



**WINDSOR LOCKS PUBLIC SCHOOLS
BOARD OF EDUCATION MEETING
Policy Subcommittee Meeting
July 21, 2020 - 3:00 p.m.
Remote Zoom Meeting**

1. Call To Order
2. Public Comment
3. Review for Discussion and/or First Reading
 - a. **NEW** 5145.5/ 4118.112/4218.112 Sexual Harassment Policy (Title IX)
 - b. **NEW** 4118.237(a), 4218.237, 5141.8 Face Masks/Coverings
 - c. **NEW** 6172.6 Distance Learning Policy
 - d. **REVISED** (*based on new requirements*) 3501 Health & Wellness Policy
 - e. **REVISED** 5113 (a), 5113.2 Attendance, Excused Absences, Truancy Policy
4. Review for Second Reading and Approval
5. Adjourn

SEXUAL HARASSMENT POLICY

Students/Personnel

5145.5/ 4118.112/4218.112- Prohibition Against Sexual Harassment

The Windsor Locks Public Schools recognize that sexual harassment, including sexual assault, is unlawful sex discrimination. The Board of Education (Board) prohibits sex discrimination/sexual harassment in the District's education program or activities. Education program or activity includes locations, events, or circumstances over which the school exercises substantial control over both the respondent (alleged perpetrator of sexual harassment) and the context in which the sexual harassment occurs. In addition to occurring on school grounds, sex sexual harassment may potentially occur off campus, in places or situations where athletic and extracurricular activities occur, on field trips, on the school bus, at school related conferences or through use of school technology.

Schools shall respond to sexual harassment occurring in the District's education program or activities for which they have "actual knowledge." "Actual knowledge" means notice of sexual harassment or an allegation of sexual harassment brought to the attention of the Title IX Coordinator, any official of the school who has authority to institute corrective measures on the behalf or the school, as well as to any other employee of an elementary and secondary school.

Sexual harassment may take the form of student-on-student, employee-on- student, employee-on-employee, student-on-employee sexual harassment, or may be perpetrated against students or employees by third parties under the control of the District. Students who engage in proven sexual harassment may be subject to discipline, up to and including expulsion. Employees who engage in proven sexual harassment may be subject to disciplinary action, up to and including termination, as well as, other action required under the law.

Definition of Sexual Harassment for the Purposes of Title IX

Sexual harassment is conduct on the basis of sex that satisfies one or more of the following:

- (i) A school employee conditioning an education benefit or service on participation in unwelcome sexual conduct (i.e. quid pro quo)
- (ii) Unwelcome conduct that a reasonable person would determine is so severe, pervasive and objectively offensive that it effectively denies a person equal access to the school's education program or activity;
- (iii) "Sexual assault" as defined in 20 U.S.C. 1092 (f)(6)(A)(v)(the Clery Act), "dating violence" as defined 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(3) (the Violence Against Women Act (VAMA)).

Examples of sexual harassment may include, but are not limited to:

- pressure for sexual activity
- repeated remarks with sexual or sexually demeaning implications
- unwelcome or inappropriate touching
- sexual assault
- suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning a student's grades or academic standing or an employee's employment status
- telling lewd jokes or sharing stories about sexual experiences – even if not directed at you but done in your presence to cause you discomfort
- sending unwanted suggestive or lewd emails, letters or other communications or sharing images of a sexual nature around the workplace or displaying posters, items or screensavers of a sexual nature
- repeatedly asking for dates despite being rebuffed
- making sexually offensive gestures or facial expressions
- dating violence or stalking

Other Definitions

“Complainant” is defined as a person who is alleged to be the victim of conduct that could constitute sexual harassment.

“Respondent” is defined as a person who is alleged to be the perpetrator of conduct that could constitute sexual harassment.

“Supportive measures” are defined as non-disciplinary, non-punitive, individualized services, offered as appropriate and without charge to a complainant or respondent before or after the filing of a formal complaint, or where no complaint has been filed.

Title IX Coordinator

The Superintendent of Schools designates and authorizes the [Insert Title] to be the District's Title IX Coordinator. This individual shall be given the title of and be referred to as the Title IX Coordinator and is responsible for ensuring compliance across the school district with Title IX, corresponding state law, and applicable board policy concerning sex discrimination/sexual harassment.

Applicants for admission and employment, students, parents or legal guardians of elementary and secondary school students, employees, and all unions shall be notified of the name or title, office address, electronic mail address, and telephone number of the Title IX Coordinator.

The Title IX Coordinator's contact information shall be posted on the District's website and included

in student and employee handbooks and published in other locations as deemed appropriate.

Reporting Sexual Harassment

Any person, including, but not limited to, students, their parents or guardians, employees, bystanders or third parties (whether or not the person is the alleged victim), may report sex sexual harassment, including sexual assault, occurring in the District's education program or activities. Reporting may occur in person, by mail, by telephone or by electronic mail, using the contact information provided for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Reports may be made at any time including during non-business hours.

A formal complaint is defined as a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against an individual and requesting that the school investigate the alleged sexual harassment. In an instance where the Title IX Coordinator signs the complaint, the Title IX Coordinator is not a party to the complaint nor is such action taken on behalf of the complainant.

The Title IX Coordinator will make forms available for both informal reports and formal complaints of sexual harassment. Additionally, such forms will be posted on the District's website. Informal reports are permissible and may be brought by any person. However, only a complainant and the District's Title IX Coordinator may file a formal complaint. All formal complaints will be investigated. Supportive measures shall be offered to a complainant with or without the filing of a formal complaint.

There is no time limit on a complainant's decision to file a formal complaint, but complainants are encouraged to promptly report incidents of sexual harassment, and/or to file a formal complaint.

Response including Supportive Measures

Any school employee with actual knowledge of sex discrimination/sexual harassment shall promptly inform the District's Title IX Coordinator. The failure to do so may be grounds for disciplinary action.

Upon actual knowledge of sexual harassment, the Title IX Coordinator will promptly contact the complainant to advise and discuss with the complainant 1.) the availability of supportive measures with or without the filing of a formal complaint, 2.) the right to file a formal complaint and 3.) how to file a formal complaint.

A complainant as well as a respondent shall be offered free, individualized "supportive measures" (e.g. counseling, course related adjustments, modification of work or class schedules, escort services, increased security/monitoring of certain areas, mutual restrictions on contact between the parties) designed to restore or preserve equal access to education with or without a formal complaint. These, as

well as other measures, may be part of a final remedy.

Upon the filing a formal complaint, the complainant will be provided with a copy of this policy and its grievance procedures.

Written notice shall be provided to the respondent and the complainant advising that a formal complaint has been filed. The respondent shall be entitled to a presumption of innocence during investigation of the complaint. Both parties will be treated fairly throughout the investigation and shall be entitled to an unbiased investigator who has not prejudged the matter being investigated.

Complaints that fail to allege a violation of Title IX shall be dismissed without investigation. This does not preclude the school administration from investigating or addressing the underlying conduct under relevant codes of conduct or board policy.

Emergency Removal/Administrative Leave

An emergency removal of a respondent from the education program or activity is permissible provided that the District conducts an individualized safety and risk analysis and determines that emergency removal is necessary in order to protect a student or other individual from an immediate threat to physical health or safety and notice and an opportunity to challenge the decision is provided. This does not modify any rights under the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act (ADA).

An employee-respondent may be placed on administrative leave during the pendency of a grievance process.

Informal Resolution

At any point in the formal complaint process, the Districtwide Title IX Coordinator, in his/her discretion, may offer to facilitate an informal resolution option such as mediation or restorative justice.

Both parties must give voluntary, informed written consent.

Either party has a right to withdraw consent at any time, in which case the formal investigation shall proceed.

The informal resolution process shall not be available if the complainant/Victim is a student and the respondent is an employee.

Grievance Procedures

The District will promptly and thoroughly investigate all formal complaints of sexual harassment in accordance with established grievance procedures.

District grievance procedures shall be established in the form of a regulation accompanying this policy.

The grievance procedure shall be used for the reporting and investigation of, and response to a formal complaint of sexual harassment in the District's education program and activities against a person in the United States.

The District's grievances procedures shall be designed to comply with the regulation under Title IX as promulgated by the U.S. Department of Education, as it may be amended from time to time. Among other required provisions, the grievance procedures shall establish standards for fairness and equity, including a requirement that the decision maker not be the same individual as the Title IX Coordinator or the investigator, explain how to file a complaint, address required notice, set out timelines for various components of the investigation and adjudication process, establish and explain grounds for the dismissal of a complaint and provide and explain the appeal process available to both parties, include a presumption of innocence for the respondent, state the evidence standard to be used to determine responsibility and require objective evaluation of all available evidence.

Training

Training shall be provided to Title IX personnel in accordance with the regulation under Title IX as promulgated by the U.S. Department of Education, as it may be amended from time to time. Additional training may be provided to all school employees as deemed advisable.

Training materials used to train Title IX personnel shall be posted on the District's website.

Prohibition Against Retaliation

Retaliation against any party, witness or other participant to the grievance process is prohibited. Retaliation may form a basis for a complaint under this policy. The charging of a person with a code of conduct violation based upon a person making a materially false statement in bad faith in an investigation is not considered retaliatory.

Dissemination, Posting and Discussion of Policy

This policy along with its accompanying regulation/grievance procedure shall appear in the Student Handbook, be discussed with students at least annually and more often as needed, be posted in prominent and accessible locations in each school building and in the Board of Education offices and be published on the District's website along with the name/title and contact information for the Title

IX Coordinator.

Record Keeping

The District must keep records related to reports of alleged sexual harassment for a minimum of seven years, including investigation records, disciplinary sanctions, remedies, appeals, and records of any action taken, including supportive measures. Additionally, Districts must also keep for a minimum of seven years any materials used to train Title IX Coordinators, investigators, decision makers, any employee designed to facilitate an informal process.

Alternate Complaint Procedures

In addition, or as an alternative to the filing of a sex discrimination/sexual harassment complaint through the District's grievance procedure, a person may choose to file a complaint with the Office for Civil Rights of the United States Department of Education.

Statement of Protected Rights

Application of this policy and its grievance procedure shall not be interpreted to restrict rights protected under the U.S. Constitution, including the right to free speech, to be free from self-incrimination and to due process of law.

Legal References: Connecticut General Statutes

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

United States Constitution, Article XIV.

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

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

Title IX Regulation, 34 C.F.R. Part 106

20 U.S.C. 1092 (f)(6)(A)(v)

34 U.S.C. 12291 (a)(8), (a)(10), (a)(36)

Franklin v. Gwinnett County Public Schools, 503 U.S. 60 (1992)

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

Davis v. Monroe County Bd. Of Educ., 526 U.S. 629 (1999)

Policy adopted: [Date]

WINDSOR LOCKS PUBLIC SCHOOLS

R 5145.5/4118.112/4218.112 - Prohibition Against Sexual Harassment: Response to Reports of Sexual Harassment and Grievance Procedures for Formal Complaints

The Windsor Locks Public School District will respond to all incidents of sexual harassment: (a) of which it has actual knowledge, and (b) that occurs within the school's education and program activity and c) occurs against a person in the United States.

"Actual knowledge" means notice of sexual harassment or an allegation of sexual harassment brought to the attention of the Title IX Coordinator, any official of the school who has authority to institute corrective measures on the behalf of the school as well as to any employee of an elementary and secondary school. Accordingly, any District employee with actual knowledge that sexual harassment is occurring shall notify the District's Title IX Coordinator.

Education program or activity includes locations, events, or circumstances over which the school exercises substantial control over both the respondent (perpetrator of sex discrimination/sexual harassment) and the context in which the sex discrimination/sexual harassment occurs. In addition to occurring on school grounds, sex discrimination/sexual harassment may potentially occur off campus, in places or situations where athletic and extracurricular activities occur, on field trips, on the school bus, at school related conferences or through use of school technology depending upon whether the District exercises control over both the respondent and the context in which the sexual harassment occurs.

Reporting of Sexual Harassment

Informal Reports

Any person, including parent/guardians, students, employees and third parties may report sexual harassment occurring in the District's education program or activity. Reporting may be in person, by mail, telephone, or by electronic mail, using the contact information provided for the Title IX Coordinator. Reports may be made during non-business hours. Reports may be made anonymously. When a reporter fails to identify a specific complainant (victim of sexual harassment) or to identify him/herself as the reporter, the District's response may be limited. Informal complaints will be accepted in any form; however, forms for making both informal reports and formal complaints are available on the District's website and from the Title IX Coordinator.

Formal Complaint

While third parties may make informal reports of sexual harassment occurring in the District's education program or activities, a formal complaint may only be made by a complainant or be signed by the Title IX Coordinator, triggering an investigation. A formal complaint is a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment and requesting that an investigation commence.

While there is no time limit for making an informal report or filing a formal complaint of sexual harassment, reporters/complainants are encouraged to promptly report incidents of sexual harassment to avoid the potential loss of evidence, a lapse in the memories of parties or witness or the unavailability of persons key to an investigation. The District understands that a victim may decide not to report sexual harassment, to file a formal complaint and/or may decide to wait to come forward with a report/formal complaint for a variety of reasons. The District respects complainants' decisions. However, the Title IX Coordinator has discretion to sign a formal complaint that initiates the

grievance process where necessary to avoid deliberate indifference to sexual harassment even without a formal complaint from the complainant.

Forms for making both informal reports and formal complaints are available on the District's website and from the Title IX Coordinator.

Supportive measures will be offered to a complainant with or without a formal complaint.

Response Including Supportive Measures

Upon actual knowledge of sex discrimination/harassment, the Title IX Coordinator will promptly contact the complainant to advise and discuss with the complainant (1) the availability of supportive measures (with or without a formal complaint), and consider the complainant's wishes with respect to supportive measures (2) the right to file a formal complaint, and (3) how to file a formal complaint. The complainant shall be provided with a copy of the Board's policy prohibiting discrimination and these regulations containing its grievance procedure.

With or without the filing of a formal complaint, a complainant as well as a respondent shall be offered, free of charge, non-disciplinary, non-punitive individualized supportive measures. Supportive measures are designed to restore or preserve equal access to the education program or activity, protect the safety of all parties and the educational environment, and deter sexual harassment, without unreasonably burdening the other party.

Supportive measures may include, but are not be limited to:

- Counseling
- Course adjustments
- Modification of work
- Modification of class schedules
- Escorts
- Increased monitoring
- Restrictions on contact

Supportive measures may be modified at any time as appropriate based upon changed or evolving circumstances and may be offered before or after the filing of a formal complaint or where no complaint has been filed at all. Supportive measures may also be part of any ultimate remedy.

No disciplinary action or other punitive measure for sexual harassment shall be taken against a respondent without first following the grievance procedures set out herein and a determination of responsibility has been made. If the respondent has engaged in conduct other than sexual harassment in violation of a code of conduct or similar restriction, the respondent may be disciplined for such action(s) notwithstanding an ongoing investigation.

Emergency Removal/Administrative Leave

With or without the filing of a formal complaint, an emergency removal of a respondent from the education program or activity is permissible provided that the District conducts an individualized safety and risk analysis and determines that emergency removal is necessary in order to protect a

student or other individual from an immediate threat to physical health or safety, and provides notice and an opportunity to challenge the decision. This does not modify any rights under the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act (ADA).

A non-student employee respondent may be placed on administrative leave during the pendency of an investigation.

Dismissals of Complaints

Mandatory Dismissal

A complaint of sexual harassment must be dismissed if:

- 1.) it fails to allege conduct that constitutes sexual harassment, even if proved;
- 2.) the alleged conduct did not occur in a District activity or program or
- 3.) the alleged conduct did not occur against a person in the United States.

Permissive Dismissal

A complaint of sexual harassment may be dismissed if:

- 1.) the complainant notifies the Title IX Coordinator that he/she wishes to withdraw the complaint or an allegation;
- 2.) the respondent's enrollment or employment ends;
- 3.) specific circumstances exist that prevent the District from gathering enough evidence to reach a determination i.e. significant passage of time between the formal complaint and the alleged conduct; failure of a complainant to cooperate with the grievance process.

The complainant and the respondent will promptly and simultaneously be provided written notice of the dismissal of a complaint or allegation including the reasons for the mandatory or discretionary dismissal and an explanation of appeal rights.

Grievance Procedures (to be used for formal complaints only)

Grievance Procedures consistent with the regulations under Title IX as promulgated by the U.S. Department of Education and the principles of due process, the [Insert town] Board of Education adopts the following Grievance Procedures responsive to formal complaints.

a. Notice

Written notice of the complaint shall be provided to the respondent prior to an initial interview with the respondent.

Written notice provided to the respondent shall include:

- notice of the Grievance Procedure, including any informal resolution process;
- notice of the allegations in sufficiently detail to allow the respondent to prepare

- a response; a statement that the respondent is presumed innocent and responsibility will be determined at the conclusion of the Grievance Process;
- notice of the right to have an advisor to inspect/review evidence; and
- notice of any provision in applicable codes of conduct that prohibit knowingly making false statements or providing false information in the grievance process.

Likewise, the complainant shall be provided written notice of a formal complaint.

Additional written notice shall be provided to the parties in the event of additional or revised allegations of sexual harassment.

b. Investigation

The District will promptly investigate all formal complaints of sexual harassment in accordance with these grievance procedures. The District will designate personnel to investigate formal complaints and such personnel shall be trained in accordance with this regulation. The person designated as the investigator may not be the same person as the Decision-maker.

The respondent shall be entitled to a presumption of “innocence” until the investigation is complete. Both parties are to be treated fairly throughout the investigation and shall be entitled to an unbiased investigator who has not prejudged the matter being investigated.

The burden of proof shall be by a preponderance of the evidence. Both parties shall be provided with an equal opportunity to present facts and witnesses and other inculpatory or exculpatory evidence.

Each party shall have the opportunity to select an advisor of the parties “choice.”

The school shall send written notice to both the complainant and respondent of any investigative interviews, meetings or hearing.

The complainant and respondent and their advisors, if applicable, shall be provided evidence directly related to the allegations (electronic or hard copy) with at least ten (10) days to inspect, review and respond to the evidence. Such evidence shall not be further disseminated by the parties. The parties and advocates shall not further disseminate such evidence and may be required to execute a non-disclosure agreement.

The complainant and respondent shall not be prohibited from discussing the allegations or gather evidence, i.e. no “gag” orders. All parties First Amendment rights shall be honored.

Confidential information such as medical or psychological reports cannot be used as part of the investigation without written voluntary consent of the party.

Evidence of the complainant’s prior sexual activity is not relevant and may not be introduced except to prove that someone other than the respondent committed the alleged misconduct or is offered to prove consent.

Supportive measures shall be offered to the complainant or respondent pending a final resolution after consultation with them.

c. Investigative Report

At the conclusion of the investigation, the investigator conducting the investigation shall prepare a report summarizing the evidence, shall provide a copy to the complainant and respondent, and give the parties ten (10) days to respond. Each party shall be provided an opportunity to submit written, relevant questions that a party wants asked of the other party, or a witness, and provide each party with the answers to each such questions.

d. Decision Maker (may not be the same person as Title IX Coordinator or the Investigator)

The decision maker [insert title e.g. Assistant Superintendent?] must review the evidence applying the preponderance of the evidence standard and issue a written determination regarding responsibility with findings of fact, conclusions as to whether the conduct alleged occurred; the rationale for the result as to each allegation; and any discipline imposed on the respondent, and any other remedies to be provided to the complainant to restore or preserve equal access to the District's education program or activity

The written determination will be sent simultaneously to the parties along with an explanation of how to file an appeal.

Remedies

Remedies will be provided to a complainant when a respondent is found responsible. Remedies shall be designed to maintain the complainant's equal access to education.

The range of remedies in the case a violation is found can range from counseling to serious discipline, up to and including expulsion/termination.

The range of remedies depends on the circumstances but may include previously provided supportive measures, grade changes; the opportunity to retake a test or resubmit an assignment; reassignment of class; school-based counseling; and reinstatement to a team or activity as well as other appropriate measures.

The Title IX Coordinator shall oversee the effectiveness of the remedies toward ensuring no continued discrimination occurs.

Appeal

An appeal of the determination may be filed by either party with the Superintendent of Schools, for one of the following reasons:

- 1.) procedural irregularities
- 2.) newly discovered evidence that could affect the outcome
- 3.) the Title IX personnel (Title IX coordinator, investigator/decision maker, etc.) had a conflict of interest or bias that altered the outcome

Retaliation

Retaliation against any party, witness or other participant to an investigation is prohibited. Any claim of such may be filed in accordance with this Grievance Procedure. Discipline for filing or making a false statement shall not constitute retaliation absent evidence of such motivation.

Informal Resolution

At any point in the formal complaint process, the Districtwide Title IX Coordinator, in his/her discretion, may offer an informal resolution option such as mediation or restorative justice. The staff member appointed to conduct the informal resolution shall be unbiased and receive appropriate training.

Both parties must give voluntary, informed written consent.

Either party has a right to withdraw consent at any time, in which case the formal investigation shall proceed.

The informal resolution process shall not be available if the complainant/victim is a student and the respondent is an employee.

Informal resolution may encompass a broad range of conflict resolution strategies, including, but not limited to, arbitration, mediation or restorative justice.

Confidentiality

The identities of the complainants, respondents and witnesses, except as provided herein or as required by law, including FERPA, shall not be disclosed.

Record Keeping

The District must keep records related to reports of alleged sexual harassment for a minimum of seven years, including investigation records, disciplinary sanctions, remedies, appeals, and records of any action taken, including supportive measures. Additionally, Districts must also keep for a minimum of seven years any materials used to train Title IX Coordinators, investigators, decision makers, any employee designed to facilitate an informal process.

Alternate Complaint Procedures

In addition, or as an alternative to the filing of a sex discrimination/sexual harassment complaint through the District's grievance procedure, a person may choose to file a complaint with the Office for Civil Rights of the United States Department of Education, any other state or federal agency designated to receive such complaints and/or to report an incident of sexual harassment to law enforcement.

Statement of Protected Rights

Application of this policy and its grievance procedure shall not be interpreted to restrict rights

protected under the U.S. Constitution, including the right to free speech, to be free from self-incrimination and to due process of law.

Mandated Reporters

Nothing in the Board’s sexual harassment policy or this regulation shall interfere with or alter a mandated reporter’s responsibility to report child abuse or neglect or sexual assault to DCF or the police as may be required by law.

Training

Training shall be provided to Title IX personnel, including, but not limited to, Title IX Coordinators, investigators, decision makers, and any employee designed to facilitate an informal process in accordance with the regulation under Title IX as promulgated by the U.S. Department of Education, as it may be amended from time to time.

Training shall include, but is not limited to, explanation or instruction regarding:

- the definition of “sexual harassment”
- grievance procedures
- how to conduct an investigation-
- how to prepare an investigative report
- training on any technology that might be needed to carry out responsibility for investigation or decision making e.g. recording device for live hearing
- issues of relevance including how to apply rape shield protections for complainants and application of legally recognized privilege

Training may additionally be provided to other school employees as deemed appropriate.

A record shall be kept reflecting the names of all employees who receive training along with the date and nature of the training.

Materials used to train personnel shall be posted to the District’s website and maintained as required under the regulations under Title IX as promulgated by the U.S. Department of Education, as it may be amended from time to time.



Windsor Locks Public Schools

Shawn L. Parkhurst
Superintendent of Schools

Christian J. Strickland
Assistant Superintendent of Schools

58 South Elm Street, Windsor Locks, Connecticut 06096
Telephone 860 292-5000 Fax 860 292-5003

[Date]

Dear [Student or Employee]

Please be advised that a formal sexual harassment complaint has been filed naming you as a perpetrator of sexual harassment in a district education program or activity. Specifically, it is alleged that *(insert description to provide sufficient detail to allow the respondent to prepare a response)*. Where known, include the name of parties, the conduct alleged to be sexual harassment, *the date and location of the conduct*].

In accordance with Title IX and District policy, sexual harassment is prohibited in the education programs and activities of the Windsor Locks Public Schools. The Windsor Locks Public Schools responds promptly and thoroughly to all formal complaints of sexual harassment following its established grievance procedures for the investigation of and response to complaints of sex discrimination/sexual harassment.

The person alleged to be the victim of sexual harassment is referred to as a complainant. As someone accused of sexual harassment, you are referred to as a “respondent”. A respondent is presumed innocent (not responsible for the conduct). Whether you have engaged in sexual harassment will be determined at the conclusion of the grievance process.

Attached for your review is a copy of Windsor Locks Board of Education Policy 5145.5/4118.112/4218.112, Prohibition Against Sex Discrimination and Sexual Harassment, and its regulation containing the District’s grievance procedures.

The grievance procedures contain information about how the complaint will be investigated and your rights and that of the complainant including the right to designate an advisor of your choosing to review and inspect evidence on your behalf prior to a final determination. An advisor may be, but is not limited to, a parent, a relative, an advocate or a lawyer, but need not be a lawyer.

You have been provided with this notice and attached information so you may respond thoughtfully when interviewed. A school official designated as the District’s official investigator in this matter will contact you to schedule an initial interview. The purpose of the initial interview is to explain the grievance process, discuss the allegations and provide you with an opportunity to ask questions, share information, and respond to the allegations. Interviews are part of the investigation process and are essential to the fact-finding process required prior to the issuance of a final determination.

Be advised that anyone who knowingly makes false statements or provides false information in the grievance process may be subject to disciplinary action in accordance with Board of Education policy.

Your cooperation is appreciated while this matter is investigated.

Sincerely,

Sheri Lee

Human Resources Director

cc: *[insert names of individuals to receive a copy]*

Enclosures: Board Policy and regulation [insert #], Grievance Procedures

WINDSOR LOCKS PUBLIC SCHOOLS

NON-DISCLOSURE AGREEMENT

TITLE IX INVESTIGATION

I, *[insert name]* am a party (*either a complainant or respondent*) to a Title IX complaint and investigation. As a party, I may permissibly discuss allegations under investigation, may review evidence, both exculpatory and inculpatory, and will be provided an investigative report issued by the officer assigned to investigate (“confidential information”).

I understand and agree to use the materials provided for my inspection and review solely for the purpose of the Title IX Grievance Process. I may share them with my designated advisor, if I choose to have an advisor. Any further dissemination or disclosure by me or my advisor of these confidential materials along with the content therein is prohibited. I am free to treat information that is solely about me in any manner I so choose including sharing with others.

I may not copy, share, provide or otherwise disclose or disseminate confidential information about the opposing party to any individuals, organizations, groups or entities either in person, in writing, or by use of electronic technology or social media or in any other manner. At the conclusion of the matter, I will return and/or destroy any and all such confidential information provided to me in connection with the Title IX complaint and investigation.

I acknowledge that in the event that I breach this agreement, in addition to any other remedies which are available, the school district would be entitled to injunctive relief in that there may not be an adequate remedy at law in the event of such a breach.

I agree by signing below not to further disclose or disseminate the confidential information thereof, including any and all copies and reproductions of the same. In so doing, I do not waive my first amendment rights to discuss the allegations or to gather evidence.

(Name of Student/Employee)

(Signature)

(Date)

Received by: _____
(Name/signature)

(Date)

Materials reviewed/inspected or provided:

The section below is to be completed upon the issuance of a decision of responsibility or at the conclusion of any appeal.

I hereby certify that the materials provided to me have been returned or destroyed.

Signature of party: _____

Materials received by: _____

(Title/Name/Signature)

(Date)

WINDSOR LOCKS PUBLIC SCHOOLS

FORMAL COMPLAINT OF SEXUAL HARASSMENT

This form may be used by any student or employee of the District who believes they are a victim of sexual harassment occurring in the District's education program or activities and wishes to file a formal complaint. The filing/signing of this form will trigger a full investigation. With or without a formal complaint, supportive measures will be offered to both a complainant (alleged victim) and respondent (alleged perpetrator). To initiate this complaint, return this form to the District's Title IX Coordinator who may be contacted as follow: Sheri Lee, Human Resources Director.

Complainant's Name _____
Home Address _____
Name of School of attendance or employment _____
Home Phone _____ Work Phone _____ Cell Phone _____
Grade (student) _____
Current position/job (employee) _____
Email address _____
Preferred method of contact _____
Date of Alleged Incident(s) _____
Name of person(s) you believe engaged in sexual harassment _____
List any witnesses that were present/have knowledge _____

Where did the incident(s) occur? _____

Describe the incident(s) as clearly as possible, including such things as: what force, if any, was used: any specific verbal statements (i.e. threats, requests, demands, etc.); what, if any, physical contact was involved; what did you do to avoid the situation, etc. (Attach additional pages if necessary.)

I hereby certify that the information provided in this complaint is true, correct, and complete to the best of my knowledge and belief. By signing below, I request that a full investigation occur in accordance with Board Policy 5145.5 and its regulations containing grievance procedures designed to address formal complaints of sexual harassment.

(Reporter's Signature) _____

(Date) _____

Received By: _____

(Name)

(Date)

(Signature)

WINDSOR LOCKS PUBLIC SCHOOLS

INFORMAL REPORT OF SEXUAL HARASSMENT

This form may be used by any individual who wishes to make a report of sexual harassment occurring in the District's education program and activities. Anonymous reports are permitted but may limit the District's ability to respond. A complainant (student or employee believing he/she is a victim of sexual harassment) may choose to file an informal report using this form or to file a formal complaint triggering a full investigation by completing District Form B. With or without a formal complaint, supportive measures will be offered to both a complainant and respondent (alleged perpetrator).

*Return this form to the District Title IX Coordinator who may be contacted as follows:
Sheri Lee, Human Resources Director*

Reporter's Name _____

Home Address

Name of School (if a student/employee) _____

Home Phone _____ Work Phone _____ Cell _____ Phone _____

Email address _____

Preferred method of contact _____

Date of Alleged Incident(s) _____

Alleged victim's name (if not the reporter)

Name of person(s) you believe engaged in sexual harassment

List any witnesses that were present/have knowledge

Where did the incident(s) occur? _____

Describe the incident(s) as clearly as possible, including such things as: what force, if any, was used: any specific verbal statements (i.e. threats, requests, demands, etc.); what, if any, physical contact was involved; what did you do to avoid the situation, etc. (Attach additional pages if necessary.)

I hereby certify that the information I have provided in this report is true, correct, and complete to the

best of my knowledge and belief.

(Reporter's Signature)

(Date)

All reports of sexual harassment will be responded to in accordance with Board Policy 5145.5 and its regulation.

Received By: _____

(Name)

(Date)

(Signature)

WINDSOR LOCKS PUBLIC SCHOOLS

NON-DISCLOSURE AGREEMENT

TITLE IX INVESTIGATION

I have been selected by *[insert name of student or employee]* to be his/her advisor related to the investigation of a Title IX complaint in which *[insert name of student or employee]* is a named complainant/respondent. On behalf of *[insert name of party]*, I may permissibly discuss allegations under investigation, may review evidence, both exculpatory and inculpatory, and am authorized to review an investigative report issued by the officer assigned to investigate (“confidential information”).

I understand and agree to use the materials provided for my inspection and review solely for the purpose of the Title IX Grievance Process. Any further dissemination or disclosure of these confidential materials along with the content therein is prohibited. I may not copy, share, provide or other disclose or disseminate them to any individuals, organizations, groups or entities either in person, in writing, or by use of electronic technology or social media or in any other manner. At the conclusion of the matter, I will return and/or destroy any and all such confidential information provided to me in connection with the Title IX complaint and investigation.

I acknowledge that in the event that I breach this agreement, in addition to any other remedies, the school district would be entitled to injunctive relief in that there may not be an adequate remedy at law in the event of such a breach.

I agree by signing below not to further disclose or disseminate the confidential information thereof, including any and all copies and reproductions of the same.

(Name)

(Signature)

(Date)

Received by: _____
(Name/signature)

(Date)

The section below is to be completed upon the issuance of a decision of responsibility or at the conclusion of an appeal, if any.

Materials reviewed/inspected provided:

I hereby certify that the materials provided have been returned or destroyed.

Signature of advisor: _____

Personnel -- Certified/Non-Certified

Students

Face Masks/Coverings

This policy pertains to students, faculty, staff, and visitors. It has been developed to fulfill the guiding principles contained in the *Framework for Connecticut Schools*, specifically to safeguard the health and safety of students and staff and to allow all students the opportunity to return into classrooms full time.

The Windsor Locks Board of Education (Board) is implementing this masking requirement to promote the safest possible learning, teaching and work environment for students, faculty, staff and visitors during the COVID-19 pandemic. The first priority of the Board is the health and well-being of students and staff as the District prepares for and implements the safe reopening of schools.

The Center for Disease Control (CDC) and the Connecticut Department of Health (DPH) and the Connecticut State Department of Education, as outlined in *Adapt, Advance, Achieve: Connecticut's Plan to Learn and Grow Together* requires the wearing of face coverings for all students and staff when they are inside school buildings and while riding school transportation vehicles, with certain exceptions.

Definitions

Face covering/mask – a cloth, paper, or disposable face covering that covers the nose and mouth. It may or may not be medical grade. (*Evidence shows that the proper wearing of facial masks or coverings helps stop the spread of the virus, which is currently by droplets when an individual coughs, sneezes or talks.*)

Face shield – a clear, plastic shield that covers the forehead, extends below the chin and wraps around the sides of the face, protecting the eyes, nose and mouth from contamination from respiratory droplets, along with masks or respirators.

Transportation

Student passengers and bus drivers and any other adults present on a bus at any time, are required to wear a face mask or cloth face covering that completely covers the nose and mouth during transit. The student's face covering must be in place prior to boarding the bus, van or other vehicles and must be kept in place until they are completely off the bus or van. The Board shall provide back-up masks if students do not have face coverings when boarding a school bus or van.

Personnel -- Certified/Non-Certified

Students

Face Masks/Coverings (continued)

School Buildings and Grounds

All students, staff, and visitors are required to use face coverings that completely cover the nose and mouth, when they are inside the school building or on school grounds, even when social distancing is maintained. An individual shall be excused from this requirement for the following listed reasons, per CDC guidance.

The individual:

1. has trouble breathing;
2. is unconscious;
3. is incapacitated; or
4. cannot remove the mask or face covering without assistance.

In addition, masks or face coverings shall not be required for anyone who has a medical reason making it unsafe to wear a face mask or face covering. A written notification from a physician is required in order for the Board to permit a medical exemption. The note should state the medical reason for the requested exemption, such as, but not limited to, difficulty breathing.

Parents/guardians may not excuse their child from this face mask requirement, by signing a waiver, because such wearing is a mandated requirement that the Office of the Governor, the Connecticut State Department of Education, and/or the Connecticut State Department of Public Health have defined as necessary for school districts to comply with in order to open schools from the COVID-19 caused closure.

In addition to the wearing of face masks, the District will maximize social distancing between student's workstations and desks to the greatest extent possible. Space between the teacher and students is to be maximized to reduce the risk of increased droplets from teachers during instruction.

Transparent (clear) masks should be considered as an option for teachers and students in classes for deaf and hard of hearing students. Pre-K, Kindergarten and special education teachers should consider wearing clear masks.

Face shields may be an option for those students with medical, behavioral or other challenges who are unable to wear face masks or coverings. The Board recognizes that face shields are not as effective for source control and should be used only when other methods are not available or appropriate. Therefore, the use of face shields for those with medical conditions is done with the understanding of their limitations and a heightened need for strict adherence to social distancing.

Personnel -- Certified/Non-Certified

Students

Face Masks/Coverings

School Buildings and Grounds

The Board shall provide to any student, staff member or visitor a face mask if such individual does not have one. Training shall be provided as necessary regarding the proper use of face coverings. Information shall be provided to staff, students and students' families regarding the proper use, and removal.

Limited Exceptions to Use of Face Coverings

When other and appropriate mitigating practices are in place, such as social distancing, students will not be required to wear face masks or coverings while eating, drinking, during physical education classes, or during scheduled, adult supervised masks breaks or when students are outside and effectively practicing social distancing and any other possible mitigants. Exceptions may also be necessary for certain special education students or other special populations.

Face shields may be useful in situations where it is important for students to see how a teacher pronounces words (e.g. English Learners, early childhood, foreign language, etc.) and social distancing is maintained.

Mask Breaks

Breaks from wearing masks shall be scheduled throughout the school day, by the teacher, provided that strict social distancing requirements are maintained and limitations are enforced regarding student and staff mobility and in accordance with district and school schedules and guidelines.

During time of eating, face masks or coverings may be removed. Masks are required in all cafeterias while entering and leaving or getting food and drinks. They may be removed at appropriately socially distanced tables in order to eat but must be replaced after eating.

When masks are removed during a mask break, the mask must be placed over one ear or on the individual's wrist to avoid any other high contact/high touch surface.

A recess period may be used as a break from wearing masks when no more than one class is outside at a time and social distancing requirements are maintained to the greatest degree possible.

Violations of this Policy

Violations of this policy, whether by students or staff, shall be handled in the same manner as other violations of applicable Board policy.

Personnel -- Certified/Non-Certified

Students

Face Masks/Coverings

Violations of this Policy

If a student refuses to wear a face mask or covering and does not fulfill any of the exemptions allowed by this policy, the building administrator or designee will meet with the student to educate them on why the mask is required for health and safety reasons. The parent/guardian shall be contacted.

If a visitor refuses to wear a face covering, for non-medical reasons, entry to the school/district facility may be denied.

Community Outreach

The District shall engage in community education programs including signage, mass and targeted communication, and positive reinforcement that will actively promote mask use consistent with CDC, DDH, CSDE and OSHA guidance. Community members will be reminded that mask use does not replace the need for social distancing, washing of hands and other preventative practices recommended by all appropriate authorities.

- The District shall maintain in each school a supply of disposable face coverings in the event that a staff member, student or visitor does not have one for use.
- Special attention must be given to putting on and removing face coverings for purposes such as eating. After use, the front of the face covering is considered contaminated and should not be touched during removal or replacement. Hand hygiene should be performed immediately after removing and after replacing the face covering/
- When medically appropriate, nurses shall substitute use of metered dose inhalers and spacers for students with respiratory issues.
- Face shields with face masks may be used by staff who support students with special healthcare needs such as those who are unable to wear masks and who may need assistance with activities of daily living, such as toileting and eating.
- Mask use will not be required by employees when they are alone in private offices. However, they are required to mask when anyone enters a private office space and are required to wear a mask if their office space is physically shared with others and does not allow for 3-6 feet of physical distance or if the work area is frequented by others.

Personnel -- Certified/Non-Certified

Students

Face Masks/Coverings

Until further notice the Board will require the wearing of masks as prescribed in this policy. The Board reserves the right to interpret the provisions of this policy and to modify any or all matters contained in this policy at any time, subject to applicable law.

- (cf. 5141.22 – Communicable/Infectious Diseases)
- (cf. 5141.6 – Crisis Management Plan)
- (cf. 6114 – Emergencies and Disaster Preparedness)
- (cf. 6114.6 – Emergency Closings)
- (cf. 6114.8 – Pandemic/Epidemic Emergencies)
- (cf. 6114.81 – Emergency Suspension of Policy During Pandemic)

- Legal Reference:
- Connecticut General Statutes
 - 10-154a Professional communications between teacher or nurse and student.
 - 10-207 Duties of medical advisors.
 - 10-221 Boards of education to prescribe rules.
 - 19a-221 Quarantine of certain persons.
 - 52-557b Immunity from liability for emergency medical assistance, first aid or medication by injection. School personnel not required to administer or render.
 - The Family Educational Rights and Privacy Act of 1974, (FERPA), 20 U.S.C. 1232g, 45 C.F.R. 99.
 - Adapt, Advance, Achieve: Connecticut’s Plan to Learn and Grow Together
 - Connecticut LEA School Reopening Template
 - CDC Considerations for Schools
 - CDC Symptoms of Coronavirus
 - CDC Quarantine & Isolation
 - CDC Use of Cloth Face Coverings to Help Slow the Spread of COVID-19
 - CDC Interim Guidance for Administrators of US K-12 Schools and Child Care Programs
 - CDC Schools Decision Tree for Schools Reopening

Policy adopted:

Instruction

Distance Education

Distance Learning Plan Due to Health-Based School Closure

This policy outlines Windsor Locks Public School's District plan to provide distance learning options in the event that the school District must be closed partially, fully or as an option for families, due to an emergency health situation. This action plan allows District Schools to operate remotely while continuing to provide meaningful instruction to students through the use of a variety of instructional resources.

The Board of Education (Board) seeks to ensure fluid operation as well as provide equitable access for all students. A distance learning day is a remote school day where students and staff have an opportunity to explore and engage in meaningful learning experiences that are: (a) aligned to the curriculum, (b) connected to standards, and (c) relevant to the current instructional sequence and (d) mirrors and follows the school schedule (daily) and district calendar. While nothing replaces the genuine human interactions that happen authentically in the classroom between students and teachers, distance learning will support continuity of instruction in the event of a health-related closure.

Distance learning school days will run as detailed in the section below entitled "Scheduling." The schedule will allow teaching staff adequate time to present the learning experience to support students as they (a) access information, (b) prioritize their day, and (c) communicate with their teacher(s). Teachers will be available during their contracted hours as outlined in the respective bargaining units and in accordance with the district calendar.

Goals of the Distance Learning Program

The Board, by its adoption of this policy, establishes the following goals for the distance learning program:

1. To ensure the continuity of instruction if and when a pandemic negatively impacts the District's ability to maintain daily operations for all students to be physically present.
2. To continue to provide students with an authentic, meaningful, and comprehensive

school experience that mirrors the classroom experience to the greatest extent possible.

3. To mitigate or completely eliminate possible exposure to and spread of pandemic influenza among students, parents, guardians, employees, and community members.

4. To ensure compliance with all federal and state statutes and regulations and Board policies and administrative regulations, as may be amended by state and federal authorities, in collaboration with the CT Department of Public Health, the Connecticut State Department of Education and the North Central Public Health Department.

Key Components of the Distance Learning Program

1. **Equitable Access:** To provide equitable instruction, the District will ensure that all students have access to instructional materials and electronic devices.

2. Students in K-12 will be required to log-in to a device and follow their school schedule each day that school is scheduled to be in session.

3. Students in K-12, the District will ensure that all students have access to a device during the day.

3. Data about access to the Internet and the availability of digital devices for student use at home is to be collected by the District. In the event that a student does not have access to a computer or Wi-Fi at home, the District will provide a device and/or a hotspot for student use.

Communication

1. Upon a directive from the Governor and/or Connecticut State Department of Education (CSDE) notification will be sent to parents/guardians utilizing the District's emergency notification/communication system. Detailed instructions will also be posted on the school and District websites.

2. During a partial or full closure, the school buildings shall/may remain open for a portion of the day to allow staff and students to gather personal items and collect necessary learning materials. A school specific schedule will be communicated by the Superintendent of Schools or his/her designee.

3. In the event an immediate directive from a State official is provided, the District will provide additional guidance, as necessary, at that time.

Attendance

The Board directs the Superintendent or his/her designee to develop a plan to verify and track student attendance as related to the provided distance learning activities. Parents/guardians must report the days their child(ren) are unable to participate in the provided distance learning activities due to illness or other specified reason. A means of reporting absences must be made available to parents/guardians.

Harassment, Intimidation, and Bullying

During distance learning days, the District will adhere to all aspects of our Harassment Intimidation and Bullying policies and procedures.

Time Schedules

Teachers/staff will be available during their contracted hours in accordance with school schedules and the district calendar. Any variation to this schedule is at the discretion of the Superintendent or his/her designee.

School Nutrition Benefits

Any student who receives free and reduced school breakfast/lunch shall be afforded the opportunity to pick up a nutritional school lunch prepared by the food service provider/department. The schedule for availability and locations of pickup shall be posted on the District and school websites and through the District's emergency notification system.

Resources to Support Instruction

The District shall utilize varied resources to support student learning. These include, but are not limited to, the following:

1. The posting on the school's website is a webpage devoted to relevant online resources and digital subscriptions.
2. Teacher/staff utilization of Google Apps for Education, District e-mail, and other online platforms for instruction, in accordance with the district's software data privacy agreements.
3. Teacher/staff will use live streaming via district supported camera (front of room facing only), audio microphones and ceiling mounted speakers to engage all learners both in

person and remotely following their class/school schedule.

4. Teacher/staff will have full control over, when not directly instructing the class, to mute the microphone and camera.

5. In the absence of a learning space with district supported camera, microphones and ceiling mounted speakers, teachers/staff will pre-record in advance and post in advance a video lesson for all students that are not able to physically be present in the classroom.

Instruction: Student Responsibilities

1. All students will have access to digital resources to be used at home and when physically present in school.

2. Students without a school approved excuse will be held responsible for all work not completed by the assigned deadline. Deadlines will be assigned at the discretion of the classroom teacher and assignments will be returned either graded or with feedback in a timely manner.

3. Students must adhere to the district's acceptable use policy and any violation will be cause for disciplinary action.

4. Students may not record any portion of a teacher's lesson on any device without prior permission and consent by the teacher and the building administrator.

5. Students will continue to receive provisions of their IEP requirements and will be provided with a free and appropriate program (FAPE) encompassing special education and related services to the greatest extent possible under the circumstances. What is appropriate and reasonable will include the individual child's circumstances as well as the circumstances related to the pandemic/epidemic emergency. All special education programming will be consistent with the student's Individualized Education Plan (IEP) to the extent appropriate.

In order to monitor student engagement in continued learning, the Board expects the following actions to take place:

1. Teachers and support staff are to connect with all students to maintain their relationships, assist with issues related to assignments, and encourage full participation in the continued learning opportunities. Connections should be documented and tracked as appropriate.

2. Student support staff shall identify students who were chronically absent prior to the school closure/cancellation of classes or otherwise identified as needing additional support to determine if such support can continue virtually.

3. School administrators and support staff are to reach out to students who are not signing into online learning or engaging in other continued learning opportunities. Families are to be contacted by school staff to ensure safety and well-being and connect students to the continued learning opportunities and technology they may require.

Grading & Feedback

The Board of Education shall approve any changes in grading and reporting systems as developed by the administration and faculty and upon the recommendation of the Superintendent of Schools.

(cf. 0523 – Equity and Diversity)

(cf. 3520.13 – Student Data Protection & Privacy/Cloud-Based Issues)

(cf. 5131.81 – Use of Electronic Devices)

(cf. 5131.911 – Bullying)

(cf. 5131.913 – Cyberbullying)

(cf. 5141.4 – Reporting of Child Abuse and Neglect)

(cf. 6114.8 – Pandemic/Epidemic Emergencies)

(cf. 6114.81 – Emergency Suspension of Policy During Pandemic)

(cf. 6141.321 – Acceptable Computer Use)

(cf. 6141.323 – Filtering Access to Electronic Networks)

(cf. 6141.324 – Posting of Student Work/Photographs)

(cf. 6141.327 –Electronic Resources)

(cf. 6141.3291 – One-to-One Tablet Program)

(cf. 6141.326 – Online Social Networking)

(cf. 6141.328 – Bring Your Own Device)

(cf. 6141.329 – Electronic Reading (e-reader) Devices)

(cf. 6146.1 – Assessment Systems)

(cf. 6156.2 – Off-Site Computer Use)

(cf. 6172.6 – Virtual/Online Course; Distance Education)

Legal Reference: Connecticut General Statutes

10-221 Boards of education to prescribe rules.

18 U.S.C. §§2510-2522, Electronic Communication Privacy Act.

3501

Non Instructional

3501 – Health and Wellness

Student wellness, including good nutrition and physical activity, shall be promoted in the District's educational program, school activities, and meal programs. In accordance with state law and federal law, it is the policy of the Board of Education (Board) to provide students access to healthy foods and beverages; provide opportunities for developmentally appropriate physical activity; and require all meals served by the District meet or exceed the federal nutritional guidelines issued by the U.S. Department of Agriculture (USDA) and/or the "Connecticut Nutrition Standards for Foods in Schools", as applicable. This policy shall be interpreted consistently with Section 204 of the Healthy, Hunger-Free Kids Act of 2010 (Public Law 111-296)

In developing goals for nutrition promotion and education, physical activity, and other school-based activities that promote student wellness, the District will, as required, review and consider evidence-based strategies and techniques.

Goals for Nutrition Promotion and Education

The goals for addressing nutrition education include the following:

- Schools will support and promote good nutrition for students consistent with applicable federal and state requirements and guidelines.
- Schools will foster the positive relationship between good nutrition, physical activity, and the capacity of students to develop and learn.
- Nutrition education will be part of the District's comprehensive standards-based school health education program and curriculum. Elementary, middle school and high school students shall receive nutrition education that is sequential and comprehensive in scope and teaches skills that are interactive and participatory. Nutrition education will be integrated into other classroom content areas, as appropriate and will also be linked with the school food environment when possible. Schools will also link nutrition education activities with existing coordinated health programs or other comparable comprehensive school health promotion frameworks.

Goals for Physical Activity

The goals for addressing physical activity include the following:

- Schools will support and promote an active lifestyle for students.
- Physical education will be taught in all grades and shall include a standards-based, developmentally planned and sequential written curriculum that fosters the development of movement skills, enhances health-related fitness, increases students' knowledge, offers direct opportunities to learn how to work cooperatively in a group setting, and encourages healthy habits and attitudes for a healthy lifestyle.
- Unless otherwise exempted, all students will be required to engage in the District's physical education program.
- Recess and other physical activity breaks; before and after school activities, and walking and bicycling to schools, where safe to do so, are supported by the Board.
- Schools will provide opportunities for daily physical activity daily for students in accordance

with state law.

Nutrition Guidelines for Foods Sold in Schools

Students will be offered and schools will promote nutritious food choices consistent with the current Dietary Guidelines for Americans and My Plate, published jointly by the U.S. Department of Health and Human Services and the Department of Agriculture, and guidelines promulgated by the Connecticut Department of Education ("Connecticut Nutrition Standards for Foods in Schools") in addition to federal and state statutes and national health organizations.

The focus is on moderating calories, limiting fats, sodium and sugars and increasing consumption of nutrient-rich foods such as fruits, vegetables, whole grains, low-fat dairy, lean meats and legumes.

In addition, in order to promote student health and reduce childhood obesity, the Superintendent or designee shall establish administrative procedures to control food and beverage sales that compete with the District's nonprofit food service in compliance with the Child Nutrition Act. The District shall prohibit the sale of foods of minimal nutritional value as defined by the USDA and will ensure that all foods sold to students separately from school reimbursable meals meet the Connecticut Nutrition Standards (CNS). All beverages sold or served to students on school premises will be healthy choices that meet the requirements of state law and USDA beverage requirements.

The District shall ensure compliance with allowable time frames for the sale of competitive foods as specified by state law. Any exemptions for the sale to students of non-complying foods or beverages shall only occur in accordance with state statute under the circumstances as specified in Board Policy 3500, Food Service Program.

Reimbursable School Meals

Reimbursable school meals served shall meet, at a minimum, the nutrition requirements and regulations for the National School Lunch Program and/or School Breakfast Program.

Marketing

Any foods and beverages marketed or promoted to students on the school campus during the school day will meet or exceed the USDA "Smart Snacks in School" (Smart Snacks) nutrition standards. Food and beverage marketing is defined as advertising and other promotions in schools. Food and beverage marketing often include oral, written, or graphic statements made for the purpose of promoting the sale of a food or beverage product made by the producer, manufacturer, seller or any other entity with a commercial interest in the product. As the District/School Nutrition Services/Athletic Department/PTA/PTO reviews existing contracts and considers new contracts, equipment and product purchasing decisions should reflect the applicable marketing guidelines established by the District wellness policy.

Monitoring

The Board designates the Superintendent or his/her designee to ensure compliance with this policy and its administrative regulations. The Superintendent is responsible for retaining all documentation of compliance with this policy and its regulations, including, but not limited to, each school's three-year assessment and evaluation report and this wellness policy and plan. The Superintendent will also be responsible for public notification of the three-year assessment and evaluation report, including any

updates to this policy made as a result of the Board's three-year assessment and evaluation.

The Superintendent or his/her designee shall provide periodic implementation data and/or reports to the Board concerning this policy's implementation sufficient to allow the Board to monitor and adjust the policy. The District, as required, will retain records and documents pertaining to the wellness policy which shall include the written school wellness policy, documentation demonstrating compliance with community involvement requirements, documentation of the triennial assessment of the wellness policy and documentation to demonstrate compliance with the annual public notification requirement.

Community Input/Wellness Council

A District Health and Wellness Council (Council) shall be established. The Council affords community members an opportunity to provide suggestions and comments concerning the development, implementation, periodic review and improvement of the District's wellness policy.

The Council shall evaluate and monitor the District's Wellness Policy and its effectiveness, serve as a resource to the Superintendent and the Board, and make recommendations for policy.

The membership of the Health and Wellness Council shall include at a minimum:

- a. the Assistant Superintendent of Schools
- b. the Food Service Director/Manager
- c. parent representatives
- d. building administrators
- e. physical education teacher(s)
- f. a health representative
- g. Board of Education representative
- h. registered nurse
- i. student representative(s)
- j. Related Services Support Staff
- k. Certified Staff

The council shall meet a minimum of twice annually. Additional meetings may be scheduled as needed.

Evaluation of Wellness Policy

In an effort to measure the implementation of this policy, the Board designates the Superintendent and his/her designee as the person(s) who will be responsible for ensuring that each school meets the goals outlined in this policy. To ensure continuing progress, the District will evaluate implementation efforts and their impact on students and staff at least every three years. The Superintendent will consult with the District Health and Wellness Council and consider their recommendations and communicate them to the Board. The Board may revise the Wellness Policy as deemed appropriate.

The District will make available to the public the results of the three-year assessment, (Triennial Assessment), and evaluation including the extent to which the schools are in compliance with policy and a description of the progress being made in attaining the goals of this policy.

Notification of Wellness Policy/Assessment

The School Wellness Policy shall be made available annually, at a minimum, to students and families by means of school registration, student handbooks and the Board's website. This availability shall include the policy, including any updates to and about the wellness policy and the Triennial Assessment, including progress toward meeting the goals of this policy. In addition, the annual notification shall include a description of each school's progress in meeting the wellness policy goals; summary of each school's wellness events or activities; contact information for the leader(s) of the wellness policy team; and information on how individuals and the public can get involved.

Regulations

The Superintendent shall establish regulations which may be revised from time to time, as deemed necessary, to guide the implementation of the Health and Wellness Policy and to ensure compliance with applicable federal and state laws.

Legal Reference:

Connecticut General Statutes

- [10-16b](#) Prescribed courses of study.
- [10-215](#) Lunches, breakfasts and the feeding programs for public school children and employees
- [10-221](#) Boards of education to prescribe rules, policies and procedures
- [10-215a](#) Non public school participation in feeding program
- [10-215b](#) Duties of state board of education re: feeding programs
- [10-216](#) Payment of expenses
- [10-215e](#) Nutrition standards for food that is not part of lunch or breakfast program
- [10-215f](#) Certification that food meets nutrition standards
- [10-221o](#) Lunch periods. Recess
- [10-221p](#) Boards to make available for purchase nutritious, low-fat foods
- [10-221q](#) Sale of beverages.

Regulations of Connecticut State Agencies

- [10-215b-1](#) Competitive foods
- [10-215b-23](#) Income from the sale of food items

Federal Law

National School Lunch Program and School Breakfast Program; Competitive Food Services. (7 CFR Parts 210.11 and 220.12)

The Child Nutrition and WIC Reauthorization Act of 2004, Public Law 108-265

Nutrition Standards in the National School Lunch and School Breakfast Programs, 7 CFR Parts 210 & 220

Healthy, Hunger-Free Kids Act of 2010, P.L. 111-296, 42 U.S.C. 1751

Child Nutrition Act of 1966 (as amended by P.L. 108-269, July 2, 2004)
School Breakfast Program, 7 C.F.R. Part 220 (2006)
National School Lunch Program or School Breakfast Program: Nutrition Standards for All
Foods Sold in School (Federal Register, Vol. 78, No. 125, June 28, 2013)
Local School Wellness Policy Requirements, 42 U.S.C. 1758b

Policy adopted:

Students

Attendance, Excused Absences, Truancy

The Board of Education recognizes that regular attendance in school is fundamental to a child's success and achievement. Classroom learning experiences are the basis for public school education. Time lost from class is lost instructional opportunity and is irretrievable. The Board of Education requires that accurate records be kept of the attendance of each child, and the students should not be absent from school without parental knowledge and consent.

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

A student is considered to be "in attendance" if present at his/her assigned school, *or attending in accordance with attendance policies remotely during a pandemic*. A student who is serving an out-of-school suspension or expulsion should always be considered absent. A student not meeting the definition of "in attendance" shall be considered absent.

At the beginning of each school year and upon enrollment of a student during the school year, the building Principal shall notify parent(s)/guardian(s) of the obligation to assure that their children attend school or show that they are enrolled elsewhere receiving an equivalent education. Further, at the beginning of the school year and upon enrollment of a student during the school year, the building principal shall request from the parent(s)/guardian(s) a telephone number or other means of contacting such parent(s)/guardian(s) (or such other person) during the school day.

Definitions (related to chronic absenteeism)

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

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

District chronic absenteeism rate; The total number of chronically absent children in the previous school year divided by the total number of children enrolled in such school for such school year.

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

Excused Absence

A student's absence from school shall be considered "excused" if written documentation^[BS1] of the reason for such absence has been submitted within two (2) school days of the student's return to school and meets the following criteria:

1. For absences one through nine, a student's absences from school are considered "excused" when the student's parent/guardian approves such absence and submits appropriate documentation to school officials. (Documentation includes a signed note from the student's parent/guardian, a signed note from a school official that spoke in person to the parent/guardian regarding the absence, or a note confirming the absence by the school nurse or by a licensed medical professional, as appropriate).
2. For the tenth absence and all absences thereafter, a student's absences from school are considered excused for the following reasons:
 - A. Illness or injury (must be verified by a licensed medical professional to be deemed excused, regardless of the length of the absence);
 - B. Death in the student's family/ attendance at funeral, or other emergency beyond the control of the student's family.
 - C. Student's observance of religious holiday
 - D. Mandated court appearance of the student with appropriate legal documentation within two (2) days,
 - E. The lack of transportation that is normally provided by a district other than the one the student attends (no parental documentation required)
 - F. Extraordinary educational opportunities pre-approved by District administration and to be in accordance with the Connecticut State of Education guidance.
 - G. Other exceptional circumstances. Written excuse for other such absences must be submitted to the principal by the child's parent or guardian for final approval. All other absences with or without written explanation shall be considered unexcused.
3. A student's absence from school shall be considered unexcused unless:
 - A. The absence meets the definition of an excused absence and meets the documentation requirements; or
 - B. The absence meets the definition of a disciplinary absence, which is the result of school or District disciplinary action and are excluded from these State Board of Education approved definitions.

Students

Attendance, Excused Absences, Truancy (continued)

When the school in which a child receives no notification from a parent or other person having control of the child is aware of the child's absence, a reasonable effort shall be made by school personnel or volunteers under the direction of school personnel to notify by telephone and by mail such parent or other persons having control of the child.

The required mailed notice shall include a warning that two unexcused absences from school in one month or five unexcused absences in a school year may result in a complaint filed with the Superior Court alleging the belief that the acts or omissions of the child are such that the child's family is a family with service needs.

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

Excused Absences for Children of Service Members

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

Chronic Absenteeism

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

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

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

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

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

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

Dismissal

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

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

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

Consequences

In Grades K - 12, the Board of Education authorizes disciplinary action and or the loss of credit for unsatisfactory attendance. Disciplinary penalties for tardiness in accordance with administrative regulations may also be imposed.

Release of Student During School Day

The Board recognizes the need for students to be in school for the full instructional day. It is encouraged that early dismissal should be requested only in emergency or unusual situations.

Requests 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.

Dismissal before the normal end of the school day must be requested in writing.

Students who become ill during the school day may be excused by the school nurse, and transportation

home will be arranged by school personnel with the parents.

Truancy

The Board of Education must provide each child with a continuing education which will prepare the student to assume adult roles and responsibilities. Therefore, regular attendance and punctuality are expected from all children enrolled in our schools. By statute, responsibility for assuring that students attend school rests with the parent(s) or other person having control of the child. Every effort must be made to keep absences and tardiness to a minimum. To assist parent(s) and others in meeting this responsibility, the Board of Education will:

1. Annually notify parents or other person having control of each child enrolled, ages five (5) to eighteen (18), inclusive in writing of the obligations of the parent pursuant to student attendance (C.G.S. 10-184).
2. Obtain from each parent or other persons having control of an enrolled child a telephone number or other means of contacting such parent or other person during the school day.
3. Establish a system for monitoring student's individual absences/tardies.
4. Make a reasonable effort to notify, by telephone and by mail the parent(s) or other such person(s) whenever a child 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 is aware of the student's absence. The required mail notice shall include a warning that two unexcused absences from school in one month or five unexcused absences in a school year may result in a complaint filed with the Superior Court alleging belief that the acts or omissions of the child are such that the child's family is a family with service needs.
5. Identify a student as "truant" when the student has four (4) unexcused absences in anyone month or ten (10) unexcused absences in any school year.
6. Hold a meeting with appropriate staff and the parent or other person having control of the child identified as a "truant" within ten (10) days of such designation to review the reasons for the truant behavior and to evaluate the situation.
7. Consider a referral will be made to the PPT to determine whether or not an educational evaluation is appropriate, prior to a written complaint to Superior Court.
8. File a written complaint, by the Superintendent, not later than fifteen calendar days after the failure of a parent/guardian to attend the meeting (Item #6).
 - a. To attend the required meeting to evaluate why the child's truant, or
 - b. To cooperate with the school in trying to solve the truancy problem.
9. Provide for the coordination of services and refer enrolled students who are truants or to community agencies providing child and family services.

A student who is identified as a "truant" may be subject to the following consequences:

1. Promotion to the next grade may be contingent upon the student successfully completing a summer school program.
2. The student may be retained in the same grade in order to acquire the skills necessary for promotion to the next grade level

Persons who in good faith give or fail to give notice pursuant to subdivision (4) above, shall be

immune from any liability, civil or criminal, which might otherwise be incurred or imposed and shall have immunity with respect to any judicial proceeding which results from such notice or failure to give notice.

Legal Reference: Connecticut[BS2] General Statutes

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

10-185 Penalty

[10-198a](#) Policies and procedures concerning truants (as amended by P.A.11-136, An Act Concerning Minor Revisions to the Education Statutes and PA 14-198, An Act Concerning Excused Absences from School for Children of Service Members.)

45a-8c Truancy clinic. Administration. Policies and procedures. Report. (as amended by PA 15-25)
PA 15-225 An Act Concerning Chronic Absenteeism

10-199 through 10-202 Attendance, truancy in general. (Revised 1995 – PA 95-304)

10-221(b) Board of education to prescribe rules.

Campbell v New Milford, 193 Conn 93 (1984).

Action taken by State Board of Education on Jan. 2, 2008,” to define “attendance”

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

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WINDSOR LOCKS PUBLIC SCHOOLS
Windsor Locks, Connecticut