide photo identification.

Regulation Approved:    August 1989

Regulation Revised:     August 2002

**Series 5000:      Students**

**Attendance and Excuses**

**Certificate of Age**

The superintendent, or an agent designated by the superintendent, shall, upon application and in accordance with procedures established by the State Board of Education, furnish a certificate of age of any student to an employer wishing to employ said student.

Legal Reference:

Connecticut General Statutes

10-193 Certificate of age of minors in certain occupations

10-194 Penalty

10-195 Evidence of age

10-196 Penalty of employment under fourteen

10-197 False statements as to age

Public Act 88-360:      An Act Making Revisions to the Laws Concerning  
Education (Sect. 51 (a))

Regulation Approved:      August 1989

Regulation Revised:      August 2002

**Series 5000: Students****Attendance and Excuses****Truancy**

The Board of Education recognizes the importance of early intervention for students exhibiting truancy behavior. A “truant” means an enrolled child age five to eighteen who has four (4) unexcused absences in one month, or ten (10) unexcused absences in one year. A “habitual truant” means any such child who has twenty (20) unexcused absences within a school year.

An unexcused absence is defined as any absence from a scheduled school day which does not fall under one of the following categories:

- a. Reasons of health, including illness, incapacity or doctor visits. The district reserves the right to require a physician’s or other appropriate certification for absences in excess of five (5) consecutive days or a total of fifteen (15) days in any school year.
- b. Religious holidays
- c. Court appearance
- d. Funeral
- e. Approved school activities
- f. Suspension
- g. Limited absences from school with parental consent, subject to the approval of the principal. The determination of whether an absence is excused will be made by the building principal.

School personnel, wherever possible and as much as possible, will seek cooperation from parents and assist parents in remedying and preventing truancy.

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

10-198a, Policies and procedures concerning truants

Policy Adopted: May 1991  
Policy Revised: February 1993  
Policy Revised: September 1995  
Policy Revised: August 2002

**Series 5000: Students**

**Attendance and Excuses**

**Truancy**

The school administration will make a concentrated effort to prevent and remedy truancy in its early stages for students who are found to be truant. This will include the following measures:

1. The district will annually collect from the parents of students a telephone number for contact during the school day.
2. A meeting to review and evaluate the reasons for the child being truant will be held with a building administrator and/or guidance counselor and/or teacher, and the parent (or other person having control) of the child who is truant within ten (10) school days after the child's fourth unexcused absence in one month or tenth unexcused absence in one school year.
3. The building administrator and/or guidance counselor shall coordinate services with and referrals of children to community agencies providing child and family services.
4. The parent or other person having control of each child age five (5) to eighteen (18) will be notified annually in writing of the obligations of the parent pursuant to 10-184 of the Connecticut General Statutes.
5. Whenever a child age five (5) to eighteen (18) fails to report to school on a regularly scheduled school day and no indication has been received by school personnel that the child's parent or other person having control of the child is aware of the pupil's absence, a reasonable effort to notify, by telephone, the parent or other such person shall be made by the school personnel or volunteers under the direction of the school personnel. Persons who, in good faith, give or fail to give notice pursuant to subdivision (4) shall be immune from any liability, civil or criminal, which might otherwise be incurred or imposed and shall have the same immunity with respect to any judicial proceeding which results from such notice or failure to give such notice.
6. The school must file a "family with service needs complaint" if a parent or other person having control of a child who is truant fails to cooperate in attempting to solve a truancy problem.

**Series 5000: Students**

**Attendance and Excuses**

**Truancy**

7. Prior to filing the “family with service needs complaint,” a referral will be made to the Planning and Placement Team (PPT) to determine whether or not an educational evaluation is appropriate.

Legal Reference: Connecticut General Statutes  
10-184 Duties of Parents  
10-198a Policies and Procedures Concerning Truants  
46b-149 Family with Service Needs (revised)

Regulation Approved: May 1991  
Regulation Revised: January 1993  
Regulation Revised: September 1995  
Regulation Revised: August 2002

**Series 5000: Students****Suspension, Expulsion, and Removal from Class**

Due to the importance of regular attendance for successful classroom work, pupils are expected to attend all sessions. However, in instances where the pupil's conduct on or off the school grounds is seriously disruptive of the educational process, or endangers persons or property, or does not adhere to standards as set forth in Administrative Regulation 5114, appropriate disciplinary action may be taken including, but not limited to, removal from class, suspension, and/or expulsion.

For a pupil to be expelled for conduct occurring off the school grounds, the conduct must be in violation of school or district policies or rules and be seriously disruptive of the educational process. The phrase "seriously disruptive of the educational process" means conduct that markedly interrupts or severely impedes day to day school operation.

The principal in each school shall at least annually inform all parents and pupils of this policy and the standards governing pupil conduct set forth in Administrative Regulation 5114.

**Statutory References:**

20 U.S.C. §8921 et seq

***Connecticut General Statutes***

§§14-17e through 4-180a

§4-181a

§10-76a

§§10-233a through 233g

§21a-240

§21a-277

§21a-278

Public Act 95-304

Public Act 96-244

**Series 5000: Students****Suspension, Expulsion, and Removal from Class****I. Definitions**

**“Exclusion”** is defined as any denial of public school privileges to a student for disciplinary purposes.

**“Removal”** is defined as an exclusion from a classroom for all or part of a single class period, provided such exclusion shall not extend beyond 90 minutes.

**Suspension”** is defined as an exclusion from school privileges and/or from transportation services for not more than ten (10) consecutive school days, provided such exclusion shall not extend beyond the end of the school year in which such suspension was imposed.

**“In-school suspension”** is defined as an exclusion from regular classroom activity for not more than five consecutive school days, but not an exclusion from school, provided such exclusion shall not extend beyond the end of the school year in which such in-school suspension was imposed. An in-school suspension may include reassignment to a regular classroom program in a different school in the school district. Such reassignment shall not constitute a “suspension” or “expulsion” under this policy.

**“Expulsion”** is defined as an exclusion 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, provided such exclusion shall not extend beyond a period of one (1) calendar year. Such period of exclusion may extend to the school year following the school year in which such exclusion was imposed.

**“Emergency”** is defined as a situation under which the continued presence of the student in the school imposes such a danger to persons or property or such a disruption of the educational process that a hearing may be delayed until a time as soon after the exclusion of such student as possible.

**“Days”** is defined as days when school is in session.

**“School sponsored activity”** is defined as any activity sponsored, recognized or authorized by the Board of Education and includes activities conducted on or off school property.

**Series 5000: Students****Suspension, Expulsion, and Removal from Class**

**“Possess”** means to have physical possession or otherwise to exercise dominion or control over tangible property.

**“Deadly weapon”** means any weapon, whether loaded or unloaded, from which a shot may be discharged, or a switchblade knife, gravity knife, billy club, blackjack, bludgeon, metal knuckles.

**“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 motor vehicle or a dog that has been commanded to attack.

**“Firearm”** means 1) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; 2) the frame or receiver of any such weapon; 3) any firearm muffler or firearm silencer; or 4) any destructive device. Firearm does not include any antique firearm. For purposes of this definition, “destructive device” means any explosive, incendiary, or poison gas, bomb, grenade, rocket having a propellant charge of more than 4 ounces, missile having an explosive or incendiary charge of more than ¼ ounce, mine, or device similar to any of the weapons described herein.

**“Vehicle”** means a “motor vehicle” as defined in Section 14-1 of the Connecticut General Statutes, snow mobile, any aircraft, or any vessel equipped for propulsion by mechanical means or sail.

**“Martial arts weapon”** means a nunchaku, kama, kassari-fundo, octagon sai, tonfa or Chinese Star.

**II. Removal From Class**

A. Each teacher shall have the authority to remove a student from class when such student deliberately causes a serious disruption of the educational process within the classroom, provided that no student shall be removed from class more than six times in any year nor more than twice in one week unless such student is referred in writing to the building principal, or his/her designee, and granted an informal hearing as set forth in section IV C of this policy.

**Series 5000: Students****Suspension, Expulsion, and Removal from Class****II. Removal From Class (continued)**

- B. Whenever any teacher removes a student from the classroom, such teacher shall send the student to a designated area and shall immediately inform the building principal or his/her designee. The student shall be granted an informal hearing as set forth in *section IV C* of this policy.

**III. Standards Governing Suspension and Expulsion**

- A. Conduct of the following nature on school grounds or at a school sponsored activity as set forth in Section C, herein, or that is otherwise prohibited by Board policy or by any code of student conduct in effect in the schools, may be subject to suspension and/or expulsion:
1. Violative of a publicized policy of the Board
  2. Is seriously disruptive of the educational process or
  3. Endangers persons or property
- B. Conduct off school grounds as set forth in Section C, herein, or that is otherwise prohibited by Board policy or by any code of student conduct in effect in the schools shall be considered cause for suspension and/or expulsion if it is:
1. Violative of a publicized policy of the Board
  2. Seriously disruptive of the educational process.
- C. The following exemplifies student conduct that is prohibited and that may be considered cause for suspension and/or expulsion:
1. Threatening in any manner, including orally, in writing, or via electronic communication, a member of the school community, including any teacher, member of the school administration, any other employee, or a fellow student;
  2. Use of physical force against another person which is not reasonably necessary for self-defense;
  3. Theft of personal or school property, or taking or attempting to take personal property or money from another person, or from his/her presence, by means of force or fear;
  4. Willfully causing, or attempting to cause, damage to school property;

**Series 5000: Students****Suspension, Expulsion, and Removal from Class****III. Standards Governing Suspension and Expulsion (continued)**

5. Participation in an unauthorized occupancy of any part of any school or school premises or other building owned by any school district, and failure to leave such school premises or other facility promptly after having been directed to do so by the principal or other person then in charge of such building or facility;
6. Intentional incitement which results in an unauthorized occupation of any part of a school or other facility owned by any school district;
7. Possession, use, transmission or being under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, or intoxicant of any kind;
8. Possession or transmission of a facsimile of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, or marijuana;
9. Knowingly being in the presence of those who are in possession of, using, transmitting, or being under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, or intoxicant of any kind;
10. Possession or transmission of any firearm, deadly weapon, dangerous instrument, or martial arts weapon;
11. Using or copying the academic work of another and presenting it as his/her own without proper attribution;
12. Possessing or consuming tobacco products;
13. Open defiance of the authority of any teacher or person having authority over the student, including verbal abuse;
14. Intentional and successful incitement of truancy by other students;
15. Violation of any federal or state law which would indicate that the violator presents a danger to any person in the school community or to school district property;
16. Violation of any other Board policy, rule, agreement, or directive dealing with student conduct, including standards of conduct in Student Handbooks and including that dealing with conduct on school buses and the use of school district equipment;

**Series 5000: Students****Suspension, Expulsion, and Removal from Class****III. Standards Governing Suspension and Expulsion (continued)**

17. Use of telephones (including pay and personal telephones), beepers, copiers, facsimile devices, computers, networks, Internet connections, fire alarms or other communications technologies for other than legal, authorized, and appropriate uses;
  18. Possession or use of laser pointers or other instruments deemed dangerous by the administration while on school property or while attending a school-sponsored activity on or off school property unless under the supervision of a staff member and in the context of instruction;
  19. Serious or ongoing disruption to the classroom or school which interferes with the learning of others;
  20. Falsely reporting an incident (such as a bomb threat or fire alarm);
  21. Repeated unauthorized absence from school.
- D. Expulsion proceedings pursuant to section V shall be required whenever there is reason to believe that any student 1) was in possession of a firearm, deadly weapon, dangerous instrument or martial arts weapon on school grounds or at a school-sponsored activity; 2) off school grounds, did possess a firearm or did possess and use such firearm, dangerous instrument, deadly weapon, or martial arts weapon in the commission of a crime; or 3) on or off school grounds, offered for sale or distribution a controlled substance as defined in Connecticut General Statutes, §21a-240(9) whose manufacture, distribution, sale, prescription, dispensing, transporting or possessing with intent to sell or dispense, offering or administering is subject to criminal penalties under §§21a-277 and 21a-278. A student shall be expelled for a period of one calendar year if the Board of Education finds that the student engaged in any of the conduct described herein, provided the period of expulsion may be modified on a case-by-case basis.

**Series 5000: Students****Suspension, Expulsion, and Removal from Class****IV. Suspension Procedures**

A. The administration of each school is authorized to invoke suspension for a period of up to ten (10) days or to invoke in-school suspension for a period of up to five (5) days of any student for one or more of the reasons stated in section III above, in accordance with the procedure outlined in Paragraphs C and D of this section. Moreover, the administration is authorized to suspend a student from transportation services whose conduct while awaiting, boarding, receiving, or exiting from transportation violates the standards set forth in section III above. The school administration is authorized to suspend immediately any student when there is an emergency as defined in section I, above.

If an emergency exists, the hearing outlined in Paragraph C of this section shall be held as soon as possible after the suspension.

- B. In the case of suspension, the school administration shall notify the superintendent of schools within twenty-four (24) hours of the suspension as to the name of the student who has been suspended and the reason for suspension. Any student who is suspended shall be given an opportunity to complete any class work including but not limited to examinations missed during the period of his/her suspension.
- C. Parents or guardians shall be notified by telephone when their child has been suspended from school or has been placed on an in-school suspension.
- D. Except in the case of an emergency as defined in section I above, the student shall be afforded the opportunity to meet with a member of the administration and to deny the stated charges prior to the effectuation of any period of suspension or in-school suspension. If at such a meeting the student denies the stated charges, he/she may at that time present his/her version of the incident(s) upon which the proposed suspension is based. The school administration shall then determine whether or not suspension or in-school suspension is warranted.

**Series 5000: Students****Suspension, Expulsion, and Removal from Class****IV. Suspension Procedures (continued)**

In determining the length of a suspension period, the school administration may receive and consider evidence of past disciplinary problems which have led to removal from a classroom, in-school suspension, suspension, or expulsion.

- E. 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 a hearing as provided in section V-Paragraph B of this policy is first granted.
- F. No student shall be placed on in-school suspension more than fifteen (15) times or a total of fifty (50) days in one school year, whichever results in fewer days of exclusion, unless a hearing as provided in section V- Paragraph B of this policy is first granted.
- G. Whenever a student is suspended, notice of the suspension and the conduct for which the student was suspended shall be included in the student's cumulative educational record folder. Such notice shall be expunged from the cumulative educational record folder if the student graduates from high school.

**V. Expulsion Procedures**

The Board of Education may expel any student for one or more of the reasons stated in section III if, in the superintendent's judgment, such disciplinary action is in the best interests of the school system. An expulsion is required in any instance in which the superintendent has reason to believe a student has engaged in the conduct described in section III D. The procedures outlined in Paragraphs A and B below, shall be followed prior to the effectuation of any expulsion unless an "emergency" as defined in section I above exists. If an emergency exists, such a hearing shall be held as soon after the expulsion as possible.

- A. The Board of Education shall notify the student concerned and his/her parents, or the student if he/she has attained the age of eighteen (18), that expulsion is under consideration. Such notice shall contain the information required under Paragraph B of this

**Series 5000: Students****Suspension, Expulsion, and Removal from Class****V. Expulsion Procedures (continued)**

section. Three members of the Board of Education shall constitute a quorum for an expulsion hearing.

A student may be expelled if a majority of the board members sitting in the expulsion hearing vote to expel provided that three affirmative votes shall be required for expulsion.

- B. The procedure for any hearing conducted under this section shall be determined by the hearing officer or board chairperson, as appropriate, but shall include:
1. Notice of the proposed hearing which shall include:
    - a. a statement of the time, place, and nature of the hearing;
    - b. a statement of the legal authority and jurisdiction under which the hearing is to be held;
    - c. reference to the particular sections of the Connecticut General Statutes or school policies involved;
    - d. a short and plain statement of the matters asserted, if such matters have not been provided in a statement of reasons requested by the student. The statement so provided may be limited to a statement of the issues involved if it is not possible to state the issue in detail at the time such notice is served. Upon request from the student concerned, a more definite and detailed statement of the issues shall be furnished;
    - e. a statement, where appropriate, that the board is not required to offer an alternative educational opportunity to any student between the ages of sixteen and eighteen who (1) has been expelled previously or (2) is found to have engaged in conduct which endangered persons and involved a (a) possession on school property or at a school-sponsored activity of a firearm, deadly weapon, dangerous instrument, or martial arts weapon, or (b) offering for sale or distribution on school property or at a school-sponsored activity a controlled substance as defined by law. (See section VIII on Alternative Educational Opportunity);

**Series 5000: Students****Suspension, Expulsion, and Removal from Class****V. Expulsion Procedures (continued)**

2. The opportunity to be heard;
  3. The opportunity to present witnesses and evidence;
  4. The opportunity to cross-examine adverse witnesses;
  5. The opportunity to be represented by counsel; and
  6. Prompt notification of the decision of the Board of Education which decision shall be in writing to the student concerned.
- C. The record of any hearing held in an expulsion case shall include the following:
1. All evidence received or considered by the Board of Education, including a copy of the initial letter of notice of proposed expulsion, if any, and a copy of all notices of hearing;
  2. Questions and offers of proof, objections and rulings on such objections;
  3. The decision of the Board of Education rendered after such hearing; and
  4. The official transcript, if any, of proceedings relating to the case, or, if not transcribed, any recording or stenographic record of the proceeding.
- D. Rules of evidence at expulsion hearings shall include the following:
1. Any oral or documentary evidence may be received by the Board of Education but as a matter of policy irrelevant, immaterial or unduly repetitious evidence shall be excluded;
  2. The Board of Education shall give effect to the rules of privilege recognized by law;
  3. In order to expedite a hearing, evidence may be received in written form, provided the interest of any party is not substantially prejudiced thereby;
  4. Documentary evidence may be received in the form of copies or excerpts if the original is not readily available provided, however,

**Series 5000: Students****Suspension, Expulsion, and Removal from Class****V. Expulsion Procedures (continued)**

that any party to a hearing shall be given an opportunity to compare the copy with the original;

5. A party to an expulsion hearing may conduct cross-examination of witnesses where examination is required for a full and accurate disclosure of the facts;
  6. The Board of Education may take notice of judicially cognizable facts in addition to facts within the Board's specialized knowledge provided, however, the parties shall be notified either before or during the hearing of material noticed, including any staff memoranda or data, and an opportunity shall be afforded to any party to contest the material so noted;
  7. A record of any proceedings before the Board of Education at an expulsion hearing shall be made provided that a transcript of such proceedings shall be furnished upon request of a party with the cost of such transcript to be paid by the requesting party;
- E. In determining the length of an expulsion, the Board of Education may receive and consider evidence of past disciplinary problems, which have led to removal from a classroom, in-school suspension, suspension, or expulsion.
- F. Decisions shall be in writing to the student and shall include findings of fact and conclusions necessary for the decision. Findings of fact made by the board after an expulsion hearing shall be based exclusively upon the evidence introduced at the hearing.
- G. Any student who is expelled shall be offered an alternative educational opportunity consistent with the requirements of state law as set forth in Section VIII of this policy.
- H. Whenever a student is expelled pursuant to the provisions of this policy, notice of the expulsion and the conduct for which the student was expelled shall be included in the student's cumulative educational record. Such notice, except for notice of an expulsion based upon possession of a firearm or deadly weapon, shall be expunged from the cumulative educational record if the student graduates from high school.

**Series 5000: Students****Suspension, Expulsion, and Removal from Class****V. Expulsion Procedures (continued)**

- I. Whenever a student against whom an expulsion hearing is pending withdraws from school after notification of such hearing but before the hearing is completed and decision rendered, (1) notice of the pending expulsion hearing shall be included on the student's cumulative educational record and (2) the Board of Education shall complete the expulsion hearing and render a decision.
- J. The Board of Education may adopt the decision of a student expulsion hearing conducted by another school district, provided that the board shall hold a hearing pursuant to this policy which shall be limited to a determination of whether the conduct which was the basis for the expulsion would also warrant expulsion under the policies of the Board of Education. 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 and this policy.
- K. Students requiring special education and related services shall be subject to discipline consistent with state and federal law. Whenever a student requiring special education services is found to have been (1) in possession of a firearm, deadly weapon, dangerous instrument, or martial arts weapon, on school grounds or at school sponsored activity; (2) off school grounds, possessed a fire arm or possessed and used such a fire arm, dangerous instrument, deadly weapon or martial arts weapon in the commission of a crime; or (3) off school grounds offered for sale or distribution a controlled substance as defined in Connecticut General Statutes §21a-240(9) whose manufacture, distribution, sale, prescription, dispensing, transporting or possessing with intent to sell or dispense, offering or administering is subject to criminal penalties under Sections 21a-277 and 21a-278, said students shall be referred to a planning and placement team (PPT) for a determination of whether the above behavior is a manifestation of the student's disability. If it is determined that the behavior is a manifestation of the student's disability, the PPT shall modify the student's individualized educational plan in order to prevent the reoccurrence of such behavior and to ensure the safety of other children in the school.

**Series 5000: Students****Suspension, Expulsion, and Removal from Class****VI. Notification To Parents Or Guardians**

The parents or guardians of any minor student against whom disciplinary action is taken under the policy shall be given notice of such disciplinary action within twenty-four (24) hours of the time the student was excluded.

**VII. Alternative Educational Opportunity**

The Board of Education recognizes its obligation to offer any student under the age of sixteen (16) who is expelled an alternative educational opportunity during the period of expulsion. Any parent or guardian of such a student who does not choose to have his or her child enrolled in an alternative program shall not be subject to the provisions of section 10-184 of the General Statutes.

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

State statutes do not require the Board to offer an alternative educational opportunity to a student between the ages of sixteen (16) and eighteen (18) who has been expelled previously or who is expelled because of conduct which endangers persons and (a) possession on school property or at a school-sponsored activity of a firearm, deadly weapon, dangerous instrument, or martial arts weapon or (b) offering for sale or distribution on school property or at a school sponsored activity a controlled substance as defined in subdivision (9) of C.G.S. §21a-240 whose manufacture, distribution, sale, prescription, dispensing, transporting, or possessing with the intent to sell or dispense, offering, or administration is subject to criminal penalties under C.G.S. §§21a-277 and 21a-278. If the Board expels a student for the sale or distribution of such a controlled substance, the Board shall refer the student to an

**Series 5000: Students****Suspension, Expulsion, and Removal from Class****VII. Alternative Educational Opportunity (continued)**

appropriate state or local agency for rehabilitation, intervention or job training, or any combination thereof, and inform the agency of its action. If the Board expels a student for possession of a firearm or deadly weapon, the Board shall report the violation to the local police department. The Board shall give the name of the student and a summary of the Board's action in so referring the student to the Commissioner of Education within thirty (30) days after the student is expelled.

The provision of this section shall not apply to students requiring special education who are described in subdivision (1) of subsection (e) of Connecticut General Statutes § 10-76a.

**VIII. Gun Free Schools Act**

The Board of Education shall submit to the Commissioner of Education such information on expulsions for the possession of weapons as is required for purposes of the Gun Free Schools Act of 1994, 20 U.S.C. §8921, et seq.

***Statutory References:***

(20 U.S.C. §8921 et seq)

*Connecticut General Statutes:*

§§14-17e through 4-180a

§4-181a

§10-76a

§§10-233a through 233g

§21a-240

§21a-277

§21a-278

Public Act 95-304

Public Act 96-244

**Series 5000: Students****School Attendance Areas**

The Board of Education accepts its responsibility for establishing attendance zones in such a way as to facilitate the educational program. The Board, upon the recommendation of the superintendent, shall assign students to school attendance areas. Revision to such attendance areas shall only be made by the Board of Education. Individual exceptions to attendance area assignments may be granted by the superintendent in keeping with established regulations.

***Legal Reference:***

*Connecticut General Statutes*

10-55	Pupils to attend regional school
10-226b	Existence of racial imbalance
10-226c	Plan to correct imbalance
10-266d	Approval of plan by state board

Policy Adopted: February 1989  
Policy Reviewed: August 2002  
Policy Reviewed: October 2006

**Series 5000: Students**

**School Attendance Areas**

**Assignment to Schools**

Pupils are assigned to the school of the district where their parent(s)/guardian(s) reside. Student participation in extracurricular activities must be at the attending school. Exceptions to this policy may be granted by the superintendent or designee.

**A. Request and Approval Procedures**

1. The parent/guardian is to submit the Out of District Request Form to the superintendent or designee requesting a school transfer and indicating the reason(s) for the request.
2. In the case of a request for the ensuing school year, the superintendent or designee will notify the parent/guardian that a decision on their request will be made by the end of August. In the meantime, the student must be registered at his/her assigned school.
3. In order for a request to be approved, there must be room within the grade and/or school, which the parent/guardian has requested, and the composition of the class will allow for the student's placement.
4. Parent(s)/Guardian(s) will be responsible for transportation. However, bus service, on an in-district basis, will be provided, as space is available in the case of service to and from child care providers.
5. Any approved out-of-district placement will only be for the year in which the request is approved. Parent(s)/Guardian(s) must reapply for approval on an annual basis.

**B. Reasons for Out-of-District Placement**

1. An educationally related recommendation is made by certified staff to the effect that the pupil should attend an out-of-district school.
2. When a student transfer is to be made before September 30th because of family relocation, the pupil may be permitted to begin the school year at his/her new school.
3. When a student transfer is to be made after the close of the next to last marking period because of family relocation, the pupil may be permitted to complete the year at his/her current school.

**Series 5000: Students**

**School Attendance Areas**

**Assignment to Schools**

4. When, in the judgment of the superintendent or designee, an undue family hardship would result from having the pupil attend the in-district school, then the student may be permitted to attend an out-of-district school.

**C. Day Care Transportation Procedures**

1. Transportation shall be provided for children who live in an elementary public school area who are normally eligible for transportation and attend a licensed day care provider/center which is also located in the designated busing area for that school if there is available space.
2. Children within an elementary public school area not normally eligible for busing who attend a licensed day care provider/center whose location is eligible for busing will be allowed busing privileges on a space available basis. Space available basis means that children who are not normally eligible for transportation will be permitted to ride buses to or from a day care center which is located in an eligible transportation area as long as extra seating is available and not needed for students requiring basic transportation service.

Regulation Approved: August 1989  
Regulation Reviewed: August 2002  
Regulation Reviewed: March 2005  
Regulation Revised: May 2007

**Series 5000:      Students**

**School Attendance Areas**

**School District Street Assignments**

A directory listing the streets assigned to each school district is maintained by the administrator in charge of transportation. Copies of the directory are available in each school and at the administrative offices.

Regulation Approved:    August 1989  
Regulation Reviewed:    August 2002

**Series 5000:      Students**

**School Attendance Areas**

**Residency Procedures**

**General Considerations**

1. A permanent resident shall be defined as one who resides in Southington and who has an intention to remain within the district. Therefore, a student who would be residing in Southington for a short period of time would not be considered a permanent resident.
2. If any child is denied accommodations by a school district on the basis of residency, he/she may request a hearing by the Board of Education. The Board would have the burden of proving ineligibility by a preponderance of the evidence. At the time the parent, guardian or child, if emancipated, is informed of the school district's intention to deny accommodations, such individual shall also be informed of his/her right to a hearing before the Board of Education. The decision of the Board of Education may be appealed to the State Board of Education's impartial hearing Board. If at the time the child is denied accommodations on the basis of residency and the child is enrolled in the school district, the child may continue in attendance, upon request, pending the hearing decision.
3. Children residing with relatives or non-relatives when it is the intention of all concerned that such residence is to be permanent and provided without pay and not for the purpose of obtaining school accommodations shall be entitled to all free school privileges accorded to resident children in the school district where they reside.
4. The school system is not required to provide education for any child whose legal residence is another state or country.
5. If the student in question is an emancipated minor, he/she may be requested to complete all forms and provide all necessary information.
6. If a non-special education student is placed by a state agency (DCF) in a foster home in Southington, educational services will be provided. The coordinator of special education will be notified by the state agency and a copy of that notification will be forwarded to the school the student will attend.
7. Students whose families move out of Southington between the close of their junior year and the beginning of their senior year may complete their senior year tuition free. The associate superintendent may approve the request to complete the senior year in Southington contingent upon the parents

**Series 5000: Students**

**School Attendance Areas**

**Residency Procedures**

**General Considerations**

agreeing to provide transportation to and from school and the student's continuation in the school is recommended by the school administration.

8. A situation may arise where a student is in the last quarter of a given school year, or is a senior at the high school and a request is made for that student to finish the year in Southington even though the student has moved to another community. The associate superintendent may approve the request provided the parent agrees to provide transportation to and from school and the student's continuation in the school is recommended by the school administration.
9. Students from other countries who reside in Southington may attend school tuition free consistent with applicable federal law.
10. Children residing in temporary shelters as defined in Connecticut General Statutes §10-253(e) are entitled to free school privileges in Southington with the cost of educational services to be apportioned as provided for in state statutes.

If a request is made with respect to eligibility of a student to receive educational programming in Southington due to issues concerning residency, the following steps should be taken by the school administration:

1. The residence of the child's immediate family should be ascertained: that is, the residence of his/her legal guardian. If it is determined that the student is not residing with a parent or guardian or is not emancipated, then the following process is to be implemented:
  - a. The parent, guardian, the child if emancipated, or the person with whom the child is residing should be asked if the request is being made for the sole purpose of obtaining an education in Southington. If the answer is affirmative, the request is to be immediately denied and the individual will be advised of his/her rights.

**Series 5000:      Students**

**School Attendance Areas**

**Residency Procedures**

**General Considerations (continue)**

- b. The parent, guardian, the child if emancipated, or the person with whom the child is residing, should be asked if the request is going to be made on a permanent or temporary basis. If the answer is temporary, the request is to be immediately denied and the individual will be advised of his/her rights.
- c. The parent, guardian, the child if emancipated, or the person with whom the child is residing, should be asked if the parent or legal guardian is providing payment for the support of the child to the family where the student will be residing. If the answer is yes, the request should be immediately denied and the individual will be advised of his/her rights.
- d. If a response is provided which indicates other factors are the cause of the request for education in our schools, the RESIDENCY STATEMENT is to be given to the individual (parent, guardian, child if emancipated, or the person with whom the child is residing) making the request. The student in question will be enrolled when the statement is completed and submitted to the building administrator. All other records such as medical and educational must also be in place prior to enrollment.

NOTE: If any outside agency makes a placement of a special education student in Southington, and the legal guardian(s) live in another community, that community will hold the Planning and Placement Team (PPT) Meeting and determine the appropriate program for the student. Our system will cooperate with the responsible school district.

Legal Reference:            (PA 86-303)

Regulation Approved:    August 1989  
Regulation Revised:     December 1995  
Regulation Reviewed:    August 2002

**Series 5000:                      Students**

**School Attendance Areas**

**Homeless Children**

Children who are homeless are entitled to free, appropriate public education.

Definition of Homeless – Homeless children are those children lacking a fixed, regular, adequate nighttime residence including those sharing the housing of other persons (friend, relative, or someone else) due to the loss of housing, economic hardship; living in a motel, hotel, trailer park camp grounds; living in emergency or transitional shelters, abandoned in hospitals, awaiting foster care placements; primary nighttime residence that is a public or private place not designed for regular sleeping accommodations; living in cars, parks, public spaces, abandoned building, substandard housing, bus or train stations, or who are migratory children.

The Southington Board of Education will:

1. Develop a way to give public notice of the rights of students in homeless situations and to disseminate the notice where students might receive services such as shelters, schools or soup kitchens.
2. Appoint a staff person to be the local homeless liaison responsible for working with homeless education issues in the school district.
3. The homeless liaison will ensure:
  - a. Identification of students who are considered to be homeless
  - b. Immediate school enrollment (participation in all school activities)
  - c. Attendance
  - d. Opportunities for academic success
  - e. Linking students and their families to school and community services.
  - f. Homeless students will receive all services for which they are eligible including Head Start, Even Start, pre-school programs administered by the district, and referrals to health, mental health, dental, school nutrition programs, English for Speakers of Other Languages (ESOL), vocational technical, special education, and other appropriate services.
  - g. Collaborate and cooperate with state coordinators and community and school personnel responsible for the provision of education and related services to children who are homeless.

**Series 5000:                      Students**

**School District Lines**

**Homeless Children (continued)**

4.     School Choice

- a.     To the extent feasible, student will be kept in their school of origin unless it is against the parent/guardian wish no matter where the child is residing (child does not need to reside with parent/guardian).
- b.     Students can stay in their school of origin the entire time they are homeless and until the end of any academic year in which they move to permanent housing. If student becomes homeless between academic years, they remain in the school of origin for the following year.
- c.     Homeless students may choose to enroll in any public school that students living in the same area are eligible to attend. If the student is sent to a school other than the school of origin, the Board must provide written explanation of its decision and the right of appeal.
- d.     Students must be immediately admitted to the school of choice while the dispute is being resolved.
- e.     Homeless liaison must help unaccompanied youth (youth not in the physical custody of parent/guardian) choose and enroll in a school and provide notice of right to appeal.
- f.     At parent/guardian's request, a homeless student must be provided transportation comparable to those services provided to other students to and from their school of origin. If a student lives outside the school district of origin, the school district where student lives and school district of origin must determine how to split the cost of transportation or they must share the cost equally. This federal law takes precedent over Connecticut law of a one-hour limit on transportation.

5.     Enrollment

- a.     The school district must immediately enroll (attend classes and participate in all activities) the homeless student even without the required documents health, school records, and proof of residency. The liaison must immediately assist in obtaining immunizations.

**Series 5000:                      Students**

**School District Lines**

**Homeless Children (continued)**

- b. Schools must maintain records for students who are homeless so they may be quickly obtained.
  - c. The school district must develop, review and revise policies to remove barriers to enrollment and retention of children.
6. Education Services
- a. Schools are prohibited from segregating homeless students in separate schools, programs within schools, or separate settings in schools except as is necessary for short periods of time for health and safety emergencies or to provide temporary, special, and supplementary services.
  - b. Services under this act must not replace regular academic programs and must be designed to expand on or improve services as part of the school's regular academic program. Federal programs such as Title I, Even Start, and Migrant Education are pertinent to this legislation.
  - c. The school district should adopt a policy to waive school-related fees such as activity fees or field trip fees for homeless and poor families.

**Series 5000: Students****Progress/Records****Examination/Grading/Rating**

The Board of Education seeks, through performance objectives in its instructional program, to make achievement both recognizable and possible for students.

The issuance of grades on a regular basis serves to promote a process of continuous evaluation of student performance, to inform the student, the student's parents and counselor of his/her progress, and to provide a basis for bringing about change in student performance, if such change seems necessary.

(cf. 6146 – Graduation Requirements)

(cf. 6180 – Evaluation of the Instructional Program)

***Legal Reference:***

*Connecticut General Statutes*

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

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

10-221a, High school graduation requirements

Policy Adopted: February 1989

Policy Reviewed: August 2002

**Series 5000:      Students**

**Progress/Records**

**Examination/Grading/Rating**

**Procedures for Report Cards and Conferences**

Elementary

There are three (3) marking periods at the elementary level. Report cards are issued at the end of each marking period. Parent conferences shall be scheduled at the end of the first and second marking periods.

Middle School

There are four (4) marking periods at the middle school level. Report cards are issued at the end of each marking period. Report cards are to be signed by the parent/guardian and returned to the homeroom teacher for the first three (3) marking periods. Parent conferences shall be scheduled at the end of the first marking period.

High School

There are four (4) marking periods at the high school level. Report cards are issued at the end of each marking period. Report cards are given to the students at the end of the first three (3) marking periods and mailed home at the end of the fourth marking period. Parent conferences shall be scheduled at the end of the first marking period.

Release time is provided for the scheduling of parent conferences at all three levels.

Regulation Approved:    August 1989  
Regulation Revised:     December 1995  
Regulation Reviewed:    August 2002

**Series 5000: Students****Progress/Records****Promotion and Retention**

It is the philosophy of the Board of Education that all students should have access to instructional programs that are compatible with their maturity, functional and achievement levels, emotional condition, learning style(s), and intellectual capacity.

Grade placement of pupils attending the Southington Public Schools shall be determined by their level of development as well as their achievement of learning objectives. Each case will be decided on an individual basis after all factors noted above are carefully examined.

A recommendation for retention will be based on the professional judgment of the classroom teacher(s) after discussion with parent(s)/guardian(s), the principal, and instructional support personnel. The principal, in consultation with school personnel and parent(s)/guardian(s), will be responsible for the final decision.

The school administration shall inform all parents and students of this policy at the beginning of each school year.

***Cross-reference:***

See Complaints about Conduct of the Schools, Policy 1312

Policy Approved: June 1985  
Policy Reviewed: August 2002  
Policy Revised: February 2006

**Series 5000:      Students**

**Progress/Records**

**Promotion and Retention**

**Procedures for Promotion and Retention**

**Grades K – 5**

In general, children shall be placed at the grade level to which they are best adjusted academically, socially and emotionally. The educational program shall provide for the continuous progress of children from grade to grade, with children spending one year in each grade. A small number of children, however, may benefit from remaining another year in the same grade. Therefore, retention may be considered for a child when there is a reasonable chance of benefiting the child.

Whenever such retention is being considered, but no later than February, the teacher shall confer with the principal and other staff members involved with the child, such as the child's special subject area teachers, special education teacher, counselor, and the parent(s)/guardian(s) to discuss specific areas of concern. The parent(s)/guardian(s) shall then be invited to a meeting with the teacher, principal, and the other staff members no later than March 15. The purpose of this meeting is to discuss the child's current academic standing in relationship to program objectives and individual ability. Goals shall be set for the period through May 1st. During the first two weeks of May, another meeting will be held to review the goals and the student's progress. At this time, the final decision of retention shall be made. The final decision shall be made by the principal, as advised by certified staff, and with parental/guardian consultation.

The educational program for a retained student for the following school year is to be structured in a way that will offer a greater chance for learning success. The revised program should reflect a comprehensive analysis of those educational factors that have contributed to the retention. Guidance staff and other ancillary personnel should be utilized to support retained students as needs and circumstances dictate.

**Series 5000: Students****Progress/Records****Promotion and Retention****Procedures for Promotion and Retention (Continued)****Grades 6-8**

Students who fail two (2) or more academic subjects (language arts, math, social studies, or science) must attend summer school at the parent/guardian expense and earn passing grades in order to be promoted to the next grade. As an alternative to summer school, students may be tutored at the parent/guardian expense by a Southington Public Schools approved tutor for a minimum of 10-hours/week for four (weeks) in each subject area failed. The tutoring focus and requirements are determined by the middle school administration. Upon completion of tutoring, the student with his/her parent/guardian is to meet to present required work completed. If work has been satisfactorily completed, the student is advanced to the next grade level. If work is unsatisfactorily completed, a decision of retention shall be made. In all instances, tutoring and the assessment of student work is to be completed two weeks prior to the school year.

**Grades 9 – 12**

Successful completion of grade 8 is required for promotion to grade nine. In general, class placement is based on the number of credits earned in the previous year. Minimum requirements for official high school class standing and promotion are:

Sophomore standing	4 credits
Junior standing	9 credits
Senior standing	15 credits
Graduation	22 credits plus, demonstrates literacy and mathematical performance standards

Students who fail a core academic subject with a minimum grade of 50 may attend summer school at the parent(s)/guardian(s) expense. A passing grade will earn credit(s) toward graduation.

Regulation Approved: August 1989  
 Regulation Reviewed: August 2002  
 Regulation Revised: February 2006

**Series 5000: Students****Progress/Records****Reporting to Parents**

The Board of Education encourages good communication between parent and teacher and shall promote frequent and varied reporting contacts. All forms and methods of communications, such as parent-teacher conferences, mail, telephone, and school visitations by parents will be utilized.

If the parents of a child are separated or divorced, both parents will have the right to be informed of their child's progress in school unless there is an order from the court to the contrary. To receive written reports and notification of conferences, a non-custodial parent will make such request to the school principal.

***Legal Reference:***

*Connecticut General Statutes*

46b-56, Access to records of minor children by non-custodial parent

Policy Adopted: February 1989

Policy Reviewed: August 2002

**Series 5000: Students****Student Records - Confidentiality**

The purpose of creating student records is to record information about students and their families for legitimate educational purposes including instruction, guidance, and research, and to comply with statutory requirements. In addition, the information gathered is intended to be useful in indicating the student's progress and achievement to those who must make judgments about a student's further educational opportunities or employment. All such records shall be considered the confidential property of the district.

It shall be the policy of the Southington Public Schools that eligible students and their parents or guardians shall have the right to information from the various records concerning themselves or their children, consistent with current state and federal statutes governing access to student records and that access will be available to others only on written authorization of the eligible student or his/her parent or guardian, except where courts or other agencies with subpoena power make appropriate demands for such records. All student records shall be stored and maintained in such a manner as to make them secure from inspection by unauthorized persons. These records shall be under the care of a person responsible to see that unauthorized persons do not gain access to them. Central to all procedures shall be the intention to protect the welfare of the individual student and safeguarding the rights and privacy of the student and his/her family within the constraints of the educational process.

**Progress/Records**

The superintendent shall develop procedures providing for the following:

1. Annually informing parents of their rights.
2. Permitting parents to inspect and review educational records, including, at the least, a statement of the procedure to be followed by a parent or eligible student who requests to inspect and review the educational records with an understanding that the procedures may not deny access to educational records; a description of the circumstances in which the district feels it has a legitimate cause to deny a request for a copy of such records; a schedule of fees for copies; and a listing of the types and locations of education records maintained by the school and the titles and addresses of school officials responsible for those records.

**Series 5000: Students****Student Records - Confidentiality**

3. Not disclosing personally identifiable information from a student's education records without the prior written consent of the student's parent, except as otherwise permitted by administrative regulations; including at least a statement of whether the school will disclose personally identifiable information from the records to other school officials within the school who have been determined by the school to have legitimate educational interests, and, if so, a specification of the criteria for determining which parties are "school officials" and what the school considers to be a "legitimate educational interest," and a specification of the personally identifiable information to be designated as directory information.
4. Maintaining the record of disclosures of personally identifiable information from a student's education records and permitting a parent to inspect that record.
5. Providing a parent with an opportunity to seek the correction of the student's education records through a request to amend the records or a hearing, and permitting the parent or an eligible student to place a statement in the education records of the student.
6. Guaranteeing access to student records to authorized persons within five calendar days following the date of request.
7. Assuring security of student records.
8. Enumerating and describing the student records maintained by the school system.
9. Informing parents of the right to file a complaint with the U.S. Department of Education concerning alleged failures by school officials to comply with the requirements of the Family Educational Rights and Privacy Act.

**Series 5000:      Students****Student Records - Confidentiality*****Legal Reference:******Connecticut General Statutes***

- 1-19(b) (11) Access to public records. Exempt records
- 7-109        Destruction of documents
- 10-15b      Access of parent or guardians to student's records
- 10-15a      Professional communication between teacher or nurse and student
- 10-209      Records not to be public
- 46b-56(e)   Access to Records of Minors
- 10-221b     Boards of education to establish written uniform policy re:  
                  treatment recruiters

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

Regulations of the U.S. Department of Health, Education and Welfare, published in 45 C.F.R. 99 (June 17, 1976)

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

Policy Adopted:    February 1989

Policy Revised:    August 2002

**Series 5000: Students****Student Records: Confidentiality****Classification of Student Records**

The quantity and diversity of student records that are collected and processed in a school at any given time require differing arrangements for security and access. Data concerning students shall be separated into one of the following categories and treated according to the conditions appropriate to each type:

**A. Administrative Records**

The category includes official administrative records that constitute the minimum personal data necessary for operating an efficient and effective educational program.

It includes, but is not limited to, such information about the individual student as follows:

1. Identifying Data
  - a. *name*
  - b. *sex*
  - c. *birth date*
  - d. *parents'/guardians' names, addresses, and telephone numbers*
2. Grades and academic work completed
3. Attendance data
4. Extra-curricular activities
5. Honors and awards
6. Rank in class
7. Standardized test scores
8. Cross-references to other records

**B. Supplementary Records**

This category includes information systematically gathered about an individual student that is clearly important but not basic to the operation of the school. The data is intended to further the understanding of the student's status and needs in the educational process and to assist the professional staff in educational planning. In some cases, the information may be required by professional staff in educational planning. In some cases, the information may be required by statute, for example, legislation governing the education of exceptional students.

1. Reports from out-of-school practitioners
2. Reports of school psychological evaluations
3. School social work summaries

**Series 5000: Students****Student Records: Confidentiality****Classification of Student Records (continued)**

4. Diagnostic educational evaluations
5. Speech and language evaluations
6. Reading evaluations
7. Planning and placement team minutes, reports, and summaries
8. Required state and local report forms
9. Individual instructional plans
10. Teacher or counselor rating and observations
11. Validated disciplinary reports of a serious and/or recurrent nature
12. Counselor recommendations to college
13. Health records, including accident reports

**C. Temporary Records**

This category includes potentially useful information which is not yet completely evaluated or clearly needed beyond the immediate present. It includes, but is not limited to, such information about the individual student as follows:

1. Reports of disciplinary infractions
2. Correspondence with parents
3. Teacher observation reports
4. Reports of student interviews
5. Student work samples

**Custody of Student Records****A. Record Custodian**

The senior coordinator of pupil personnel services as record custodian is responsible for record maintenance and access, and for educating the staff in regard to maintenance and access policies and regulations.

**B. Responsibilities of the Custodian of Records**

The custodian of records or his delegate shall:

1. Maintain a register of those who have had access to the student records or to whom records have been sent.
2. Furnish and ensure that the appropriate release forms have been signed by the student or parent when a request has been made for such records.
3. Be responsible for the review and disposition of records.

**Series 5000: Students****Student Records: Confidentiality****Storage of Student Records**

Records shall be kept in a locked file which will afford security as determined by the record custodian. Access shall be granted only to those who have a legitimate educational interest in using such records.

As a regular practice, administrative and supplementary records shall be maintained in separate folders which, in turn, shall be stored in separate locked files.

**Availability of Student Records****A. Administrative Records**

Administrative Records shall be open to inspection by eligible students (i.e. students who have attained eighteen years of age or are attending an institution of post-secondary education), parents/guardians of students or upon written authorization by the eligible student or parents/guardians, other agencies may inspect such records. For those records which include information on more than one student, the parents of any student shall be entitled to receive or be informed of that part of such record(s) as pertains to their child.

**B. Supplementary and Temporary Records**

Supplementary and Temporary Records normally require interpretation, and access, therefore, is restricted. Parents, guardians, and eligible students, upon request to the professional staff member responsible for these special records, may receive full disclosure of all information in the file. Disclosure shall normally be by the professional staff member responsible for the records or by the person who completed the records.

**C. Reasonable Access**

Parents or guardians and students of legal adult status shall be granted access to records during regular business hours and within a reasonable period of time, in no case exceeding 10 days after the request is made. Where a request for records is made by a parent of a student requiring special education and the request is made in order to prepare for a planning and placement team meeting or a due process hearing, such records will be provided within three days of receipt of such request.

**Series 5000: Students****Student Records: Confidentiality****Availability of Student Records (continued)****D. Requests for Information**

Requests for information from and/or inspection or review of any student records shall be made in writing clearly identifying the inquirer and the specific information to be reviewed. Telephone requests will not be honored. In addition, written requests will not be honored until written authorization by the eligible student or parent/guardian has been given in circumstances where the eligible student or parent/guardian have not themselves requested the information.

**E. Application for Financial Aid**

The release of records to support students' requests for financial aid shall not be permitted without the written consent of eligible students or their parents/guardians.

**F. Consultant Reports**

Information contained in reports received from psychiatric, psychological, or other consultants shall be available to eligible students or their parents/guardians if they have been made a part of the student record. Reports which contain sensitive data, the disclosure of which would be damaging to the student, shall be returned to the sender and no file copy shall be retained. A record of receipt and return shall be kept.

**Release of Student Records****Educational Institutions**

When a student transfers or applies to a school outside the Southington Public Schools, his/her cumulative education record will be forwarded. The parents need not formally authorize the transfer, but they shall be given a copy of the record if they wish and shall have an opportunity to challenge the content of the record.

**Courts**

School officials may disclose records in order to comply with a judicial order or lawfully issued subpoena, provided that the school system shall make a reasonable effort to notify the parent or eligible student of the order of subpoena in advance of compliance, so that the parent or eligible student may seek protective action, except where a federal grand jury subpoena or

**Series 5000: Students****Student Records: Confidentiality****Release of Student Records (continued)**

law enforcement subpoena specifically directs that the existence and/or contents of a subpoena not be disclosed. In addition, if the school district initiates legal action against a parent or student, it may disclose to the court those educational records that are relevant to the action without court order or subpoena. Records may also be provided to the court pursuant to a release signed by the parent or student.

**Staff Members**

All professional staff members who have a legitimate educational interest, as determined by the proper custodian of records in any category, shall have access to all student records. A register shall be kept in the respective record folders so that any other than the regular staff members (e.g., other than those who have been assigned regular professional contact with a student) shall indicate by date, statement of particular education interest, and their signature that they have inspected a student's record. Eligible students and parents or guardians shall have access to the register, and no personal information may be transmitted to third parties who have signed the register unless such parties agree not to further transmit information obtained without written consent of the eligible student or their parent or guardian.

**With Parental Consent**

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

**Without Parental Consent**

1. No person or agent shall be permitted access to student records without written parental consent or under judicial order, except that access to

**Series 5000: Students****Student Records: Confidentiality****Release of Student Records (continued)**

those particular records relevant to the legitimate educational interests of the requester shall be permitted to the following:

- a. Officials and employees of other public schools or school districts, including local, county, or state correctional facilities where educational programs leading to high school graduation are provided, where the student intends to or is directed to enroll.
  - b. Authorized representatives of the Comptroller General of the United States, the Secretary of Education, an administrative head of an education agency, state education officials, or their respective designees, or the United States Office for Civil Rights where such information is necessary to audit or evaluate a state or federally supported education program or pursuant to a federal or state law, provided that except when collection of personally identifiable information is specifically authorized by federal law, any data collected by such officials shall be protected in a manner which will not permit the personal identification of students or their parents by other than those officials. Such personally identifiable data shall be destroyed when no longer needed for such audit, evaluation, and enforcement of federal legal requirements.
  - c. Other state and local officials to the extent that such information is specifically required to be reported pursuant to state law.
  - d. Parents of a student eighteen (18) years of age or older who is a dependent as defined in Section 152 of the Internal Revenue Code of 1954.
  - e. A student sixteen (16) years of age or older having completed the tenth grade who requests such access.
2. Information from student records may be released to the following:
- a. Appropriate persons in connection with an emergency if the knowledge of such information is necessary to protect the health or safety of other persons. The factors to be considered in determining whether information may be disclosed include the seriousness of the threat to the health or safety of the student or other individuals, the need for the information to meet the emergency, whether the parties to whom the information is disclosed are in a position to deal with the emergency, and the extent to which time is of the essence in dealing with the emergency. (HEW Reg. 99.36)

**Series 5000: Students****Student Records: Confidentiality****Release of Student Records (continued)**

- b. Agencies or organizations in connection with a student's application form or receipt of financial aid, provided that information permitting the personal identification of students or their parents may be disclosed only as may be necessary for such purposes as to determine the eligibility for the aid, the amount of the financial aid, to determine the conditions which will be imposed regarding the financial aid, or to enforce the terms or conditions of the financial aid.
  - c. Accrediting organizations in order to carry out their accrediting functions.
  - d. 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, and improving instruction, if such studies are conducted in such a manner as will not permit the personal identification of students or their parents by persons other than representatives of such organizations and such information will be destroyed when no longer needed for the purpose for which it is conducted.
  - e. Officials and employees of private schools or school districts where the student is enrolled or intends to enroll subject to the rights of parents by law.
3. No person, persons, agency or organization permitted access to student records pursuant to this regulation shall permit access to any information obtained from such records by any other person, persons, agency or organization without the written consent of the student's parent. This paragraph shall not be construed as to require prior parental consent when information obtained pursuant to this regulation is shared with other persons within the district so long as such persons have an equal legitimate interest in the information.

**F. Court Order**

1. Information concerning a student shall be furnished in compliance with a court order.
  - a. Unless otherwise judicially instructed, the custodian shall, prior to the disclosure of any student's records pursuant to a court order, give the parent and the student three days' notice, if lawfully possible, within the requirements of the judicial order, of the name of the requesting agency and the specific records requested. Such notice shall be in writing if possible.

**Series 5000: Students****Student Records: Confidentiality****Release of Student Records (continued)**

- b. Only those records related to the specific purpose of the court order shall be disclosed.
2. The service of a subpoena upon a district employee or official solely for the purpose of causing the employee to produce a school record pertaining to any student may be complied with by such employee, in lieu of personal appearance as witness in the proceeding, by submitting to the court, or other agency issuing the subpoena, at the time and place required by the subpoena, a copy of such record, accompanied by an affidavit certifying that such copy is a true copy of the original record on file in the school or school office. The copy of the record shall be in the form of a photograph, microfilm, micro card, or miniature photograph or other photographic copy or reproduction or an enlargement thereof.
3. Nothing in this regulation shall preclude the district from providing at its discretion statistical data from which no student may be identified to any public agency or entity or private nonprofit college, university, or educational research and development organization when such actions would be in the best educational interests of students.

**G. Criteria**

“School officials and employees” as used in this regulation means district employees and elected district officers.

The following criteria shall be used in determining whether a “school official or employee” has a “legitimate educational interest.”

**Title**

Secretaries, paraprofessionals, elementary, middle school and senior high school, staff and pupil personnel services

**Extent of Access**

By virtue of the fact that the job descriptions of secretaries and paraprofessionals call for filing, completing transcripts, forwarding records, writing letters, and completing assignments involving students in their school or programs, access refers to their responsibility in maintaining student records in their respective schools under the supervision of the system and building custodian of records.

**Series 5000: Students****Student Records: Confidentiality****Extent of Access (continued)**

In adhering to the law providing for the protection of confidentiality and rights of parents and adult students, employees listed in the current directory not falling in the above categories are restricted from access to student records:

- cafeteria workers
- central office staff other than those listed
- custodians
- library workers: clerks and specialists
- substitutes (unless long-term and with permission of building custodian of records)

The current directory, listing the names of employees in the listed categories, is on file in each school and in the Board of Education offices.

Prospective Employers – Information from any category may be forwarded to prospective employers only after written authorization by the student or parent/guardian.

A. Directory Information - Prior consent of the student or parent for the release of directory information need not be obtained providing that:

1. Public notice be given of the categories of personally identifiable information designated as directory information;
2. Parents or eligible students have the right to refuse to permit the designation of any or all of the categories of personally identifiable information with respect to that student as directory information;
3. Parents or eligible students be notified of the period of time within which they must inform the custodian of records that such personally identifiable information is not to be designated as directory information with respect to that student.

***Directory information as defined by federal regulations includes:***

*The student's name, address, and telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most recent previous educational agency or institution attended by the student, and other similar information.*

**Series 5000: Students****Student Records: Confidentiality****Extent of Access (continued)**

- C. Professional and Agencies – Administrative and Supplementary Records may be released to interested third parties including outside professionals and agencies, provided written permission has been given by the parent. The written permission form shall become part of the student's Supplementary Record.
- D. Release of Anonymous Data – Provision of anonymous data from records for outside research purposes may be made without consent under conditions where the likelihood of identifying any individual because of his/her unique characteristics is negligible.
- E. Temporary Withholding of Information – In the course of processing a request for information from a student's records, a reasonable doubt on any aspect of the request or concern about the authorization to process the request shall be deemed sufficient reason for a staff member to act in a prudent manner and to withhold all or part of the information until such time as the question is resolved.
- F. Parental Separation – In the event of legal separation or divorce, requests for disclosure of the contents of records by the separated or divorced parent shall be honored, unless there is a state law, court order, or a legally binding instrument which provides to the contrary.
- G. Disclosure in Health and Safety Emergencies – Prior consent shall not be required for the disclosure of personally identifiable data to appropriate parties in connection with an emergency if knowledge of the information is necessary to protect health or safety of the student or other individuals.
- H. Copying – Upon request, photocopies of all records shall be provided within a reasonable period of time, but not to exceed 10 days. A nominal charge approximating cost of reproduction may be levied.
- I. Transfer of Rights – Parents/guardians/students shall be informed that the rights of parents/guardians regarding education records are transferred to the student upon his/her 18<sup>th</sup> birthday.
- J. Authorized New Disclosures – School officials may disclose records to state and local officials if the disclosure concerns the juvenile justice system and its ability to serve effectively the student whose records are released.

**Series 5000: Students****Student Records: Confidentiality****Challenging Contents of Records**

- A. Following an inspection and review of a student's records, the parent or guardian of the student or former student may challenge the content of any student record.
1. The parent may file a written request with the superintendent of schools to correct or remove any information recorded in the written records concerning the parent's child which the parent alleges to be:
    - inaccurate
    - an unsubstantiated personal conclusion or inference
    - not based on the personal observation of a named person with the time and place of the observation noted.
  2. Within 30 days of receipt of such request, the superintendent or designee shall meet with the parent or guardian and the certified employee who recorded the information in question, if any, and if such employee is presently employed by the school district.
  3. The information shall be corrected or removed if the superintendent sustains any or all of the allegations.
  4. If the superintendent denies any or all of the allegations and refuses to order the correction or the removal of the information, the parent or guardian may, within 30 days of the refusal, appeal the decision in writing to the Board of Education.
    - a. Within 30 days of receipt of such an appeal, the Board of Education shall, in closed session with the parent or guardian and the certified employee who recorded the information in question, if any, and if such employee is presently employed by the district, determine whether or not to sustain or deny the allegations. The decision of the Board of Education shall be final.
    - b. If the Board of Education sustains any or all of the allegations, it shall order the superintendent to correct or remove and destroy immediately the information from the student's written records.
    - c. Records of these administrative proceedings shall be maintained in a confidential manner and shall be destroyed one year after the decision of the Board of Education unless the parent or guardian initiates legal proceedings relative to the disputed information within the prescribed period.

**Series 5000: Students****Student Records: Confidentiality****Challenging Contents of Records (continued)**

5. If the final decision of the Board of Education is unfavorable to the parent or guardian, or if the parent or guardian accepts an unfavorable decision by the superintendent, the parent or guardian shall have the right to submit a written statement of his/her objections to the information. This statement shall become a part of the student's school record.

**B. Hearing Panel**

1. Either the superintendent of schools or the Board of Education may convene a hearing panel composed of the following persons, provided the parent has given written consent to release information from the relevant student's records to the members of the panel so convened, to assist in making determinations:
  - the principal of public school other than the one at which the record is on file
  - a certified employee appointed by the parent or guardian
  - a parent appointed by the superintendent or by the Board of Education, depending upon who convenes the panel
2. The persons appointed pursuant to the above paragraph, if possible, shall not be acquainted with the student, his parent or guardian, or the certified employee who recorded the information except when the parent or guardian appoints the person pursuant to paragraph a. (2) above.
3. The principal appointed to the hearing panel shall serve as chairperson.
4. The hearing panel shall, in closed session, hear the objections to the information of the parent and the testimony of the certified employee who recorded the information in question, if any, and if such employee is currently employed by the school system.
  - The hearing panel shall be provided with verbatim copies of the information which is the subject of the controversy.
  - Written findings shall be made setting forth the facts and decisions of the panel, and such findings shall be forwarded to the superintendent or the Board of Education, depending upon who convened the panel.
5. The proceedings of the hearing shall not be disclosed or discussed by panel members except in their official capacities.

**Series 5000: Students****Student Records: Confidentiality****Challenging Contents of Records (continued)**

C. Whenever there is included in any student record information concerning any disciplinary action taken by school system personnel in connection with the student, the student's parent or guardian may include in such student's record a written statement or response concerning the disciplinary action.

**Updating and Review of Student Records**

At the time of intra-system transfer, or withdrawal from the system, or upon graduation, the building administrator in consultation with the senior coordinator of pupil personnel services shall delegate to appropriate members of the professional staff the responsibility to:

- A. Update and review the contents of the several record folders being maintained for the student;
- B. Discard the contents of each folder that are no longer of continuing usefulness to the student and/or the professional staff for purposes of educational planning;
- C. Ensure the physical transfer of the several folders to the designated recipient as soon as conveniently possible after completion of the updating and review process.

Parents/guardians/eligible students shall be informed when confidential information is no longer necessary for purposes of instructional planning, and accordingly, they may request destruction of such material.

**Life Duration of School Records**

Type of Record	From Date of Graduation
Cumulative Record Folder	50 years
Health Record Folder	6 years
Planning and Placement Folder	6 years

Each annual Medication Record Book shall be maintained for a period of five (5) years.

Record folders of students who have graduated from Southington High School will be retained at the school.

**Series 5000: Students**

**Student Records: Confidentiality**

**Life Duration of School Records (continued)**

Record folders of students who withdraw from the schools at any date prior to high school graduation shall be forwarded to the senior coordinator of pupil personnel services and placed under the custodianship of that office.

Parents/guardians/eligible students shall be informed that upon their request the student's records may be retained permanently for the purposes of Social Security benefits.

**Content of Student Records**

A. Comments on School Records

Comments to be included in school records must have a clear relationship to the educational progress and needs of the student.

Teacher shall avoid placing in the permanent record those behaviors which are transitory or those situations which are beyond the ability of the child or the school to control. Comments relating to the character, emotional stability, familial relations, etc., shall not be incorporated in the permanent record.

B. Transcripts

Transcripts shall be limited to the following information:

1. Personal data necessary for individual student identification
2. School data necessary for interpretation of the transcript
3. Final grades and credit value for courses where high school credit is granted, including withdrawals, failure, repeated courses, audited courses, summer school courses, and tutorial programs
4. Notation of courses identified as honors or advanced placement, and science laboratory courses

**Series 5000: Students**

**Student Records: Confidentiality**

**Progress/Records**

**Directory Information**

1. The following student information is declared to be directory information:
  - a. Name
  - b. Address
  - c. Telephone number
  - d. Date and place of birth
  - e. Major field of study
  - f. Participation in officially recognized activities and sports
  - g. Weight and height of members of athletic teams
  - h. Dates of attendance
  - i. Degrees and awards received
  - j. Most recent previous public or private school attended by the student
2. Directory information may be released to the following:
  - a. Federal, state and local governmental agencies
  - b. Representatives of the news media, including but not limited to newspapers, magazines, radio and television stations
  - c. Employers or prospective employers
  - d. Non-profit youth organizations
3. Subject to the provisions of C.G.S. 1-29(b11), high schools shall provide the same directory information and on campus recruiting opportunities to military recruiters as are offered to non-military recruiters or commercial concerns. (cf. 5145.14 On-Campus Recruitment)
4. No information may be released to a private, profit-making entity other than employers, prospective employers, and representatives of the news media.
5. The names and addresses of students enrolled in grade 12 or who have terminated enrollment prior to graduation may be provided, in accordance with the terms of the law, to a private school or college operating under state law.
6. The custodian of records will normally limit or deny the release of specific categories of directory information unless he/she determines that such release is required by law or is in the best interests of students.

**Series 5000: Students**

**Student Records: Confidentiality**

**Progress/Records**

**Directory Information (continued)**

7. Notice shall be given annually in student handbooks and in the district's annual calendar of the categories of information which the school district plans to release and of the recipients.
  - a. The school shall allow a reasonable period of time after such notice has been given for a parent or guardian to inform the custodian of student records that any or all of the information designated should not be released without the parent's or guardian's prior consent.
  - b. No directory information shall be released regarding any student when a parent or guardian has notified the school that such information shall not be released.

**Access Log**

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

**Series 5000: Students****Student Records: Confidentiality****Progress/Records****Fee for Reproducing Records**

1. A fee based upon the actual cost of reproduction, handling and postage (if any) shall be charged for furnishing copies of any student record.
2. The custodian of student records annually shall recommend a fee schedule for approval by the Board of Education.
3. No fee shall:
  - a. Effectively prevent the parents or guardians from exercising their right to inspect and review student records;
  - b. Be charged for searching or retrieving a student's records;
  - c. Be made for furnishing
    - ▶ Up to two transcripts of former student's records and
    - ▶ Up to two verifications of various records of former students

**Transfer of Student Records**

1. Whenever a student transfers to another Connecticut public school district, the following student records shall be forwarded upon request from the other district:
  - a. The student's Mandatory Permanent Student Record or a copy thereof. The original or a copy shall be retained by this district.
  - b. The student's entire Mandatory Interim Student Record.
2. Whenever a student transfers to a school district in another state or to a private school, the district shall transfer the student's Mandatory Permanent Student Record upon request from the other district or the private school. The student's Mandatory Interim Record may be forwarded upon request.
3. The method of destruction shall assure that records are not available to possible public inspection during the destruction process.

**Subpoenaed Records**

If the school is served with a subpoena issued by competent authority directing the production of school or student records in connection with any court proceeding, the school upon which such subpoena is served may deliver such record, or at its option a copy thereof, to the clerk of such court.

**Series 5000: Students****Student Records: Confidentiality****Progress/Records****Subpoenaed Records (continued)**

Such clerk shall give a receipt for the same and shall be responsible for the safekeeping of such records, not permitting the removal of such records from the premises of the court. The clerk shall notify the school to call for the subpoenaed record when it is no longer needed for use in court.

Any such record so delivered to the clerk of the court shall be sealed in an envelope which shall indicate the name of the school or student, the name of the attorney subpoenaing the same and the title of the case referred to in the subpoena.

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

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

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

**Notification of Parents**

Parents shall be notified in writing of their rights under this regulation upon the date of the student's initial enrollment and thereafter at the same time as notice is issued. The notice shall be in a form which reasonably notifies parents of the availability of the following specific information:

- a. the type of student records and information contained therein which are directly related to students and maintained by the school system;
- b. the position of the person responsible for the maintenance of each type of record;
- c. the location of the log or record required to be maintained;

**Series 5000: Students**

**Student Records: Confidentiality**

**Progress/Records**

**Notification of Parents (continued)**

- d. the criteria to be used by the school district in defining “school officials and employees” and in determining “legitimate educational interest”;
- e. the policies of the school district for reviewing and expunging student records;
- f. the right of the parent or guardian access to student records;
- g. the procedure for challenging the content of student records;
- h. the policy that no fee will be charged for up to two copies of a record;
- i. the categories of information which the school district has designated as directory information; and
- j. the right of the parent to file a complaint with the United States Department of Education concerning an alleged failure by the school system to comply with the provision of Section 438 of the Federal Education Provisions Act (20 U.S.C.A. 1232g).

Legal Reference:

Connecticut General Statutes

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

7-109, Destruction of documents

10-15b, Access of parent or guardian to student’s records

10-94i, Rights and liabilities of surrogate parents

10-154a, Professional communication between teacher or nurse and student -  
Records not to be public

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

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

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

Regulations of the U.S. Department of Health, Education and Welfare,  
published in 45 C.F.R.99 (June 17, 1976)

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

Regulation Revised: December 1995

Regulation Revised: December 1995

Regulation Revised: August 2002

**Series 5000: Students****Student Records: Confidentiality****Notice to Parents and Pupils**

Each school shall notify parents and eligible students through reasonable means, at least annually, of (1) the types of educational records maintained by the school which are directly related to students and those school officials who have access to them and for what legitimate educational interest; (2) the title and address of the designated custodian of records and the procedures established for providing parental access to the records, including cost, if any, of reproducing copies of the records and the location in school where a copy of relevant federal state, and local policies and requirements regarding student records is available for review; (3) the policies for reviewing and expunging records; (4) the right to inspect and review the student's educational records and to seek amendment of the student's educational records that the parent or eligible student believes to be inaccurate, misleading or otherwise in violation of the student's privacy rights; (5) the right to consent to the disclosure of personally identifiable information except to the extent that federal and state statutes authorize disclosure without consent; and (6) the right to file a complaint with the U.S. Department of Education concerning alleged failures by school officials to comply with the requirements of the Family Educational Rights and Privacy Act.

## Legal Reference:

20 USC §1232g

20 USC §141(a)(8)

20 USC §1417 (c)

Connecticut General Statutes §10-15b

Connecticut General Statutes §§ 10-76h

Connecticut Agency Regulations §10-76d-18

## CRITERIA FOR EMPLOYEE ACCESS TO STUDENT RECORDS

TITLE	EXTENT OF ACCESS
Superintendent of School Associate Superintendent Coordinator of Special Education	All student records-current and past.
Principals and Assistant Principals	Records of all students assigned to classes within their buildings or being considered for transfer to their schools. High school principal-records of students previously graduated or withdrawn.
Secondary and Elementary Classroom Teachers	Records of students currently enrolled in their classes.
School Nurses	Health records of all students enrolled in the building of their school assignment.
Pupil Personnel Services Staff: Special Education Teachers	Records of all students currently assigned to or being considered for their programs.
School Psychologist	Records of students whom they are asked to assess/observe (or have assessed/observed).
Speech Staff	Records of students currently assigned to their programs or being considered for speech.
Social Workers	Records of students referred to them.
Guidance Counselors	Records of currently assigned counselees.
Director of Guidance	Records of all students currently enrolled in high school. Since records of past students are housed at the high school, access to these records for transcript purposes.
Reading Staff	Records of students currently assigned or being considered for assignment in their programs.
Curriculum Coordinators	When supervising staff, there may be infrequent occasions when the records of specific students need to be reviewed.

**STUDENT RECORDS**

## Appendix I

## Summary

**Classification of Student Records**

Process	Administrative	Supplementary	Temporary
Collection Agents	Building Administrators, Teachers and other professional staff as designated	Director of Curriculum, Director of Special Services, Building Administrators, Pupil Personnel Services Staff, Special Education Teachers, Reading Teachers, Nurse	Building Administrators, Teachers and other professional staff as designated
Custodian	Building Administrator or other professional staff as designated	Building Administrator or other professional staff as designated, Nurse	Building Administrator or other professional staff as designated
Storage Location	Cumulative Record Folder	Planning and Placement Team Folder, Health Folder, Office of Director of Special Services, Master File	Building Administrator's Folder
Conditions of Release to Third Party	Written permission of parent, guardian or student of legal adult status	Written permission of parent, guardian or student of legal adult status	Written permission of parent, guardian or student of legal adult status
Updating and Review	At the time of transfer to another building within the system or upon withdrawal from the system or upon graduation	At the time of transfer to another building within the system or upon withdrawal from the system or upon graduation	Annually
Intra-System Transfer	All records to follow student	All records to follow student	All records of continuing usefulness to follow student
Retention	50 years	6 years	Continuing records should be transferred to the appropriate folder and treated accordingly
Public Notice	Annually	Annually	Annually

**STUDENT RECORDS**

**Appendix II  
Form 1**

SOUTHINGTON PUBLIC SCHOOLS  
SOUTHINGTON, CONNECTICUT

RECORD OF INSPECTION OF PUBLIC RECORDS

Date:

Records Examined: \_\_\_\_\_  
(Name of Pupil or Pupils)

Records examined by \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Note: Personal information shall be transferred to a third party only on the condition that such party will not permit any other party to have access to such information without the written consent of the parents of the student.

**STUDENT RECORDS**

**Appendix II  
Form 2**

SOUTHINGTON PUBLIC SCHOOLS  
SOUTHINGTON, CONNECTICUT

DEPARTMENT OF PUPIL PERSONNEL SERVICES  
AUTHORIZATION TO RELEASE STUDENT RECORDS

I, \_\_\_\_\_, hereby authorize the  
(Parent/Guardian)

Southington Public Schools to receive/send the records of

\_\_\_\_\_  
(Name of Student)

\_\_\_\_\_  
(Name of Recipient)

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

\_\_\_\_\_  
(Date and Signature of Parent/Guardian)

Special Instructions:

**Series 5000: Students**

**Student Records: Confidentiality**

**Progress/Records**

**Storage of Inactive Student Records**

1. Permanent records for pupils who have left the school system are to be forwarded to Derynoski Elementary School in August.
2. Records are to be placed in a box permanently marked with the name of the school and the year the material was forwarded to Derynoski..
3. The contents of the box should be divided in two categories. Special education and/or mandatory interim student records shall be marked as such and kept separate from mandatory permanent student records.
4. In terms of mandatory interim student records, the following factors are to be considered:
  - Confidential/privileged/sensitive data related to an exceptional student
  - Diagnostic medical information
  - Psychological data
  - Social workers' case records
  - Speech/hearing evaluation data
  - Release of information authorization
5. In terms of mandatory permanent student records, the following factors are to be considered:
  - Basic biographical information
  - Academic achievement records
  - Transfer card
  - Summary sections of school registers

Regulation Approved: August 1989

Regulation Reviewed: August 2002

**Series 5000: Students**

**Student Records: Confidentiality**

**Procedures for Student Records**

**Definitions as used in this regulation:**

1. “Student record” means any item of information directly related to an identifiable student, other than directory information, which is maintained by the school district or required to be maintained by an employee in the performance of his/her duties whether recorded by handwriting, print, tapes, film, microfilm, or other means. Student records include information relative to an individual student gathered within or without the school system and maintained within the school district, regardless of the physical form in which it is maintained. Any information which is maintained for the purpose of review by a second party is considered a student record.

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

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

2. “Directory information” means one or more of the following items: student’s name, address, telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous public or private school attended by the student. Medical records are not open to public inspection.
3. “Parent” means a natural parent, an adopted parent, or legal guardian. If parents are divorced or legally separated, both the parent granted custody and the parent not granted custody have the legal right of access to the academic, medical, hospital or other health records of the child, unless a court order prohibits access.

Whenever a student has attained eighteen (18) years of age or is attending an institution of post-secondary education, the permission or consent required of, and the rights accorded to, the parents or guardian of the student shall thereafter only be required of, and accorded to, the student.

**Series 5000: Students**

**Student Records: Confidentiality**

**Procedures for Student Records**

**Definitions (continued)**

4. “Access” means a personal inspection and review of a record or an accurate copy of a record, an oral description or communication of a record, or an accurate copy of a record and a request to release a copy of any record.
5. “Disclosure” means permitting access or the release, transfer, or other communication of education records of the student or the personally identifiable information contained therein, orally or in writing or by electronic means or by any other means to any party.
6. “Student” means a person who is or was enrolled in a school.
7. “Adult student” means a person who is or was enrolled in school and who is at least eighteen (18) years of age.
8. “Eligible student” means a person sixteen (16) years of age or older or who has completed grade 10.

**Series 5000: Students****Progress/Records****Awards for Achievement**

The Board of Education encourages the professional staff to maintain a set of criteria and procedures for presenting letters or other suitable awards to students for scholarships and distinguished service in any school activity. In all cases, the relationship between the award and the relevant goal or goals of the schools should be indicated.

The professional staff is authorized to review and approve or reject proposed trophies, prizes, scholarships or other awards from non-school donors. Acceptance will require affirmative answers to at least the following questions:

1. Can the proposed award be considered free from motives of personal or corporate gain and publicity?
2. Are the criteria for making the award under the control of the professional staff or acceptable to the staff?
3. Are the purposes, either implied or explicit, of the proposed award consistent with the schools' goals?

Policy Adopted: February 1989

Policy Reviewed: August 2002

**Series 5000: Students****Conduct****Bullying Behavior in the Schools**

In accordance with state law, it is the policy of the Southington Board of Education that any form of bullying behavior, whether in the classroom, on school property or at school sponsored events, is expressly forbidden.

To implement this policy, the Board of Education directs the Superintendent to develop and adopt regulations to address the existence of bullying in the schools. As provided by statute, such regulations shall:

- Enable students to anonymously report acts of bullying to teachers and school administrators
- Enable the parent(s)/guardian(s) of students to file written reports of suspected bullying
- Require teachers and other school staff who witness acts of bullying or receive student reports of bullying to notify school administrators in writing.
- Require school administrators to investigate any written reports filed and to review any anonymous reports providing that no disciplinary action be shall be taken solely on the basis of an anonymous complaint.
- Include an intervention strategy for school staff to deal with bullying
- Provide for the inclusion of language in student codes of conduct concerning bullying
- Require school administrators to notify the parent(s)/guardian(s) of students who commit any verified acts of bullying and the parent(s)/guardian(s) of students against whom such acts were directed. This notification to parent(s)/guardian(s) shall include a description of the response of school staff to such acts and any consequences that may result from the commission of further acts of bullying. Parents will be invited to at least one meeting with administration as part of this notification process.
- Require each school within the district to maintain a list of the number of verified acts of bullying in such school and make such list available for public inspection.

Any information provided under this policy 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.

**Series 5000:      Students****Conduct****Bullying Behavior in the Schools (continued)**

For purposes of this policy, “Bullying” shall mean any overt acts by a student or group of students directed against another student with the intent to ridicule, humiliate or intimidate the other student while on school grounds or at a school-sponsored activity, or on a school bus which acts are committed more than once against any student during the school year.

For purposes of this policy, “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 of Education.

Students who engage in bullying behavior shall be subject to school discipline up to and including expulsion in accordance with the Board’s policy on student discipline.

***Legal Reference***

Public Act No. 02-119

Connecticut General Statutes Sections 10-233a through 10-233f

Policy Adopted: April 2005

Policy Revised: April 2009

**Series 5000: Students****Conduct****Bullying Behavior in the Schools**

The following sets forth the procedures to implement Board Policy concerning the prohibition against bullying in the Southington Public Schools. Bullying behavior is strictly prohibited, and students who are determined to have engaged in such behavior are subject to disciplinary actions, which may include suspension or expulsion from school. The district's commitment to addressing bullying behavior, however, involves a multi-faceted approach which includes education and the promotion of a school atmosphere in which bullying will not be tolerated by students or staff.

It is imperative that bullying be identified only when the specific elements of the definition are met because the designation of conduct as bullying carries with it special statutory obligations. Any misconduct by one student against another student, whether or not appropriately defined as bullying, however, will result in appropriate disciplinary consequences for the perpetrator.

**Definition**

In accordance with state law and Board policy, "bullying" means any overt acts by a student or a group of students directed against another student with the intent to ridicule, humiliate or intimidate the other student while on school grounds or at a school-sponsored activity, which acts are repeated against the same student over time.

In accordance with this definition, the following factors should be considered before identifying conduct by a student or group of students as bullying in violation of Board policy. The determination that conduct does not constitute bullying under the state law and Board policy, however, does not restrict the right of the Administration and of the Board of Education to impose appropriate disciplinary consequences for student misconduct.

- Location. Bullying behavior in violation of Board policy must occur on school grounds or at a school-sponsored activity (which by Board policy includes transportation services). Conduct that occurs off-campus (e.g. harassment over the Internet, physical intimidation in the community) is not bullying under this Policy and Regulation.

**Series 5000: Students****Conduct****Bullying Behavior in the Schools (continued)**

While not considered bullying under state law and Board policy, conduct that would otherwise be considered bullying occurring off-campus (and outside of any school-sponsored activity) may subject the perpetrator to disciplinary action. Disciplined for such conduct may be imposed if such conduct violates a publicized policy of the Board and is seriously disruptive of the educational process. Unless such conduct triggers a mandatory expulsion under Conn. Gen. Stat. § 10-233d(a), however, administrators are authorized to impose discipline for such off-campus conduct only if such conduct markedly interrupts or severely impedes the day-to-day operation of the school.

- Repeated misconduct. Bullying behavior in violation of Board policy must be “repeated against the same student over time.” An isolated incident, however egregious, is not “bullying” under state law and Board policy. Similarly, numerous acts of misconduct against different students do not constitute “bullying” under state law and Board policy.
- Ridicule, humiliation, and/or intimidation. Bullying behavior is more than misconduct. Such behavior is marked by the intent to ridicule, humiliate or intimidate the victim. In evaluating whether conduct constitutes bullying, special attention should be paid to the words chosen or actions taken, whether such conduct occurred in front of others or was communicated to others, how the perpetrator interacted with the victim, and the motivation, either admitted or appropriately inferred, of the perpetrator.
- Types of conduct. Bullying can take many forms and can include many different behaviors having the overt intent to ridicule, humiliate or intimidate another student. Examples of conduct that could constitute bullying include:
  - ▶ Physical violence and/or attacks;
  - ▶ Verbal taunts, name-calling and put-downs, including taunts based on ethnicity, gender, religion, sexual orientation, or other protected and/or individual characteristics.
  - ▶ Threats and intimidation (through words and/or gestures).
  - ▶ Extortion or stealing of money and/or possessions.

**Series 5000: Students****Conduct****Bullying Behavior in the Schools (continued)****II. Complaint processes****A. Publication of the prohibition against bullying and related procedures**

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

“Bullying behavior by any student in the Southington Public Schools is strictly prohibited, and such conduct may result in disciplinary action, including suspension/expulsion from school. “Bullying” means any overt acts by a student or group of students directed against another student with the intent to ridicule, humiliate or intimidate the other student while on school grounds or at a school-sponsored activity, which acts are repeated against the same student over time.

Students and parent(s)/guardian(s) may file verbal or written complaints concerning suspected bullying behavior, and students shall be permitted to anonymously report acts of bullying to teachers and school administrators. Any report of suspected bullying behavior will be promptly reviewed. If acts of bullying are verified, prompt disciplinary action may be taken against the perpetrator, consistent with his/her rights of due process. Board policy and regulation # 5130 set forth this prohibition and the related procedures in detail, and are available to students and their parents/guardians upon request.”

**B. Formal complaints**

Students, parent(s) or guardian(s) may file written reports of conduct that they consider to be bullying. Such written reports shall be reasonably specific as to the actions giving rise to the suspicion of bullying, including time and place of the conduct alleged, the number of such incidents, the target of such suspected bullying, and the names of any potential student or staff witnesses. Such reports may be filed with any teacher or administrator, and they shall be promptly forwarded to the building principal/designee for review and action in accordance with Section IV below.

**Series 5000: Students****Conduct****Bullying Behavior in the Schools (continued)****C. Informal complaints**

Students may make an informal complaint of conduct that they consider to be bullying by verbal report to a teacher or administrator.

Such informal complaints shall be reasonably specific as to the actions giving rise to the suspicion of bullying, including time and place of the conduct alleged, the number of such incidents, the target of such suspected bullying, and the names of any potential student or staff witnesses. A teacher, other professional employee, or administrator who receives an informal complaint shall promptly reduce the complaint to writing, including the information provided. Such written report by the teacher, other professional employee and/or administrator shall be promptly forwarded to the building principal/designee for review and action in accordance with Section IV below.

**D. Anonymous complaints**

Students who make an informal complaint as set forth above may request that the teacher(s) and administrator(s) who receive the complaint maintain their name in confidence. Should anonymity be requested, the principal/designee shall meet with the student to review the request for anonymity and the impact that maintaining anonymity of the complaint may have on the investigation of the complaint and/or possible remedial action. At such meeting, the student shall be given the choice as to whether to maintain the anonymity of the complaint. Anonymous complaints shall be reviewed and reasonable action will be taken to address the situation to the extent such action may be taken that (1) does not disclose the source of the complaint, and (2) is consistent with the due process rights of the student(s) alleged to have committed acts of bullying provided that no disciplinary action shall be taken solely on the basis of an anonymous complaint

**Series 5000: Students****Conduct****Bullying Behavior in the Schools (continued)****III. Staff responsibility and intervention strategies****A. Teachers and other school staff**

Teachers and other school staff, who witness acts of bullying, as defined above, shall promptly notify the building principal/designee of the events observed, and shall promptly file a written incident report concerning the events witnessed. Teachers and other school staff who receive student or parent reports of suspected bullying shall promptly notify the building principal/designee of such report(s). If the report is a formal, written, complaint, such complaint shall be forwarded promptly (no later than the next school day) to the building principal/designee. If the report is an informal complaint by a student that is received by a teacher or other professional employee, he or she shall prepare a succinct written report of the informal complaint which shall be forwarded promptly (no later than the next school day) to the building principal/designee. If the report is an informal complaint by a student that is received by other school staff, this employee shall report the matter in writing to the principal/designee promptly (no later than the next school day).

In addition to addressing both informal and formal complaints, teachers and other professional staff members are encouraged to address the issue of bullying in other interactions with students. Teachers and other professionals may find opportunities to educate students about bullying and help eliminate bullying behavior through class discussions, counseling, and reinforcement of socially-appropriate behavior.

Teachers and other professional employees should intervene promptly whenever they observe student conduct that has the purpose or effect of ridiculing, humiliating or intimidating another student, even if such conduct does not meet the formal definition of "bullying".

**Series 5000: Students****Conduct****Bullying Behavior in the Schools (continued)****B. Administrator responsibilities****1. Investigation**

The principal/designee shall be promptly notified of any formal or informal complaint of suspected bullying received by any building administrator, teacher or other professional employee. Under the direction of the building principal/designee, all such complaints shall be investigated promptly within 14 calendar days. A written report of the investigation shall be prepared when the investigation is complete. Such report shall include findings of fact, a determination of where acts of bullying were verified, and, when acts of bullying are verified, a recommendation for intervention, including disciplinary action. When appropriate, written witness statements shall be attached to the report.

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

**2. Remedial actions**

Verified acts of bullying shall result in intervention by the building principal/designee that is intended to assure that the prohibition against bullying behavior is enforced, with the goal that any such bullying behavior will end as a result.

Bullying behavior can take many forms and can vary dramatically in how serious it is, and what impact it has on the victim and other students. Accordingly, there is no one prescribed response to verified acts of bullying. While conduct that rises to the level of "bullying" as defined above will generally warrant disciplinary action against the perpetrator of such

**Series 5000: Students****Conduct****Bullying Behavior in the Schools (continued)**

bullying, whether and to what extent to impose disciplinary actions (detention, in-school suspension, suspension or expulsion) is a matter for the professional discretion of the building principal/designee. The following sets forth possible interventions for building principals to enforce the Board's prohibition against bullying.

**a. Non-disciplinary interventions**

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

If a complaint arises out of conflict between students or groups of students, peer mediation may be considered. Special care, however, is warranted in referring such cases to peer mediation. A power imbalance may make the process intimidating for the victim and therefore inappropriate. The victim's communication and assertiveness skills may be low and could be further eroded by fear, resulting from past intimidation and fear of future intimidation. In such cases, the victim should be given additional support. Alternatively, peer mediation may be deemed inappropriate to address the concern.

**b. Disciplinary interventions**

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

In-school suspension and suspension may be imposed only after informing the accused perpetrator of the reasons for the proposed suspension and giving him/her an opportunity to explain the situation.

**Series 5000: Students****Conduct****Bullying Behavior in the Schools (continued)**

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

**3. General 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 improve upon any potential problem with bullying in school or at school-sponsored activities. While no specific action is required, a school's need for such interventions may vary from time to time. The following list of potential intervention strategies shall serve as a resource for administrator, teachers and other professional staff members in each school:

- a. Respectful responses to bullying concerns raised by students, parents or staff;
- b. Planned professional development programs addressing bully/victim problems;
- c. Data collection to document bully/victim problems to determine the nature and scope of the problem;
- d. Use of peers to help improve the situation of victims and include them in group activities;
- e. Avoidance of sex-role stereotyping (e.g. males need to be strong and tough);
- f. Awareness and involvement on the part of staff and parents with regards to bully-victim problems;
- g. A curriculum that promotes communication, friendship, assertiveness skills, and character education;
- h. Modeling by teachers of positive, respectful, and supportive behavior toward students;
- i. Creating a school atmosphere of team spirit and collaboration that promotes appropriate social behavior by students in support of others;

**Series 5000: Students****Conduct****Bullying Behavior in the Schools (continued)**

- j. Employing classroom strategies that instruct students how to work together in a collaborative and supportive atmosphere;

**IV. Reporting obligations****A. Report to the parent(s)/guardian(s) of the perpetrator**

If after investigation, acts of bullying by a specific student are verified, the building principal/designee shall notify the parent(s)/guardian(s) of the perpetrator in writing of that finding. If disciplinary consequences are imposed against such student, a description of such discipline shall be included in such notification.

**B. Reports to the victim and his/her parent(s)/guardian(s)**

If after investigation, acts of bullying against a specific student are verified, the building principal/designee shall notify the parent(s)/guardian(s) of the victim of such finding. In providing such notification, care must be taken to respect the statutory privacy rights of the perpetrator of such bullying. The specific disciplinary consequences imposed on the perpetrator, as reflected in the student's educational records, shall not be disclosed to the parents or guardian of the victim, except as provided by law.

**C. List of verified acts of bullying**

The principal of each school shall maintain a list of the number of verified acts of bullying in the school, and this list shall be available for public inspection upon request. Given that any determination of bullying involves repeated acts over time, each report prepared in accordance with Section III (1) above that includes verified acts of bullying shall be tallied as one verified act of bullying unless the specific actions that are the subject of the report involve separate and distinct acts of bullying. The list shall be limited to the number of such verified acts of bullying in the school, and it shall not set out the particulars of each verified act, including but not limited to any personally identifiable student information, which is confidential information by law.

Regulation Adopted: April 2005

Regulation Revised: April 2009

**Series 5000: Students****Activities****Student Conduct, Corporal Punishment and Use of Reasonable Force to Maintain Discipline**

The conduct of students in school has an important effect on school achievement. Thus, while ultimate responsibility for student behavior rests with the parents and the students themselves, the schools have the obligation to ensure that appropriate standards of conduct are maintained in the school setting. To enable parents and guardians to fulfill their responsibility, the schools also have an obligation to keep them informed should students not meet these standards. Parents are encouraged to inquire at any time about their children or school discipline generally.

Students shall conduct themselves in keeping with their level of maturity, acting with due regard for the educational purpose underlying all school activities, for the widely shared use of school property, for the rights and welfare of other students and staff, and for the supervisory authority vested by the Board in all district employees.

All employees of the district shall share responsibility for supervising the behavior of students and for seeing that they meet the standards of conduct which have been or may hereafter be established by the Board of Education or its designees.

An employee will act to help a student conduct himself/herself properly. Corrective measures shall reflect the concern of school personnel for the dignity and growth potential of each individual and at the same time reflects a firm commitment to the larger interests of all students and the community.

Corporal punishment, which shall be defined as any kind of punishment inflicted on the body as a means of correction, shall not be employed in the Southington Public Schools. However, reasonable force may be used by a teacher or other staff member for the purpose of restraining a student from conduct which endangers persons or property or which is disruptive to the educational program.

**Series 5000: Students****Activities****Student Conduct, Corporal Punishment and Use of Reasonable Force to Maintain Discipline (continued)**

The superintendent shall develop rules and procedures whereby those students who are disruptive of the educational process or who endanger persons or property will be subject to disciplinary sanctions as outlined in Policy 5114 Suspension, Expulsion, and Removal From Class. The school principal shall be responsible to the superintendent of schools for the conduct of students in his/her school and shall have the authority to formulate school rules and regulations to enforce standards of student behavior which conform with policies and procedures established by the Board of Education and the superintendent of schools.

The principal in each school shall inform all parents and students at least annually of the standards governing student conduct in that school.

Legal Reference:  
Connecticut General Statutes  
§53a-18

***Cross Reference:***

Policy 5114, Suspension, Expulsion and Removal From Class

Policy Adopted: July 1976  
Policy Revised: September 1977  
Policy Revised: May 1987  
Policy Revised: June 2000  
Policy Revised: August 2002

**Series 5000: Students****Activities****Student Conduct, Corporal Punishment and Use of Reasonable Force to Maintain Discipline**

During school hours it shall be the duty of every member of the district-employed staff of the school to take reasonable action to develop and maintain appropriate student behavior when students are on school premises or when students are participating in school-sponsored activities.

Whenever specific assignment to a classroom, activity, intramural program, etc. is made, the particular staff member to whom such assignment is made is charged with responsibility for student participants' conduct until all participants have left the premises.

Teachers shall initially handle all discipline cases arising under their supervision. If a teacher believes that a serious problem is developing, he/she should consult with the principal, parents, associate principal, assistant principal, or counselor as appropriate in an effort to resolve the problem before more serious steps need to be taken.

Unless other steps are specifically mandated within the disciplinary procedures, or the family specifically requests that communications be handled otherwise, the parent or guardian shall be informed by telephone or letter whenever a student is disciplined by the principal or assistant principal for violation of the standards of conduct contained in Section III of Regulation 5114.

When deemed appropriate the administrator shall also communicate by telephone or letter with the parents or guardians of students who have been involved in an incident peripherally or as an innocent bystander, have been injured, or suffered loss or property damage.

**Legal Reference:**

*Connecticut General Statutes*  
§53a-18

**Cross Reference:**

Policy 5114, Suspension, Expulsion, and Removal From Class

Regulation Reviewed: July 1976

Policy Revised: August 1986

Policy Revised: August 1991

Policy Revised: June 7, 2000

Policy Revised: August 2002

**Series 5000: Students**

**Activities**

**Conduct**

**Bus Conduct**

School transportation privileges are extended to students conditional upon their satisfactory behavior on the bus.

Students will be advised that they may be suspended from transportation services for unsatisfactory conduct while awaiting or receiving transportation to and from school which endangers persons or property or violates a board policy or administrative regulation.

(cf. 5114/5114.1 – Suspension/Expulsion:Due Process)

**Legal Reference:**

*Connecticut General Statutes*

- 10-186 Duties of local and regional boards of education re school attendance
- 10-220 Duties of boards of education
- 10-221 Boards of education to prescribe rules
- 10-233c Suspension of students

Policy adopted: February 1989

Policy reviewed: August 2002

**Series 5000: Students**

**Bus Conduct**

**Guidelines for Student Behavior on School Buses**

A copy of the Code of Behavior for Bus Students shall be furnished to each student entitled to bus transportation at the beginning of each school year. The code will be furnished by the school in which the student is enrolled.

Students who violate the Code of Behavior will be referred to the school principal or assistant principal for appropriate disciplinary action.

Students who are disruptive or who engage in destructive behavior will be denied transportation.

**Code of Behavior for Bus Students**

The main goal of the transportation program is to provide transportation with maximum safety for all students who are eligible under board of education policy and state statutes. It is expected that full cooperation and courtesy will be maintained among the home, the school, and the bus driver.

Students should consider the use of school buses a privilege which must not be abused. Students are to observe the following rules and regulations of conduct and safety:

**Behavior While Waiting to Board the Bus**

***On the way to school, students shall:***

1. be at the bus stop on time
2. wait for the bus on the sidewalk or on the shoulder of the highway, but not on the paved roadway
3. respect private property
4. refrain from creating hazardous conditions by not throwing articles at passing vehicles
5. conduct themselves in a courteous manner at all times
6. wait for the bus to come to a full stop before attempting to board it
7. wait their turn and avoid crowding so as not to disturb others or cause accidents

On leaving school, students are to follow the directions of the school administration and teachers.

**Series 5000: Students**

**Bus Conduct**

**Guidelines for Student Behavior on School Buses (continued)**

**Behavior While Aboard the Bus Riding To or From School**

***When riding in the bus, students shall:***

1. be seated as soon as possible
2. follow the directions of the bus driver, and bus aide/or teacher in charge of the bus
3. remain in their seats while the bus is in motion
4. keep the aisles clear
5. observe rules of good conduct and courtesy to fellow students and to the bus driver
6. converse quietly and avoid shouting and profanity
7. refrain from offending pedestrians or passengers in other vehicles by shouting out windows or making obscene gestures
8. keep from throwing objects in or out of the bus
9. keep windows closed unless the driver grants permission to open them
10. keep arms, legs, and head within the bus if windows are open
11. help keep the bus clean and sanitary by refraining from eating or drinking
12. refrain from smoking
13. protect property by refraining from damaging seats and equipment
14. Never use rear door of the bus except in emergency when the bus has completely stopped. The signal in an emergency for use of the rear door must be given by the driver unless he/she has been incapacitated by an accident

**Behavior When Leaving the Bus**

***On arrival at school, students shall:***

1. remain seated until the bus is fully stopped
2. leave the bus in a single file starting from the front door and walk in an orderly manner to school designated areas
3. immediately clear the bus area

***On arrival at home, bus stop students shall:***

1. remain seated until the bus is fully stopped
2. leave the bus in an orderly manner
3. if it is not necessary to cross the highway, stand 10 ft off the shoulder of the road, or on the sidewalk until the bus has moved on, then when traffic can be seen in both directions, walk on the shoulder of the road (or the sidewalk) to their homes

**Series 5000: Students**

**Bus Conduct**

**Guidelines for Student Behavior on School Buses (continued)**

4. if across the highway from home, stand on the shoulder of road, wait until the driver signals that it is safe to cross, and then cross 10 ft. in front of the bus
5. walk in a single file on the left shoulder of the road facing traffic, if there is no sidewalk

Students who fail to observe the above rules and regulations shall, after notification by the school administration, be given warning or be denied transportation immediately depending on the severity of the offense.

**Parents' Responsibility For Bus Students**

The cooperation of parents is needed to maintain proper conduct at bus stops and on school buses. If school authorities suspend the student from riding on the bus because of disorderly conduct, it becomes the responsibility of the parents to see that the student gets to school.

1. Parents should review the procedures outlined in the Code of Behavior for Bus Students with their children.
2. Parents should accompany the younger children to the bus stop for the first few days.
3. Parents who meet the school bus should wait on the side of the street where the bus stops. Children are then not tempted to rush across the highway regardless of traffic.
4. Parents should at all times set a good example in observing traffic rules and regulations.

Regulations approved: August 1989

Regulation reviewed: August 2002

**Series 5000: Students****Activities****Conduct****Vandalism****Vandalism by Minors**

The parent or guardian of any minor/unemancipated child who willfully cuts, defaces, or otherwise injures in any way any property, real or personal, belonging to the school district shall be held liable for all such damages up to the maximum amount allowed under state law.

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

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

**Vandalism by an Adult Student**

An adult student shall be held personally liable for any damage done to any property, real or personal, belonging to the school district. The student may also be subject to disciplinary action.

(cf. 6161.2 – Care of Instructional Materials)

***Legal Reference:***

*Connecticut General Statutes*

10-221© Boards of education to prescribe rules

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

Policy Adopted: February 1989

Policy Reviewed: August 2002

**Series 5000:      Students**

**Elementary and Secondary Schools**

**Vandalism by Minors**

**Guidelines for School Property Damage**

A student who shall in any manner willfully deface or otherwise injure any portion of school property shall be liable to suspension or other disciplinary action, according to the nature of the offense. Any pupil who defaces or damages any school property willfully shall be required to pay all costs.

To insure proper handling and preservation of books, a student shall be required to pay to the school principal the replacement value of any book or piece of equipment lost or damaged beyond ordinary wear while in his/her possession.

Failure of any pupil to reimburse the school principal for damaged or lost materials may lead to the withholding of grades, transcripts or report cards.

Regulation Approved:    August 1989  
Regulation Reviewed:    August 2002

**Series 5000: Students****Activities****Conduct****Drugs, Alcohol, Tobacco**

It is the policy of the schools to take positive action through education, counseling, parental involvement, medical referral, and police referral in the handling of incidents in the schools involving the possession, sale and/or use of illicit drugs and alcohol. In addition, students will be made aware that the possession, use or distribution of drugs or alcohol is prohibited and that students who violate this policy on school property or during a school-sponsored activity will be subject to disciplinary action, up to and including expulsion from school.

Personal privacy rights of students shall be protected as provided by law.

School properties, including student desks and lockers, may be inspected by school authorities in the interest of maintaining health and safety. Inspections for the location of drugs, narcotics, liquor, weapons, poisons and missing properties are matters relating to health and safety and may be regarded as reasonable purposes for inspection by school personnel (cf. 5145.12 – Search and Seizure).

Smoking is prohibited at all times by students in the school buildings and on school grounds and at school sponsored activities.

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

- 1-21b Smoking prohibited in certain places
- 10-220b Policy statement on drugs
- 21a-242 Schedules of controlled substances
- Sec, 31-409 Smoking in the Workplace
- Sec, 53-198 Smoking in Motor Buses, Railroad Cars and School Buses

Policy Adopted: February 1989

Policy Revised: October 1990

Policy Revised: April 1995

Policy Revised: August 2002

**Series 5000: Students****Bullying****Cyber Bullying**

Southington Public Schools computer network and the Internet, whether accessed on campus or off campus, during or after school hours, may not be used for the purposes of harassment. All forms of harassment by students over the Internet, commonly referred to as cyber bullying, are unacceptable and viewed as a violation of state law and Board acceptable computer use policy and regulations.

Malicious use of SPS computer system to develop programs or to institute practices that harass other users, gain unauthorized access or damage any components of the network is prohibited. Users are responsible for the appropriateness of the material they transmit over the system. Hate mail, harassment, discriminatory remarks or other anti-social behaviors are expressly prohibited.

Cyber bullying includes, but is not limited to, the following misuses of technology: harassing, teasing, intimidating, threatening, or terrorizing another person by sending or posting inappropriate and hurtful e-mail messages, instant messages, text messages, digital pictures or images or website postings.

Students, staff, and community members, who believe they have been the victims of such misuse of technology, as described in this policy, should not erase the offending material from the system. A copy of the material should be printed and brought to the attention of the administration. The administration shall fully investigate all reports of cyber bullying.

In situations in which the cyber bullying originated from a non-school computer, but is brought to the attention of school officials, any disciplinary action shall be based on whether the conduct is determined to be severely disruptive of the educational process so that it markedly interrupts or severely impedes the day-to-day operations of a school. Such conduct includes, but is not limited to, threats to kill or hurt a staff member or student.

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

**Series 5000:      Students**

**Bullying**

**Legal Reference:**

*Connecticut General Statutes*

Cf.0521, Nondiscrimination  
Cf.5114, Suspension and Expulsion/Due process  
Cf. 5131, Conduct  
Cf. 5131.21, Threats or Acts of Violence  
Cf. 5131.8, Off School Grounds Misconduct  
Cf. 5131.912, Aggressive Behavior  
Cf. 5131.911, Bullying  
Cf. 5144. Discipline/Punishment  
Cf. 5145.5, Non-discrimination  
Cf. 5145.5, Sexual Harassment  
Cf. 5145.51, Peer Sexual Harassment

PA 02-119, An Act Concerning Bullying Behavior in Schools and Concerning the Pledge of Allegiance  
*Kyle P. Packer PPA Jane Packer v. Thomaston Board of Education.* (SC 15862)

**Series 5000: Students****Activities****Dress and Grooming**

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

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

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

1. reflect discrimination as to civil rights;
2. enforce particular religious tenets;
3. do not fall within the direct or implied powers of the Board of Education

The Board of Education has addressed the specific issue of hats in the schools:

1. At the discretion of the principal, hats may be worn in the school setting, but not in individual classrooms;
2. Exceptions to the classroom limitation are allowed when
  - hats are required for curricular reasons
  - hats are worn to school as part of a special “hat day” event as approved by the principal

The administration is encouraged to establish any needed regulations consistent with this policy through cooperative planning with staff, students, and parents.

Policy Adopted: February 1989  
Policy Revised: May 1997  
Policy Reviewed: August 2002

**Series 5000:      Students**

**Activities**

**Dress and Grooming**

**Student Dress Regulations**

Each student in the Southington Public Schools has the responsibility of dressing in appropriate attire with respect to neatness, decency, modesty, health and safety. Through their dress, students will demonstrate respect for themselves, their fellow students, and for the educational process.

When choosing an outfit for school, students should keep in mind that their choice of clothing can affect the learning environment and will be judged along more formal than informal guidelines. Summertime clothing or other types of casual or similar dress should not be worn if it is going to be considered unsafe or disruptive to the school setting. At no time will tops be allowed which expose a bare midriff.

Clothing with offensive language, messages, or illustrations is not allowed. The term, offensive, includes but is not limited to any wording or symbols that advertise or promote the imagery of alcohol, tobacco, or other drugs, or which debase or negatively portray any individual or group through cultural, political, racial, religious, sexual, or other innuendo. Also included are types of clothing that contain violence, hate or death messages.

Whenever dress does not conform with these regulations, the student will be counseled and more appropriate apparel will be required. The school principal or assistant principal will make the final determination as to whether this regulation has been violated.

Regulations Approved: August 1989  
Regulation Revised: May 1997  
Regulation Revised: March 1999  
Regulation Revised: October 2002

**Series 5000: Students****Student Activity****Participation in Athletics and Other Co-Curricular Activities**

Participation in athletics or co-curricular activities (previously referred to as extra-curricular activities) at Southington Public Schools is a privilege and demands certain commitments and responsibilities. The school system and the community have a high level of expectations for the students who represent the schools. Therefore, it is expected that student athletes and participants in other co-curricular activities shall conform to the behavioral norms of the school, the rules and regulations established in the student handbook, and any other published or established rules or regulations applicable to a particular activity.

When the administration becomes aware of any student athlete or participant in co-curricular activities who violate appropriate behavioral standards, it has the right to suspend or dismiss the student from the athletic team or co-curricular activity. Students may not appear at or participate in events related to their team or student organization during the time in which they are suspended from their sport or activity. The expectation of appropriate behavior for students does not end when an athletic season or student program is over, or when that student is off school grounds. Therefore, out of season violations may affect in season participation as determined by the administration.

Behaviors that could result in suspension or dismissal from an athletic team or co-curricular activity include, but are not limited to, the following behaviors exhibited on or off school property, at any time of the day, week or year.

1. Acts of insubordination toward any school district employee or representative, or any official responsible for conducting or coordinating an athletic or co-curricular activity.
2. Cutting classes or school or team/student organization activities.
3. Lack of academic effort or not meeting basic academic eligibility requirements.
4. Stealing of any kind.
5. Vandalism or property destruction.
6. Use, sale, distribution or possession of illegal substances, drugs or alcohol.
7. Any behavior which is in violation of school rules or the laws of the Local, State or Federal Governments.

Policy Adopted: September 2009

**Series 5000: Students**

**Student Activity**

**Participation in Athletics and Other Co-Curricular Activities**

Participation in athletics or co-curricular activities (previously referred to as extra-curricular activities) at Southington Public Schools is a privilege and demands certain commitments and responsibilities. The school system and the community have a high level of expectations for the students who represent the schools. Therefore, it is expected that student athletes and participants in other co-curricular activities shall conform to the behavioral norms of the school, the rules and regulations established in the student handbook, and any other published or established rules or regulations applicable to a particular activity (Policy 5133).

All of the rules and regulations established in the student handbook, and any other published or established procedures, rules or regulations applicable to a particular activity and related to student behavior, conduct or discipline must be consistent with Policy 5133. Any changes to said procedures, rules or regulations must be approved by the Superintendent or designee prior to adoption or publication.

**Series 5000: Students****Elementary and Secondary Schools****Activities****Married/Pregnant Students**

Married students shall have the same educational opportunities in this school system as unmarried students.

Further, the responsibility of the board of education for the education of all school-age children includes the pregnant student, married or unmarried. These students shall be allowed to remain in school and support services shall be made a part of the school program. Any variation from their continuing in regular school classes shall be based upon their assessed needs. A pregnant girl may remain in her regular school program as long as her physical and emotional condition permits. Homebound and hospitalized instruction shall be provided when deemed necessary as provided by law.

**Legal Reference:**

*Connecticut General Statutes*

10-184 Duties of parents

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

***State Board of Education Regulations***

10-76a-35 Definitions of exceptionalities

10-76d-15 Homebound and hospitalized instruction (subsection b4)

Policy Adopted: February 1989

Policy Reviewed: August 2002

**Series 5000: Students**

**Welfare**

**Health/Illness**

**Communicable Diseases**

It is the policy of the Board of Education that all students have a constitutional right to a free, suitable program of educational experience. In the case of communicable disease, it is the Board's position that students so infected should be allowed to participate in the regular classroom instructional program as long as their attendance does not present a health risk to themselves, other students or staff.

The superintendent, in consultation with the school physician, shall develop regulations to guide staff in referring and monitoring students who have been diagnosed or suspected of having a communicable disease.

Policy Adopted: February 1989  
Policy Reviewed: August 2002

**Series 5000: Students**

**Welfare**

**Illness/Communicable Diseases**

Attendance Procedures and Criteria for Students with Communicable Diseases

1. All students in Southington have a constitutional right to a free, suitable program of educational experience.
2. As a general rule, a student with a chronic infectious disease will be allowed with the approval of the student's physician to attend school in a regular classroom setting and will be considered eligible for all rights, privileges and services provided by law and existing policy of the Southington Public Schools.
3. The school nurse will function as (a) the liaison with the student's physician, (b) the student's advocate in the school (i.e., assist in problem resolution, answer questions), and (c) the coordinator of services provided by other staff.
4. The school will respect the right of privacy of the individual. Therefore, knowledge that a student has a chronic infectious disease will be confined to those persons with a direct need to know (e.g., principal, school nurse, student's teacher). Those persons will be provided with appropriate information concerning such precautions as may be necessary and should be aware of confidentiality requirements.
5. Based upon individual circumstances, appropriate instruction will be provided.
6. Under certain circumstances, a student with a chronic infectious disease might pose a risk of transmission to others. If any such circumstances exist, the school medical advisor, in consultation with the school nurse and student's physician, must determine whether a risk of transmission exists. If it is determined that the risk exists, the student shall be removed from school.

**Series 5000: Students**

**Welfare**

**Illness/Communicable Diseases (continued)**

7. A student with a chronic infectious disease may be temporarily removed from school for the reasons stated (#6 above) until an appropriate school program adjustment can be made, an appropriate alternative education program can be established, or the medical advisor determines that the risk has abated and the student can return to the classroom.
  - a. Removal from the school will not be construed as the only response to reduce risk of transmission. School personnel shall be flexible in developing alternatives and shall attempt to use the least restrictive means to accommodate the student's needs.
  - b. In any case of temporary removal of the student from the school setting, state regulations and school policy regarding homebound instruction will apply.
8. Each removal of a student with a chronic infectious disease from normal school attendance will be reviewed by the school medical advisor in consultation with the student's physician at least once every month to determine whether the condition precipitating the removal has changed.
9. A student with a chronic infectious disease may need to be removed from the classroom for his/her own protection when other communicable diseases (e.g., measles or chicken pox) are occurring in the school population. This decision will be made by the student's physician and parent/guardian in consultation with the school nurse and/or the school medical advisor.

**Series 5000: Students**

**Welfare**

**Illness/Communicable Diseases (continued)**

10. All staff must use the following routine and standard procedures to clean up after a child has an accident or injury at school. Blood or other body fluids emanating from any student, including ones known to have a chronic infectious disease should be treated cautiously. Gloves must be worn when cleaning up blood spills. These spills should be disinfected with either bleach or another disinfectant, and persons coming in contact with them should wash their hands afterwards. Blood-soaked items should be placed in leak proof bags for washing or further disposition. Similar procedures are required for dealing with vomitus and fecal or urinary incontinence in any student. Hand washing after contact with a student is required if physical contact has been made with the student's blood or body fluids, including saliva.
  
11. All staff members are required to follow the Southington Board of Education Bloodborn Pathogens Exposure Control Plan.

**Series 5000: Students****Medication****Prohibition on Recommendations for Psychotropic Drugs**

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

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

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

**Series 5000: Students**

**Elementary and Secondary**

**Welfare**

**Health/Illness**

**Administering Medication**

The superintendent will designate personnel who may administer medication to students during the course of the school day within the limits of legal provision of state law.

Legal Reference:

Connecticut General Statutes

10-212a Administration of medicines by school personnel

Policy Adopted: February 1989  
Policy Revised: October 1992  
Policy Revised: August 2002  
Policy Reviewed: November 2005

**Series 5000: Students**

**Elementary and Secondary**

**Welfare**

**Health/Illness**

**Administering Medication**

**Procedures for Administering Medication**

In those cases where the principal and/or school nurse decides that a parent/guardian request for administration of medicine to a student at school is to be approved, the following procedures will be observed:

1. The administration of medication to students shall be done only in exceptional circumstances wherein the student's health may be jeopardized without it and only when such administration has been requested and approved by the student's parent(s)/guardian(s) and physician.
2. Students requiring medication at school shall be identified to the school by parent(s)/guardian(s) and/or physician. After a student has been identified to the school as needing medication during school hours, the school nurse or properly appointed representative for the school shall meet with the parent(s)/guardian(s) to identify the type, dosage, and purpose of said medication.
3. All prescription and nonprescription medications in the original labeled container are to be delivered to the school by the parent/guardian or other responsible adult and shall be received by the licensed nursing personnel assigned to the school.
4. The parent(s)/guardian(s) will be requested to secure from the physician a prescription for duplicate supplies of said medication, one supply to be kept at home and one supply to be kept at school. In the absence of the school nurse, the school principal will designate the person at the school to be responsible for the supply of medication at the school. Supplies shall contain the name and telephone of the pharmacy, the student's identification, name of physician, and the dosage of the medication to be given. Taking the dosage shall be supervised by the school nurse or other

**Series 5000:      Students**

**Elementary and Secondary**

**Welfare**

**Health/Illness**

**Administering Medication**

**Procedures for Administering Medication (continued)**

designated school personnel at a time conforming with the physician's indicated dosage schedule.

5. The administration of aspirin or ibuprofen to a student under 12 years of age shall require the authorization of a licensed physician.
6. Form letters to parent(s)/guardian(s) will be used to facilitate these procedures.
7. A list of students needing medication during school hours, including the type of medication and dosage, will be maintained at the local school in the principal's and/or nurse's office. This list is to be reviewed and updated periodically.
8. The following options can be considered regarding the administration of medications to students on a field trip:

Medication can be administered by teachers, coaches, or principals who choose to be trained in the safe administration of oral, topical, or inhalant medications. This training (and annual review and updates) shall include, but not be limited to: 1. The procedural aspects of medication administration, the safe handling and storage of medications, and recording; 2. The medication needs of specific students, medication idiosyncrasies, and desired effects, potential side effects or untoward reactions.

- b. It is also possible to be trained to administer a specific medication to a student only for a scheduled field trip. Medication to be administered on a field trip must be accompanied by a copy of the original physician's and/or parental/guardian authorization form and student medication administration record.

**Series 5000: Students**

**Elementary and Secondary**

**Welfare**

**Health/Illness**

**Administering Medication (continued)**

**Procedures for Administering Medication**

- c. In addition, a duly trained and supervised paraprofessional employee may administer an epipen injection to a specific student with a medically diagnosed allergic condition that may require prompt treatment in order to protect the student against serious harm or death. The District shall maintain and update annually: (1) Documentation of such training; (2) A list of those who have been trained.
- d. A student who is accompanied by school personnel not trained to administer medication may be accompanied by a parent/guardian who will then administer the required medication.
- e. The school nurse can distribute only medications with the appropriate authorization forms and instructions to a student's parent(s)/guardian(s) and principals or teachers who have been properly trained.
- f. When possible, medications required for a field trip that are not normally administered in school may be administered by a parent/guardian before the field trip.
- g. In some instances, it may be possible for a medication to be held or delayed and administered after the field trip. To hold or delay administering a medication, the school nurse must receive the written physician's or dentist's order and the parent(s)/guardian(s) authorization on the form designated for this purpose. The school nurse must document this in the student's cumulative health record.
- h. The school district will institute procedures to ensure that a student's health or medication needs will not preclude participation on a field trip.

**Series 5000: Students**

**Elementary and Secondary**

**Welfare**

**Health/Illness**

**Administering Medication (continued)**

**Standing Orders From The School Physician**

It is both medically and legally necessary to have standing orders in effect. These standing orders have been developed to cover the present responsibilities and subsequent actions of the school nurse.

A copy of the standing orders will be subject to yearly review and approval by the nursing supervisor and the school physician.

The self-administration of non-controlled medication by students in grades K-5 is restrictive and may only be instituted to protect the student against serious harm or death. Students in grades 6-12 may self-administer a non-controlled medication for a specific health requirement. A student may only self-administer a medication with the written order of a physician or dentist and the written authorization of a parent/guardian on the form designated for this purpose. This authorization must be renewed each school year.

Self-administration of medication shall only be permitted when: (a) the school nurse has evaluated the situation and deemed it to be safe and appropriate, has documented this on the student's cumulative health record, and has developed a plan for general supervision; (b) the principal and appropriate teachers are informed that the student is self administering prescribed medication. A student may continue to maintain proper control of the medication. If it is observed by school personnel that the student is abusing the authorization to self-medicate, either by dispensing medication to others or by incorrectly taking the medication, the school nurse will require that the medication be maintained under his/her control, the parent(s)/guardian(s) will be notified, and disciplinary consequences may occur.

Form letters to parent(s)/guardian(s) will be used to facilitate these procedures.

**Series 5000:      Students**

**Elementary and Secondary**

**Welfare**

**Health/Illness**

**Administering Medication**

**Emergencies**

No teacher or other school employee is required to render first aid or administer medication. However, any such employee who has completed a course in first aid offered by a recognized health/medical organization/individual and a course given by the school medical advisor or a licensed physician in the administration of medication by injection, who elects to render emergency care shall not be held liable in civil action for consequences of such assistance, according to the terms of the law.

***Legal Reference:***

***Connecticut General Statutes***

10-212a      Administration of medicines by school personnel

52-557b      Immunity from liability for emergency medical assistance, first aid or medication by injection. School personnel not required to administer or render

Regulation Approved:      August 1989  
Regulation Revised:      September 1992  
Regulation Revised:      April 1993  
Regulation Revised:      December 1995  
Regulation Revised:      August 2002  
Regulation Revised:      November 2005

**Series 5000: Students****Welfare****Health/Illness****Health Assessments and Immunizations**

The board recognizes the importance of periodic health assessments according to state health regulations.

To determine the health status of students, facilitate the removal of handicaps to learning, and find out whether some special adaptation of the school program may be necessary, the board of education may request that students have health assessments.

The board of education adheres to those state laws that pertain to school immunizations and health assessments. The board may deny continued attendance in school to any student who fails to obtain the required health assessments.

The policies of the Southington Public Schools shall not be construed to require any pupil to undergo a physical or medical examination or treatment, or be compelled to receive medical instruction if the parent/guardian of such pupil, in writing, notifies the teacher or principal or other person in charge of such pupil that he/she objects, on religious grounds, to such physical or medical examination or treatment or medical instruction.

Before being permitted to attend a Southington Public School, each student shall show written proof of age appropriate immunization against measles, mumps, rubella (MMR), diphtheria, pertussis, and tetanus (DPT), poliomyelitis, and Haemophilus Influenza. Any individual born January 1, 1994 or later must be adequately protected against Hepatitis B (vaccine series of 3 doses or confirmed blood test required). Students born January 1, 1997 or after must show proof of immunity to varicella.

In addition, each student twelve years of age or entering seventh grade shall show written proof of a second dose of protection against measles, either the completion of or start of the Hepatitis B three (3) injection series, and must also show proof of immunity to varicella.

Effective August 2001, the completion of Hepatitis B three (3) injection series is required before entrance into grade 8.

**Series 5000: Students****Welfare****Health/Illness****Health Assessments and Immunizations (continued)**

If, in accordance with state law, a student presents a certificate from his/her physician certifying that in his/her opinion such vaccination or immunization would not be prudent on account of the student's physical condition, or a statement from his/her parent/guardian indicating that such vaccination or immunization would be contrary to his/her religious beliefs, or, in the case of immunization against mumps, measles, varicella, and rubella, a statement from a physician or director of health that the student has previously had the disease, the student shall be excused from this requirement. If such exemption is not permanent, written proof of continued exemption must be submitted annually. The school nurse or, in her/his absence, the building principal, shall be responsible for securing and verifying proof of compliance with the immunization requirement.

A tuberculin risk assessment is recommended prior to entering school and during each mandated health assessment.

New students from out of country are required to receive a mantoux tuberculin skin test.

**Series 5000: Students****Welfare****Health/Illness****Legal Reference:**

General Statutes of Connecticut

Chapter 169, Sections 10-204, 204a, and 208 P.A. 78-165

Commissioner's Circular Letter C8, Series 1978-79 P.A. 81-139

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

10-204	Vaccination
10-204a	Required immunizations
10-205	Appointment of school medical advisers
10-206	Health assessments
10-206a	Free health assessment
10-207	Duties of medical advisers
10-208	Exemption from examination or treatment
10-209	Records not to be public
10-212	School nurses
10-213	Vision, audiometric and postural Screenings

Policy Reviewed: December 1976

Policy Reviewed: January 1979

Policy Reviewed: October 1981

Policy Revised: May 1987

Policy Revised: October 1993

Policy Reviewed: November 1993

Policy Revised: January 1997

Policy Revised: May 2000

Policy Adopted: February 1989

Policy Reviewed: August 2002

Policy Revised: November 2005

**Series 5000: Students****Welfare****Health/Illness****Suicide Prevention**

The Board of Education recognizes that suicide is a complex issue and provides suicide prevention education for all faculty and students. While the school may recognize potentially suicidal youth, it cannot make clinical assessment of risk and provide in-depth counseling but must refer the youth to an appropriate place for such assessment and counseling.

Any school employee who may have knowledge of a suicide threat must take the proper steps to report this information to the building principal or his/her designee who, in turn, will notify the appropriate school officials, the student's family, and appropriate resources services.

## Legal Reference:

Connecticut General Statutes

PA 89-168 Child abuse and the prevention of youth suicide

Policy Adopted: January 1990

Policy Revised: July 1993

Policy Reviewed: August 2002

**Series 5000:      Students**

**Health Assessments and Immunizations**

**Procedures to be Followed in Cases of Suspected Suicide**

The Southington Public Schools has a comprehensive suicide prevention program in place in each school building. The program details specific steps to be taken by school personnel in a variety of situations where suicide has been attempted or appears to be a possibility. The following components are included in the suicide prevention program handbook:

- Identification of students who may be at risk for suicide
- Information for members of staff
- Guidelines for staff
- Local resources which can be employed
- Guidelines for dealing with a student who is at risk during the school day
- Guidelines for dealing with a student who has made an out-of-school attempt at suicide
- Guidelines for dealing with a student who has made an in-school attempt at suicide
- Special issues for staff to consider when utilizing guidelines

Regulation Approved:    August 1989

Regulation Reviewed:    August 2002

**Series 5000: Students****Welfare****Authorized Transportation**

Transportation of students participating in authorized activities such as educational field trips, participation in athletic events, and participation in other authorized school activities may be furnished at the school district's expense or on a cost-sharing basis as determined by the principal or an appropriate member of the staff. Approval for transportation shall be based on its educational value to support the established objectives of the school district.

Self-supporting, school-related transportation must have prior authorization of the superintendent of schools or his/her designee.

The Board of Education shall carry liability and property damage insurance in the maximum amount as determined by the board to cover privately owned vehicles used to provide transportation in Connecticut for an authorized activity of the Board of Education. Such liability and property damage insurance coverage shall be secondary to the employees' personal insurance coverage. Employees who regularly use personal vehicles for board business shall supply satisfactory evidence that they have currently in force liability and property insurance coverage no less than the minimum amount of coverage carried by the board.

Policy Revised: February 1989

Policy Reviewed: August 2002

**Series 5000:      Students****Child Abuse/Neglect****Reporting of Suspected Child Abuse/Neglect**

The Board of Education recognizes that a student's mental and physical health will have an affect on the student's ability to obtain the most benefit from attending school. In order to increase the student's ability to learn while in school, the Board of Education realizes the importance of identifying students who may be suffering from abuse, neglect or placed in imminent danger of serious harm. Pursuant to state law, when any school nurse, psychologist, physical therapist, teacher, administrator, guidance counselor, paraprofessional, social worker, coach of intramural or interscholastic athletics, or any other mandated reporter prescribed by law has reasonable cause to suspect or believe that a child under the age of 18 has been abused or neglected or has been placed in imminent risk of serious harm, he/she shall as soon as practicable but not later than twelve (12) hours make an oral report by telephone or in person to the Department of Children and Families (DCF), or a law enforcement agency. The Superintendent of Schools or his/her designee, principal, shall be notified immediately after the oral report has been made. The Superintendent of Schools or his/her designee, principal, shall not be notified if he/she is the alleged perpetrator of abuse and neglect.

Reports of abuse or neglect by the above-mentioned personnel ("mandatory reporters") shall include the following information, if known:

1. the names and addresses for the child and his/her parent(s)/guardian(s) or other person responsible for the child's care
2. the age of the child
3. the gender of the child
4. the nature and extent of the child's injury or injuries, maltreatment or neglect
5. the approximate date and time of the injury or injuries, maltreatment or neglect occurred
6. information concerning any previous injuries to, maltreatment of or neglect to the child or his/her siblings
7. the circumstances in which the injuries, maltreatment or neglect came to be known to the mandatory reporter
8. the name of the person or persons suspected to be responsible for causing such injury or injuries, maltreatment or neglect, and
9. whatever action, if any, was taken to treat, provide shelter or otherwise assist the child

**Series 5000: Students****Child Abuse/Neglect****Reporting of Suspected Child Abuse/Neglect (continued)**

The mandatory reporter shall submit a written report to DCF containing the above-mentioned information within 48 hours of making the oral report. The reporter shall also submit a copy of the written report to the Superintendent of Schools, except when the Superintendent is the alleged perpetrator of abuse. If the report concerns abuse or neglect by a school employee, the Superintendent shall immediately notify the child's parent/guardian or other person responsible for the child's care that a report of abuse or neglect has been made; if the report concerns abuse or neglect by a certified school employee, the Superintendent shall send a copy of the written report the Commissioner of Education. In making all written reports required under this policy, the reporter may use the "DCF-136" form.

Reports under this policy should be made where a mandatory reporter in the ordinary course of such person's employment or professional has reasonable cause to suspect or believe that any child under the age of eighteen

1. Has been abused in one or more of the following ways:
  - a. Has had physical injury or injuries inflicted upon him/her other than by accidental means
  - b. Has injuries which are at variance with the history given of them
  - 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
2. Has been neglected in one or more of the following ways:
  - a. Has been abandoned
  - b. Is being denied proper care and attention, physically, educationally, emotionally, or morally
  - c. Is being permitted to live under conditions, circumstances, or associations injurious to the child's well-being
3. Has had non-accidental physical injury, or injury which is at variance with the history given of such injury, inflicted upon such child; or
4. Is placed at imminent risk of serious harm

**Series 5000:      Students****Child Abuse/Neglect****Reporting of Suspected Child Abuse/Neglect (continued)**

When the Superintendent or his/her designee has been notified that an investigation by DCF is being conducted regarding an allegation that a child has been abused by a school employee who holds a certificate, permit or authorization issued by the State Board of Education, the Superintendent may immediately suspend such employee with pay and without termination of benefits.

When an investigation by DCF has determined that there is reasonable cause to believe that a child has been abused by a school employee who holds a certificate, permit or authorization issued by the State Board of Education, the Superintendent shall suspend such employee with pay and without termination of benefits, and shall notify the Board of Education and the Commissioner of Education or his representative of the reasons for and conditions of the suspension within seventy-two (72) hours after the suspension. The Superintendent shall also disclose those records provided by DCF concerning its investigation to the Commissioner of Education and the Board of Education or its attorney. If the contract of employment of such a certified school employee is terminated as the result of an investigation of abuse, the Superintendent shall notify the Commissioner of Education or his representative within seventy-two (72) hours after such termination.

The Superintendent is authorized to delegate his or her responsibilities for receiving and making reports, notifying and receiving notification, and conducting investigations to a designee acting in his or her behalf. Under state law, the Superintendent of Schools is authorized to receive notice from the State's Attorney of convictions of certified school employees for crimes involving an act of child abuse or neglect or sexual assault.

**Penalty**

Under state law, any person who is required to report suspected child abuse/neglect and fails to make such a report shall be fined in accordance with current state law, and shall be required to participate in an educational and training program established by DCF, the cost of which shall be paid by the participating mandatory reporter. Under state law, any person who knowingly makes a false report of child abuse or neglect shall be fined or imprisoned not more than one year or both in accordance with current state law.

**Series 5000: Students****Child Abuse/Neglect****Reporting of Suspected Child Abuse/Neglect (continued)****Legal Risk**

Under state law, any person who in good faith makes or in good faith does not make a report of suspected child abuse/neglect is immune from any civil or criminal liability.

**Emergency Health Care and Reasonable Inquiry**

When reasonable cause to suspect or believe that a child has been abused, or is placed in serious risk of imminent harm, or when a child has a visible injury, public school personnel may make reasonable inquiry of the child regarding such suspicion or visible injury.

If a school nurse or school medical advisor is not readily available and the rendering of emergency first aid is necessary, other public school personnel who have completed a course in first aid offered by the American Red Cross, the American Heart Association, the Connecticut Department of Health Services or other recognized medical provider may render such emergency first aid to a child. In accordance with state law, any person providing such aid is not liable for civil damages for any personal injuries which result from acts or omissions by such person rendering the emergency first aid, which constitute ordinary negligence. The immunity does not apply to acts or omissions constituting gross, willful or wanton negligence.

**Interviewing the Child**

Public school personnel who believe that an interview in the school setting may be necessary in order to protect the child must notify DCF as early in the day as possible to provide both DCF and the school administration ample time to coordinate appropriate activities and actions. Upon receipt of such notice, DCF will advise school personnel whether the child must be interviewed in the school. If school personnel then retain the child after the scheduled school day in order to ensure an interview by DCF or local or state police, school personnel must attempt to notify the parent(s)/guardian(s) of the child, except where the alleged abuse involves the parent(s)/guardian(s).

**Series 5000:      Students**

**Child Abuse/Neglect**

**Reporting of Suspected Child Abuse/Neglect (continued)**

**Emergency Health Care and Reasonable Inquiry Preparation for the Interview**

If DCF determines that a school interview is appropriate, the DCF social worker shall be required to notify the Superintendent of Schools prior to the school visit with as much advance notice as possible. If the DCF social worker is not known to school personnel, a verifying call to the local DCF office shall be made. If deemed appropriate by DCF or the administration, the parent/guardian of the child will be notified prior to the interview. DCF personnel are solely responsible for scheduling such interviews. If the DCF social worker does not arrive as scheduled and school personnel decide that the retention of the child beyond the school day is necessary to protect the child's physical well-being, school personnel must attempt to notify the parent(s)/guardian(s) of the child that the child will be late, except where the alleged abuse involves the parent(s)/guardian(s).

**The Interview**

To ensure confidential communication, the school administration shall provide a private place to interview the child. As part of the investigative process, the DCF social worker may request that school personnel be present during the interview. The investigation is to be conducted solely by the DCF social worker.

The removal of clothing as part of an investigation into an injury which may have been caused by child abuse shall be done only at the request of the school medical advisor or the school nurse. Neither school nurse nor a school doctor may remove or insist that a child remove clothing to confirm suspected abuse or neglect, except in those circumstances where there is a need of emergency medical treatment.

***Legal Reference:***

**Connecticut General Statutes**

§17a-101 *et seq.*

Policy Amended: September 2004

Policy Revised: January 2007

**Series 5000: Students****Welfare****Discipline/Punishment**

Reasonable physical force may be used to the extent that a teacher or other person entrusted with the care and supervision of a minor for school purposes believes it necessary to:

- a. protect himself/herself or others from immediate physical injury;
- b. obtain possession of a dangerous instrument or controlled substance, upon or within the control of such student;
- c. protect property from physical damage;
- d. restrain student or remove student to another area to maintain order.

Physical force may not be used a disciplinary measure.

(cf. 4148 – Employee Protection)

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

PA 89-186 The use of reasonable physical force defense by teachers and certain other persons.

Policy Adopted: January 1990  
Policy Reviewed: August 2002

**Series 5000: Students****Welfare****Restraint And Seclusion****Definitions:*****Physical Restraint***

Any mechanical or personal restriction that immobilizes or reduces the free movement of a person's arms, legs or head. The term does not include:

- a. briefly holding a person in order to calm or comfort the person;
- b. restraint involving the minimum contact necessary to safely escort a person from one area to another;
- c. medical devices, including, but not limited to, supports prescribed by a health care provider to achieve proper body position or balance;
- d. helmets or other protective gear used to protect a person from injuries due to a fall; or
- e. helmets, mitts and similar devices used to prevent self injury when the device is part of an individualized education program and is the least restrictive means available to prevent such self-injury.

***Provider***

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

***Seclusion***

The confinement of a person in a room, whether alone or with staff supervision, in a manner that prevents the person from leaving. The term does not refer to in-school suspension, disciplinary detention, time-out or any other confinement in which the student at risk is physically able to leave the area of confinement.

***Student at risk***

A child requiring special education who is receiving special education by the Southington Board of Education, or a child being evaluated for eligibility for special education and awaiting a determination, or a person receiving care, education or supervision in an institution or facility operating under contract with the Southington Board of Education.

**Series 5000: Students****Welfare****Restraint And Seclusion****General Principles**

Physical intervention and seclusion should be used only as a last resort for students at risk, after other verbal and nonverbal strategies have been attempted, and only when the student presents immediate or imminent injury to him or herself or to others. Only safe and approved forms of restraint will be utilized. Physical restraint or seclusion will not be used as a punishment or restriction of freedom, nor will it be used as a means to inflict pain. The sole purpose for using physical restraint is to keep the student at risk who is acting out and others safe. This temporary intervention strategy allows the staff person to take control only until the student can regain control of his/her own behavior. The sole purposes for using seclusion are to keep the student at risk who is acting out and others safe and for other purposes as determined appropriate by the PPT (Planning and Placement Team).

Physical restraint and/or seclusion should be terminated when the trained staff person determines, through verbal and non-verbal interactions and through observations, that the student has regained physical and/or emotional control. When the need arises for physical restraint and/or seclusion, the least restrictive physical management technique requiring the least amount of force should be used. Staff members are not to use any form of physical restraint for which they have not been trained.

Seclusion should be limited to cases of immediate or imminent risk of injury to self or others, and cases in which the method is specified in the IEP of a student at risk as discussed below.

**Seclusion in Student's IEP (Individual Education Plan)**

1. The PPT shall determine, based on results of relevant functional behavioral assessments and other relevant information such as the student's known medical or psychological conditions, whether the use of seclusion is an appropriate behavioral intervention strategy. If seclusion is included as a behavioral strategy in a student's IEP, the IEP shall include information regarding such issues as the location, frequency and duration of the seclusion periods, the monitoring of the seclusion intervention and the manner of parental notification.
2. The Student's PPT shall review the continued use of seclusion as a behavioral intervention strategy on an annual basis or sooner as required by law.

**Series 5000: Students****Welfare****Restraint And Seclusion****Seclusion in Student's IEP (Individual Education Plan)**

3. The PPT and/or building administrator shall review the physical space used for seclusion on a regular basis to ensure that it complies with state requirements.
4. The Student's PPT shall incorporate less restrictive positive behavioral intervention strategies into the student at risk's IEP. The student at risk's IEP shall specify that seclusion shall be used as a last resort to protect the student and others from imminent harm.

**Monitoring of Seclusion**

Any student at risk who is secluded shall be continually monitored by a provider who has received training in physical management, physical restraint and seclusion procedures. Monitor means (a) direct observation, or (b) observation by way of video monitoring within physical proximity sufficient to provide aid as may be needed. Each student at risk who is placed in seclusion shall be regularly evaluated for indications of physical distress. The provider conducting the evaluation shall enter each evaluation in the student's educational record.

**Documentation of Restraint and Seclusion**

Any use of physical restraint or seclusion on a student at risk must be documented in the student's educational record. The incidents shall be recorded on a form developed by the State Department of Education.

1. In the case of emergency use, the documentation will include the nature of the emergency and what other steps, such as verbal de-escalation, were taken to prevent the emergency from arising if there were indications that such an emergency was likely to arise, and a detailed description of the nature of the restraint or seclusion, its duration and its effect on the student at risk's behavioral support or educational plan.
2. School staff will attempt to notify parents of a student at risk by telephone within twenty four hours after the use of physical restraint or seclusion as an emergency intervention to prevent immediate or imminent injury to self or others. If telephone contact cannot be made, school staff will provide a copy of the written incident report within five school days of the use of physical restraint or seclusion.

**Series 5000: Students****Welfare****Restraint And Seclusion****Documentation of Restraint and Seclusion**

3. School staff will notify the Special Education Administration on a regular basis regarding incidents of physical restraint and/or seclusion that occur in their respective buildings or programs.
4. If seclusion is in a student at risk's IEP, the PPT and the parents will determine an appropriate timeframe and manner of notification for each incident of seclusion.
5. The Southington Public Schools shall record the number of restraint and seclusion incidents on an annual basis and will share such documentation with the State Board of Education upon request.
6. If the use of such restraint or seclusion results in physical injury to the person, (a) the administration may report the incident to the State Board of Education, and (b) the administration shall report the incident to the commissioner of the state agency that has jurisdiction or supervisory control over the institution or facility at which the injury occurred.

**Training**

All providers who may need to use physical restraint and/or seclusion during the student day shall receive appropriate training in the two methodologies. The training shall include, but not be limited to:

- a. verbal defusing or de-escalation
- b. prevention strategies
- c. types of physical restraint;
- d. the differences between life-threatening physical restraint and other varying levels of physical restraint
- e. the differences between permissible physical restraint and pain compliance techniques
- f. monitoring to prevent harm to a person physically restrained or in seclusion
- g. recording and reporting procedures on the use of restraints and seclusion.

**Series 5000:      Students**

**Welfare**

**Restraint And Seclusion**

**Legal References:**

C.G.S. Sec. 10-76d et seq

C.G.S. Sec. 10-220

C.G.S. Sec. 10-235

C.G.S.: Sec. 46a-150 through 46(a)-154

C.G.S. Sec. 53a-18

Connecticut Regulations Sec. 10-76-5 through 10-76b-11

Policy Adopted:    April 2010

**Series 5000: Students****Welfare****Civil and Legal Rights and Responsibilities****Invasion of Privacy – Search and Seizure****Desks and School Lockers**

The administration is hereby authorized consistent with state law to search student desks and lockers and other school property available for student use for the presence of weapons, contraband, or items resulting from a crime if (1) the school administration believes that the search is justified at its inception and (2) the search as conducted is reasonably related in scope to the circumstances which justified it.

The statute authorizing searches of desks, lockers, and other school property available for student use provides that such a search is justified at its inception when 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 regarding student conduct and that such a search is reasonably related in scope when the measures adopted are 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.

**Personal Searches**

A student's person or personal effects may be searched if (1) 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 and (2) the search is reasonably related to the objective of the search and not excessively intrusive in light of the age and sex of the student and the nature of the infraction. Where permitted by state and federal law, random searches are also authorized.

Searches of students and of student personal effects include, but are not limited to, searches of purses, wallets, knapsacks, outer coats and jackets, footwear, belts, pockets, and hats.

The administration is also hereby authorized to utilize a breathalyzer in accordance with administrative guidelines and applicable state and federal law.

**Series 5000: Students**

**Welfare**

**Civil and Legal Rights and Responsibilities**

**Invasion of Privacy – Search and Seizure**

Strip searches of students are prohibited.

Students are to be notified annually that they, their desks, lockers, and personal effects may be subject to search under the terms of this policy.

**Legal References:**

**Connecticut General Statutes § 54-33n.**

New Jersey v. TLO. 469 U.S 325 (1985)

Policy Adopted: August 1989

Policy Revised: February 2000

Policy Reviewed: August 2002

Policy Reviewed: June 2007

Policy Revised: December 2007

**Series 5000: Students**

**Welfare**

**Civil and Legal Rights and Responsibilities**

**Invasion of Privacy – Search and Seizure**

**Searches of lockers, desks, and other depositories ~ Searches of a student's person or personal effects**

The Board provides lockers, desks, and other school property in which students may keep and store personal belongings and materials provided by the Board. No student shall keep or store personal belongings or school materials in any depository or location in any school facility other than those designated for use by that student without the consent of the school administration.

Each student shall be responsible for maintaining any assigned storage area in an orderly and sanitary condition.

No student shall keep or store in any assigned storage area any item, the possession of which is illegal or in violation of Board policy or school rules or which endangers the health, safety or welfare of members of the school community. Students are prohibited from bringing to school items or substances that would disrupt the educational function of the school or that are prohibited by the Board policy, administrative regulation, or law. Substances in this category include, but are not limited to, weapons, clubs, explosives, firecrackers, ammunition, chemicals, matches, alcoholic beverages, drugs and drug paraphernalia.

Searches of desks and lockers and other school property available for student use, and searches of a student's person and personal effects shall be conducted only under the circumstances set forth in and in accordance with the provisions of this policy.

Personal searches of a student's person and personal effects include, but are not limited to, searches of purses, knapsacks, outer coats and jackets, footwear, belts, pockets, and hats. As permitted by applicable state and federal law, a student may also be required to submit to an examination by a breathalyzer (*see R-5145.12(2)*).

Strip searches are prohibited by this policy.

Students are to be notified annually that they, their desks, lockers, and personal effects may be subject to search under the terms of this regulation.

**Series 5000: Students**

**Welfare**

**Civil and Legal Rights and Responsibilities**

**Invasion of Privacy – Search and Seizure (continued)**

The following guidelines should be followed in conducting any search pursuant to this regulation:

1. A school administrator, accompanied by an adult witness, will conduct any search of lockers, desks or other school district property available for student use.
2. Any search of a student's person or personal effects shall be conducted by an administrator in the presence of an adult witness other than the student.
3. Searches that disclose evidence of violation of Board policy or school rules shall result in discipline in accordance with Board Policy 5114.1 (student discipline).
4. In the event that a search discloses evidence of criminal wrongdoing, such evidence shall be turned over to law enforcement officials, in accordance with the provisions of Connecticut General Statute § 10-154a.
5. The student's parents/guardians shall be advised of the student's misconduct.

Legal References: Connecticut General Statutes §10-154a  
Connecticut General Statutes §54-33n  
New Jersey v. TLO, 469 U.D. 325 (1985)

Regulation Approved: August 1989  
Regulation Revised: January 2000  
Regulation Reviewed: August 2002  
Regulation Reviewed: June 2007  
Regulation Revised: January 2008

**Series 5000: Students**

**Welfare**

**Civil and Legal Rights and Responsibilities**

**Regulation Regarding Use of Breathalyzer with Students**

In accordance with policies 5131 and 5145 of the Southington Board of Education, the Administration has adopted the following regulation concerning the use of breathalyzers at school during the school day, and on or off school grounds at school sponsored activities.

**I. Procedures**

**A. At School During the School Day**

If a student's condition, behavior or other physical symptom or symptoms gives a staff member reason to believe that the student may have recently consumed alcohol, the staff member will take the following steps:

1. Contact the school nurse.
2. Contact a building administrator, or his or her designee. If the building administrator or designee also has reasonable suspicion that the student has consumed alcohol, he or she shall direct the student to submit to a breathalyzer test. Any student who refuses to be tested shall be presumed to have recently consumed alcohol and is subject to discipline under Board policy #5131.6.
3. Only trained school administrator will administer the test in the presence of an adult witness. The school administrator will inform the student, parents or guardians and the Superintendent of the results upon completion of the test, and note the results in the administrator's discipline report. If the test comes out positive, the student will be subject to discipline under Board policy #5131.6.

**B. At a school sponsored activity on or off school grounds**

1. If a student's condition, behavior or other physical symptom or symptoms gives a staff member reason to believe that the student may have recently consumed alcohol, the staff member will take the steps listed in 1(A) above. If there is no school nurse available, the staff member will take steps 2 and 3 above.

**Series 5000:      Students**

**Welfare**

**Civil and Legal Rights and Responsibilities**

**Regulation Regarding Use of Breathalyzer with Students (Continued)**

2. Prior to a non mandatory school sponsored activity on or off school grounds, the Administration will announce that it may utilize a breathalyzer on a random basis or require each student to undergo a breathalyzer test as a condition of attending a school sponsored activity. In such cases, the following rules shall apply:
  - a. The building administrator shall obtain prior authorization from the Superintendent or designee to utilize a breathalyzer in this manner.
  - b. Only a trained school administrator will administer the test in the presence of an adult witness.
  - c. Any student who refuses to be tested or who tests positively will be denied access to the school sponsored activity.
  - d. The school administrator will inform the student, parents or guardians and the Superintendent of the results of any positive test as soon as practicable after completion of the test, and note the results in the administrator's discipline report. If the test comes out positive, the student will be subject to discipline under board policy #5131.6.

**Series 5000: Students****Welfare****Civil and Legal Rights and Responsibilities****On-Campus Recruitment**

On-campus recruiting at Southington High School by potential employers shall be permitted as long as such activities are deemed appropriate and to the benefit of students. The superintendent shall develop regulations for on-campus recruitment to ensure that such activities do not disrupt the educational program and safeguard the interests of students.

Directory information or class lists of student names and/or addresses shall not be distributed without the knowledge of the parent or legal guardian of the student or by the student who has attained majority status.

(cf. 5125 – Student Records; Confidentiality)

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

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

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

Policy Adopted: February 1989

Policy Reviewed: August 2002

**Series 5000:      Students**

**On-Campus Recruitment**

**Procedures for On-Campus Recruitment by Commercial and Military Organizations**

Southington High School shall provide the same directory information and on-campus recruiting opportunities to representatives of the armed forces of the United States of America and state armed forces as are offered to nonmilitary recruiters or commercial concerns.

Regulation Approved:    August 1989  
Regulation Revised:     August 2002

**Series 5000: Students****Welfare****Civil and Legal Rights and Responsibilities****Freedom of Speech/Expression**

It shall be the policy of the Southington Board of Education to recognize and protect the rights of student expression. This right shall be protected to the extent that it does not substantially interfere with the school board's mission in providing an orderly and efficient educational process and school environment. Printed material distributed on school district property shall meet the following criteria:

1. Material shall be non-commercial.
2. Material shall not be obscene.
3. Material shall not advocate unlawful action.
4. Material shall not be libelous or contain false statements or innuendo that would subject any person to hatred, ridicule, contempt, or injury to reputation.
5. Material shall not create an immediate threat to or create a substantial disruption of the educational process.

Printed material may not be sold on school property nor may material be distributed which seeks a donation or solicits funds.

Students who are responsible for a substantial distribution of printed material in contravention of this policy may be subject to discipline in accordance with board policy no. 5114.

In the event that a student or students question whether printed material to be distributed will violate this policy, such student or students may consult with the building administration to determine whether distribution of printed material would contravene this policy. Such consultation with the building administration shall be at the option of the student or students who seek to distribute the material.

- (cf. 1220 – Citizens' Advisory Committees)
- (cf. 1312 – Public Complaints)
- (cf. 6144 – Controversial Issues)
- (cf. 6161 – Equipment, Books, Materials: Provision/Selection)

Policy Revised: November 1989

**Series 5000: Students**

**Welfare**

**Civil and Legal Right and Responsibilities**

**Sexual Harassment**

It is the express position of the Southington Public Schools to encourage all persons who feel they have been sexually harassed and persons with knowledge of sexual harassment to report such claims. A student who believes that he/she has been subjected to or witness to sexual harassment as defined in Policy 5145.3 may address his/her claims in the following manner:

- Any student who believes that he/she has been the subject of sexual harassment and persons with knowledge of sexual harassment should make a report immediately either orally or by written complaint. The report may be made to the student's teacher and/or the school administration.
- Sexual harassment complaints will be investigated within fourteen (14) calendar days in the same manner as any other allegation of student misconduct. If the complaining student or alleged harasser is a student under the age of 18, the harassment complaint official shall notify the student's respective parent(s)/guardian(s) of the investigation within three (3) school days. Upon completion of the investigation, parent(s)/guardian(s) of both the complainant and alleged harasser will be notified in writing of findings.
- Students found to have engaged in sexual harassment will be subject to disciplinary action in keeping with the established policies, regulations and rules of the school district. Such disciplinary action may include suspension or expulsion from school.

**Process**

***Informal Procedure***

It may be possible to resolve a complaint through a voluntary conversation between the complaining student and the alleged harasser which is facilitated

**Series 5000: Students**

**Welfare**

**Civil and Legal Right and Responsibilities**

**Sexual Harassment (continued)**

by the principal or designee. If the complaining student and the alleged harasser feel that a resolution has been achieved, then the conversation may remain confidential and no further action needs to be taken. The results of an informal resolution shall be reported by the principal, in writing, to the Superintendent, to the Title IX Compliance Officer, and to the parent(s)/guardian(s) of both the complainant and alleged harasser.

If the complaining student, the alleged harasser, the principal or designee, chooses not to utilize the informal procedure, or feels that the informal procedure is inadequate or has been unsuccessful, he/she may proceed to the formal procedure. Any complaint against a school employee shall be handled through the formal procedure.

***Formal Procedure***

**Step 1**

The principal or designee shall fill out a harassment complaint form based on the written or verbal allegations of the complaining student. This complaint form shall be kept in a centralized and secure location.

- a. The complaint form shall detail the facts and circumstances of the incident or pattern of behavior.
- b. An investigation shall be completed by the principal or designee within 14 calendar days from the date of the complaint or report.

**Step 2**

The investigation may consist of personal interviews with the complaining student, the alleged harasser and any other individuals who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. In determining whether alleged conduct constitutes a violation of this policy, the principal or designee should consider the surrounding

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circumstances, any relevant documents, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances.

The investigation will be completed as soon as practicable, but no later than fourteen (14) calendar days from the complaint or report. Parent(s)/Guardian(s) of both the complaining student and alleged harasser will be notified of the complaint within three (3) school days. The principal or designee shall make a written report to the Superintendent and the Title IX Compliance Officer upon completion of the investigation. The report shall include a determination as to whether the allegations have been substantiated as factual and whether they appear to be violations of policy 5143.3.

**Step 3**

Following the investigation, the principal or designee shall recommend to the Superintendent and/or Title IX Compliance Officer what actions, if any, are required. The School District shall take appropriate action in all cases where the principal or designee concludes that this policy has been violated. Any person who is determined to have violated this policy shall be subject to action, including but not limited to, warning, exclusion, suspension, expulsion, transfer, termination, discharge or any other remedial action, including but not limited to, training, education, or counseling.

**Step 4**

The complaining student, the alleged harasser, and the respective parent(s)/guardian(s) shall be informed of the results of the investigation, including whether the allegations were found to be factual, whether there was a violation of the policy, and whether disciplinary action was or will be taken.

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If after investigation, sexual harassment by a specific student is verified, the building principal or his/her designee shall notify the parent or guardian of the harasser and complaining student in writing of that finding. If disciplinary consequences are imposed against such a student, a description of such discipline shall be included in such notification to the harasser's parent(s)/guardian(s).

**Reporting of Potential Physical and/or Sexual Abuse**

Under certain circumstances, alleged harassment may also be possible abuse under Connecticut law. If so, the duties of mandatory reporting under Connecticut General Statutes Section 17a-101 may be applicable.

Nothing in this policy will prohibit the School District from taking immediate action to protect victims of alleged sexual harassment or abuse.

**Confidentiality**

The Southington Public Schools recognizes that both the complaining student and the alleged harasser have strong interests in maintaining the confidentiality of the allegations and related information. The privacy of the complaining student, the individual(s) against whom the complaint is filed, and the witnesses will be respected as much as possible, consistent with legal obligations to investigate, to take appropriate action, to comply with any discovery or disclosure obligations, and in accordance with regulation herein.

**Retaliation**

It is a separate and distinct violation of this policy for any member of the school community to retaliate against any person who reports alleged harassment or against any person who testifies, assists or participates in an investigation, proceeding or hearing relating to such harassment. It is possible that an alleged harasser may be found to have violated this anti-retaliation provision even if the underlying complaint of harassment is not found to be a violation of this policy. Retaliation includes, but is not limited to any form of intimidation, reprisal or harassment and may be redressed through application of the same reporting, investigation, and enforcement procedures as for harassment. If it is found that acts of harassment or retaliation do occur, appropriate disciplinary action will be taken.

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**Alternative Complaint Procedures**

In addition to, or instead of, filing a harassment complaint through this policy, a person may choose to exercise other options, including but not limited to filing a complaint with outside agencies or filing a private lawsuit.

**Notice and Publication**

This policy shall be conspicuously posted throughout each school building in areas accessible to students and staff members. A summary of this policy shall also appear in the student handbook. The School District will develop a method of discussing this policy with students and employees.

**Review Process**

*This policy shall be reviewed annually for compliance with state and federal law.*

Regulation Approved: September 1992  
Regulation Revised: August 2002  
Regulation Revised: March 2005  
Regulation Reviewed: November 2006

**SOUTHINGTON SCHOOL DISTRICT**  
**STUDENT SEXUAL HARASSMENT COMPLAINT FORM**

**Date Received:** \_\_\_\_\_

Complainant's Name: \_\_\_\_\_ Date: \_\_\_\_\_

Name(s) of Alleged Harasser(s): \_\_\_\_\_

Date(s) of Alleged Harassment: \_\_\_\_\_

Place of incident: \_\_\_\_\_

Name of Witnesses (if any): \_\_\_\_\_

Description of misconduct: \_\_\_\_\_

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

Has this incident been reported before? \_\_\_\_\_

If yes, when? \_\_\_\_\_

To whom? \_\_\_\_\_

What was the resolution? \_\_\_\_\_

Complainant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_