



WINDSOR LOCKS PUBLIC SCHOOLS
BOARD OF EDUCATION SPECIAL MEETING
Policy Subcommittee Meeting
November 30, 2020 - 5:45 p.m. - REVISED 11/25/20
[Zoom Meeting](#)

1. Call To Order
2. Public Comment
3. Review for Discussion and/or First Reading
 - a. 6114.6 - Emergency Closings: Approve
 - b. 5118 - Resident and Non-Resident Attendance
 - i. Affidavit for Purposes of Residency (New): Approval
 - c. 6146.12 - Academic Recognition: Revise
 - d. 6007 - Rank in Class: Rescind
 - e. 5000 Series - Berchem Moses, LLC Review and Recommendations for:
 - i. 5000 Windsor Locks Public Schools Mission
 - ii. 5111-5112 Admission and Placement
 - iii. 5114 Conduct and Discipline
 - iv. 5114.12 Student Handbooks
 - v. 5116 Enumeration of Children
 - vi. 5117.2 School Attendance Areas Inter-district Choice
 - vii. 5118 Resident and Non-Resident Attendance
 - viii. 5118.1 Homeless Students
 - ix. 5118.2 Education Opportunities for Military Children
 - x. 5122 Class-Grade Assignment of Students who have been Enrolled in a Non-Accredited or Home School Program
 - xi. 5122.3 Assignment of Former Home Schooled Students to Classes
 - xii. 5123 Promotion and Retention of Students
 - xiii. 5123.1 Supervision/Actions Required for School/Districts Designated as Needing Improvement
 - xiv. 5125 Confidentiality and Access to Student Records
 - xv. 5125.11 Health/Medical Records
 - xvi. 5125.2 Student Photographs
 - xvii. 5125.3 Professional Communication Between a Certified Teacher, Administrator or Registered Nurse and a Student, Parent
4. Adjourn

Instruction

Emergency Closings

The Board authorizes the Superintendent to close the schools, delay their opening, and/or to dismiss them early in the event of hazardous weather or other emergencies which threaten the safety or health of students or staff members.

For the duration of the 2020-2021 school year, the Superintendent may choose to treat a day in which the weather is hazardous necessitating a weather related school closure (“a snow day”), whether an in-person, hybrid, or remote instructional model is being used, as a Remote Learning Day (RLD) or as a day in which schooling is closed and the cancelled day is to be made up later in the school year in concert with previous practice. Such decisions will be made at the local level led by the Superintendent in consultation with local officials.

All students, when a RLD is declared, will be provided with remote learning on those days in a manner consistent with the regulatory requirements outlined the State Department of Education’s Adapt, Advance, Achieve guidance and Addendum 12.

A RLD remains a work day for all faculty and staff. The Superintendent will determine the location of work for each staff member.

It is understood that the Superintendent will take such action only after consultation with transportation, police, appropriate town maintenance personnel, and weather authorities.

The public will be informed early in each school year of emergency closing, delayed opening, and early dismissal procedures.

In the case of closing the schools for weather or emergencies, administrators and non-certified personnel should make every effort to reach their assigned duties as soon as roads are passable or the emergency condition is deemed safe by school administrators.

Emergency or discretionary leave may be used for those unable to reach a building unless the Superintendent or designee feels conditions are severe enough that all employees are dismissed from attending work.

Every effort will be made to notify employees of the status of opening, either by phone by posting on the District web site, or through television and radio broadcasts.

(cf. 6111 - School Year/School Calendar)

Legal Reference: Connecticut General Statutes
10-15 Towns to maintain schools.
Action of State Board of Education October 7, 2020
Adapt, Advance, Achieve: Connecticut’s Plan to Learn and Grow Together,

September 4, 2020

Addendum 12 – Reimagining Connecticut Classrooms: Planning the Instructional Time for Remote Learning in Hybrid and Full Remote Models, September 4, 2020

Policy adopted: xx/xx

Windsor Locks Public Schools
Windsor Locks, Connecticut

**Windsor Locks Board of Education
Affidavit for Purposes of Residency**

PARENT/GUARDIAN FORM

State of Connecticut)

ss: WINDSOR LOCKS

County of Hartford)

Personally appeared, _____ who made oath to the following:
(name of relative/guardian)

1. I am the _____ (fill in applicable response) of _____ (name of child) and am acting as the child's authorized caregiver.
2. I reside at _____ (street address) in the Town of Windsor Locks, State of Connecticut.
3. _____ currently resides with me.
(name of child)
4. It is my intention that _____
(name of child)
is to reside with _____ at _____
(name of resident host) (address of resident host)
in the Town of Windsor Locks, CT, and that such residence is to be permanent.
5. I do not receive, nor will I receive pay for providing such residence.
6. Such residence is not for the sole purpose of obtaining school accommodations.
7. I shall report to the Windsor Locks Board of Education any change in the foregoing circumstances within 30 days from the date on which such change occurs.
8. I am authorized to release and obtain information regarding the student, including student records, and to make educational and medical decisions regarding _____ in place of the student's biological parent.
9. I understand that in addition to possible prosecution, if I provide false information the child may be denied school accommodation privileges in accordance with Windsor Locks Board Policy 5118, and that I may be assessed tuition.

I hereby swear to the truth of the foregoing statements, under penalty of perjury, recognizing that the Windsor Locks School District has released me from the obligation to pay tuition costs in reliance on this affidavit.

Signature of Parent/Guardian

Subscribed and sworn to before me this _____ day of _____, 20____.

Notary Public

Student Achievement Recognition at Graduation

To recognize high academic achievement as determined by students demonstrating mastery in the school's cross-curricular and content-area graduation standards, Windsor Locks Public Schools uses a system of Latin honors and standards-based Grade Point Averages to award academic recognition and distinction. Rank in class is calculated by determining a student's Grade Point Average (GPA) which will be calculated at the close of the third marking term of the senior year. **Students who transfer into Windsor Locks High School must attend for a minimum of 6 continuous marking terms to be academically recognized for class rank.** Using a system familiar to prospective colleges and universities, Windsor Locks Public Schools awards Latin Honors based on individual academic achievement and habits of scholarship achievement as measured against consistently applied learning standards. For the classes of 2020 and beyond, the Windsor Locks Public Schools will recognize students for academic achievement and habits of scholarship achievement separately. Valedictorian and Salutatorian will also be recognized at graduation.

Latin Honors

The categories of academic distinction are as follows:

Summa Cum Laude (with highest honors)

Magna Cum Laude (with great honors)

Cum Laude (with honors)

A. Academic Achievement Honors

Windsor Locks Public Schools will employ a consistent system of grading, scoring, and aggregating mastery that will produce a rolling and cumulative Grade Point Average for each student. The Grade Point Average will be reported on the official Windsor Locks High School transcript and will be used to determine Latin honors in accordance with the following categories:

Summa Cum Laude: Students whose GPA is in the top 5% of the class.

Magna Cum Laude: Students whose GPA is in the top 15% of the class.

Cum Laude: Students whose GPA is in the top 25% of the class.

B. Habits of Scholarship Honors

Windsor Locks Public Schools will apply a consistent system for assessing and aggregating a student's cumulative performance of the Habits of Scholarship, developed and implemented by the faculty and staff of the Windsor Locks High School and Pine Meadow Academy. Honors distinction for Habits of Scholarship at graduation will be reflective of the process by which the Habits of Scholarship Honor Roll is calculated each marking period.

Summa Cum Laude (with highest honors): HOS career average of 3.6 or higher

Magna Cum Laude (with great honors): HOS career average of 3.4 or higher

Cum Laude (with honors): HOS career average of 3.2 or higher

Legal Reference:

Connecticut General Statutes 10-220g Policy on weighted grades for honors and advanced placement classes

Policy adopted: January 10, 2019

WINDSOR LOCKS PUBLIC SCHOOLS

Windsor Locks, Connecticut

Instructional

Rank In Class - Windsor Locks High School

Rank in class provides the student with one basis for assessing his/her level of academic achievement. Further, rank in class of students is sought by many college admission offices. The information is used to estimate the student's effort as well as to predict the student's potential for success in college.

Rank in class is calculated each semester and on a cumulative year basis from freshman through senior year. Class rank for valedictorian and salutatorian students for each graduating class at Windsor Locks High School are determined at the close of the fifth marking period of the senior year.

Beginning with the school year 1999/2000, all grades in courses applicable toward graduation will be counted in computing grade-point average, quality point average and rank in class. Students must be enrolled in six subjects to earn a minimum of six credits each year by the Board policy. Rank in class will be determined by calculating the quality point average. The quality point system is a method of weighting courses by assigning to each course a numerical value based on its degree of difficulty (see Board of Education Policy #6006).

Rank in class is recorded only on transcripts of students who request that transcripts be forwarded to college(s). A student may elect not to have rank in class recorded on the transcript by so indicating on the necessary release form for sending transcripts to college. Data concerning rank in class is inserted into the record file of all students. Rank-in-class is not recorded on report cards.

The transfer grades of students new to Windsor Locks High School shall be used as such and in total for calculating grade point averages and rank in class.

References: Rank-in-Class, Publication of NASSP
Board of Education Policy 6001

Adopted: October 1978

Revised: August 1983, January 1984, April 1986, November 1998

Students

Windsor Locks Public Schools Mission

The WLPS will create and sustain a community of life-long learners where all students are engaged, empowered and expected to achieve at the highest levels and to become responsible, contributing citizens in an ever-changing, global society.

In order to achieve our mission our students will receive a world class education that:

Challenges each student to meet and exceed high expectations through a stimulating, rigorous and challenging curriculum;

Enables each student to think critically, work collaboratively, and display the confidence necessary to be successful in a *diverse and* complex society;

Prepares each student to be an adaptable risk taker who is proud to invest in the future;

Prepare each student to use all of the technological resources available to complete research, solve problems, and identify creative solutions;

Develops individuals who are open-minded, *respectful*, and compassionate,

Develops honest, interdependent, skilled future leaders and independent thinkers who will become the world's problem solvers;

Enriches the skills and talents of each student to be inventive and ready to achieve a sustainable future;

Invites the entire community to be involved in providing a well-rounded education; which

Inspires each student to become an active member of our community, the nation, and the world.

The Board of Education will ensure that all students have a right to an education which is based on standards of excellence, which stresses rigorous demands and which serves to expand students' personal horizons. The education of each student is the shared responsibility of students, parents, faculty, administrators and the Board of Education. The Board of Education also recognizes that students differ in their interests and abilities and therefore the district will offer a comprehensive program consisting of a variety of learning experiences.

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

Students

Windsor Locks Public Schools Mission

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 of children five years of age and over and under eighteen)

10-186 Duties of local and regional boards of education re school attendance. Hearings. Appeals to state board. Establishment of hearing board.

10-226a Pupils of racial minorities.

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

Policy adopted: March 28, 2013

WINDSOR LOCKS PUBLIC SCHOOLS
Windsor Locks, Connecticut

Students

Students Age of Majority

The Board of Education recognizes the rights and privileges extended to youth at the age of eighteen. It also recognizes that the law also imposes certain duties on both the student and the district

1. When a student eighteen years of age or older elects to continue his/her education in the public schools, he/she must abide by the rules and regulations of the school. School regulations apply to all students regardless of age.
2. The school system recognizes its responsibility to the parent regardless of the age of the students in its charge. All contacts shall continue to be maintained with the home.
3. With reference to student records, the permission or consent required of and the rights accorded to the parent shall be required of and accorded to the student.

It is recognized that parents of high school students have a continuing vested interest in their children's education and welfare, regardless of the student's age. Therefore, allowance is made for the parent of an adult student to continue the rights and privileges of access to student records.

4. Any student at or above the age of majority who, independent of parents or guardian, takes up residence in the Town of Windsor Locks and enrolls in the Windsor Locks School System is required to submit a Certificate of Residence certifying that he is indeed in residence within the Windsor Locks school district. Said Certificate is to be attested to by the owner, renter or lessee of the property wherein the student resides. Such Certificate must be completed and submitted to the Principal at the period of registration.

Legal Reference: Connecticut General Statutes
 10-186 Duties of Boards of Education
 Re School Attendance - Hearings.
 Appeals to State Board
 "Windsor Locks High School Student/Parent Handbook," 2010-2011, pp. 36-39.

Policy adopted: March 28, 2013

WINDSOR LOCKS PUBLIC SCHOOLS
 Windsor Locks, Connecticut

Students

5111/5112 - Admission and Placement

School Age Entrance

The Windsor Locks Public Schools (WLPS) shall be open to all children between five years of age and under twenty one (21). Specific guidelines include the following:

Students who attain the age of five on or before the first day of January of any school year will be eligible to attend kindergarten on the first day of the school year the preceding fall.

Students who reach age six on or before the first day of January of any school year may enter first grade on the first day of that school year the preceding fall.

Exceptions to routine admission may be made by the school principal on the basis of supporting evidence from physical and psychological examinations.

A child who meets the school age entrance requirements may attend the WLPS provided the child additionally meets residency requirements as set forth in state law as well as Windsor Locks Board Policy 5118, Residency and Non-Resident attendance and/or Windsor Locks Board Policy 5118.1, Homeless Students.

Admission

Each child admitted to the WLPS shall be advised by the appropriate school authorities, of an equal opportunity to participate in the program and activities of the school system without discrimination on account of race, color, sex, religion, national origin or sexual orientation, gender identity or expression or disability.

Special education will be provided (CGS 10-76d(b2)) for children who have attained the age of three and who have been identified as being in need of special education, and whose educational potential will be irreparably diminished without special education. If a special education student is being considered for an exception, the Planning and Placement Team (PPT) will make a recommendation to the administrator in charge of special education.

Parents and those who have the care of children five years of age and under eighteen (18) years of age are obligated by Connecticut law to require their children to attend public school in the District in which the child resides, unless the parent/guardian is able to show that the child is elsewhere receiving equivalent instruction in the studies required in the public schools. The parent/guardian or person having control of a child seventeen (17) years of age may consent to the withdrawal of such student from school. To withdraw the student, the parent/guardian or person who has care of the seventeen year of child is required to personally appear at the school district office and sign a withdrawal form (Form 2). The District shall provide the parents or guardians with information on the educational opportunities available in the school system.

The parent or guardian who has the care of a child five years of age shall have the option of not sending the child to school until the child is six years of age. The option may be renewed when the child reaches six years of age if the parent/guardian wishes to defer enrollment until the child is seven years of age.

The parent/guardian shall exercise above option by personally appearing at the school district office and by signing an option form (Form 1). The District shall provide the parents or guardians with information on the educational opportunities available in the school system.

Each child entering the district schools for the first time must present a birth certificate or offer legal evidence of birth data, as well as proof of a recent physical examination and required immunizations. If the parents or guardians of any children are unable to pay for such immunizations, the expense of such immunizations shall, on the recommendation of the Board, be paid by the town. Proof of domicile may also be requested by the Building Principal.

The above requirements are not to serve as barriers to immediate enrollment of students, designated as homeless or foster children as required by the Every Student Succeeds Act (ESSA) and the McKinney-Vento Act as amended by ESSA. WLPS shall work with the child welfare agency, the school last attended, or other relevant agencies to obtain necessary enrollment documentation. Students who are classified as homeless under federal law and therefore do not have a fixed residence, will be admitted pursuant to federal law and Board policy 5118.1, Homeless Students.

Parents/guardians shall bear the cost of health assessments for entry to kindergarten, except for parents or guardians who meet the eligibility requirements for free and reduced price meals under the National School Lunch Act. Where parents meet these eligibility requirements, the Board of Education shall bear the cost of such assessments. In all cases where further testing or treatment beyond the basic assessment is necessary, the parent or guardian shall bear the costs of such testing or treatment.

No child shall be required to undergo a physical or medical examination or treatment, or to be compelled to receive medical instruction, if the parent or legal guardian of such pupil, in writing, notifies the Principal or other person in charge of such students that such parent or guardian objects, on religious grounds, to such physical or medical examination or treatment or medical instruction.

Any child entering or returning to the District from placement in a juvenile detention school, the Connecticut Juvenile Training School, or any other residential placement, shall have the educational records of such child provided to the Superintendent of Schools by the Department of Children and Families (DCF) and the Judicial Department. Such information will be shared with the Principal of the school to which the student is assigned. The Principal can disclose them to the staff who teach or care for the child.

The Board shall immediately enroll any student who transfers from Unified School District #1 or Unified School District #2. A student transferring from the Unified School Districts who

had previously attended school in the WLPS District prior to enrollment in Unified School District #1 or Unified School District #2 shall be enrolled in the school such student previously attended, provided such school has the appropriate grade level for the student.

Placement

Children who have attained the age of nineteen or older may be placed in an alternative school program or other suitable educational program if they cannot acquire a sufficient number of credits for graduation by age twenty-one.

Students who apply for initial admission to the District's schools by transfer from non-public schools or from public schools outside the District will be placed at the grade they would have reached elsewhere pending observation and evaluation by classroom teachers, guidance personnel, and the school Principal and consultation with the student's parent/guardian.

At the high school level, a student's record of transfer shall be received and appraised. If the school from which the student is transferring is accredited by the New England Association of Secondary Schools and Colleges or its equivalent, the courses and their levels, credits and grades shall be transferred to the Windsor Locks High School. If the district is not accredited the administration and guidance staff shall appraise and determine the courses credible toward graduation. These decisions will be reviewed with the student and parents/guardians.

The transferring student's class rank shall be based upon grades as transferred. Where transcripts received indicate letter grades only, the sending school will be asked to supply the numerical grades.

WLPS shall provide written notification of enrollment to the school district where the transferring student previously attended not later than two business days after the student enrolls. The school district where the student previously attended school shall transfer the student's education records to the WLPS no later than ten days after receipt of notification of enrollment, and if the student's parent or guardian did not give written authorization for the transfer of such records, shall send notification of the transfer to the parent or guardian at the same time that it transfers the records.

Any child entering or returning to the District from placement in a juvenile detention school, the Connecticut Juvenile Training School, or any other residential placement, shall have the educational records of such child provided to the Superintendent of Schools by the Department of Children and Families (DCF) and the Judicial Department. Such information will be shared with the Principal of the school to which the student is assigned. The Principal can disclose them to the staff who teach or care for the child.

The Board shall immediately enroll any student who transfers from Unified School District #1 or Unified School District #2. A student transferring from the Unified School Districts who had previously attended school in the WLPS District prior to enrollment in Unified School District #1 or Unified School District #2 shall be enrolled in the school such student previously attended, provided such school has the appropriate grade level for the student.

In the case of a student who transfers from Unified School District #1 or Unified School District #2 to the WLPS, the Board shall provide written notification of enrollment in the District to Unified School District #1 or Unified School District #2 not later than ten days after the date of enrollment. The Unified School District shall, not later than ten days after receipt of notification of enrollment from the WLP, transfer the records of the student to the WLPS. Not later than thirty days after receiving the student's education records, the student shall be credited by WLPS for all instruction received in Unified School District #1 or Unified School District #2.

Transfer and New Resident Students

Parents and students making application to the school system shall complete a registration form. All immunizations and health requirements shall be met prior to the admission of the student. Copies of records and transcripts shall be obtained from sending schools with authorization of the parent or guardian or student if eighteen years of age or more in accordance with Board Policy 5141.3 Health Assessments and Immunizations. Students born in high risk countries and entering school in Connecticut for the first time should receive either TST (tuberculin skin test) or IGRA (interferon-gamma release assay). Any individual found to be positive shall have an appropriate medical management plan developed that includes a chest radiograph. Students not already known to have a positive test for tuberculosis should be tested if they meet any of the risk factors for TB infection

Assignment of Former Home-Schooled Students to Classes

When a student enters the District from home-schooled instruction, the District is required to determine the appropriate grade level and course level placement for the student. The procedures/guidelines contained in Board Policy 5122.3, Assignment of Former Home-Schooled Students to Classes, and its regulations shall be followed to guide such a determination.

Elementary

Grade placement shall be the responsibility of the principal and shall be based on general achievement with consideration given to the mental, physical, emotional and social maturity of the child.

In general, students transferring into the system will be placed at the same grade level as in the school from which they transferred. However, transferring as well as continuing students may be retained or advanced in grade at the Principal's discretion after consultation with parents.

Secondary

At the high school level, a student's record of transfer shall be received and appraised. If the sending school, i.e. school from which the student is transferring, is a school accredited by The New England Association of Secondary Schools and Colleges or its equivalent, the courses and

their levels, credits and grades shall be transferred and received in total by Windsor Locks High School. If the school is not accredited the administration and guidance staff shall appraise and determine the courses creditable toward graduation. Any decision in this regard shall be reviewed with the parents and students. In general, the number of course credits and required courses for graduation at Windsor Locks High School shall supersede the requirements for graduation at the sending school. In the event that the sending school does not comply with said request, the Guidance Department staff will convert the letter grades to their numerical equivalents, utilizing the midrange score for each letter grade. Consideration for senior class valedictorian and salutatorian shall be given to students whose enrollment in Windsor Locks High School has extended over a period of at least 1 year.

The transferring student's class rank shall be based on his/her grades as transferred. Where transcripts received indicate only letter grades, the sending school shall be asked to send the numerical grades as well for the purpose of calculating class rank.

When secondary and post-secondary schools request records of students transferring from Windsor Locks, upon the release of records authorized by the parent or guardian or student if over eighteen, the Guidance Department shall forward to such schools copies of the academic records transferred from previously attended schools as well as copies of all Windsor Locks academic records.

When secondary and post-secondary schools request records of District students, upon the release of records authorized by the parent or guardian or student if over eighteen, the Guidance Department shall forward to such schools copies of the academic records transferred from previously attended schools as well as copies of all Windsor Locks academic records.

Children who have attained the age of seventeen and who have terminated enrollment in the District's schools with parental permission as described previously and subsequently seeks readmission may be denied readmission for up to ninety school days from the date of such termination, unless such child seeks readmission to a District school not later than ten days after such termination. In such case the child will be provided school accommodations not later than three days after the requested readmission.

Legal References:

Connecticut General Statutes

10-15 Towns to maintain schools

10-15c Discrimination in public schools prohibited. School attendance by five-year olds, as amended by PA 97-247

10-76a - 10-76g re special education

10-184 Duties of parents Duties of parents. School attendance age requirements (as amended by PA 98-243, PA 00-157 and PA 09-6 (September Special Session)

10-186 Duties of local and regional boards of education re school attendance. Hearings. Appeals to state board. Establishment of hearing board. Readmission. Transfer

10-220h Transfer of student records, as amended.

P.A. 11-115 An Act Concerning Juvenile Reentry and Education 10-233a - 10-233f Inclusive; re: suspend, expel, removal of pupils 10-233c Suspension of pupils
10-233d Expulsion of pupils
10-233k Notification of school officials of potentially dangerous students. (as amended by PA 01-176)
10-261 Definitions
State Board of Education Regulations
10-76a-1 General definitions (c) (d) (q) (t)
10-76d-7 Admission of student requiring special education (referral) 10-204a
Required immunizations (as amended by PA 98-243) McKinney-Vento Homeless Assistance Act, 42 U.S.C. §11431 et seq. *Plyler vs. Doe*, 457 U.S. 202 (1982)

Policy adopted: March 28, 2013

**ACKNOWLEDGEMENT OF OPTION TO NOT ENROLL A
CHILD SIX OR SEVEN YEARS OF AGE IN SCHOOL**

Pursuant to Section 10-184 of the Connecticut General
Statutes

I, _____, of _____,
Name of Parent, Guardian or Other **Address**

the parent, guardian or other person charged with the care of the following minor child

_____, of _____ who was
Name of Child **Address**

born on _____ do hereby choose not to send my child to public
Date

school during the _____.
School Year

Furthermore, before signing this form, a representative of the _____
Name of District

school district met with me and provided me with information concerning the educational
opportunities and school accommodations available in the school system.

ACKNOWLEDGED BY:

Signature of Parent, Guardian or Other

Date

**ACKNOWLEDGEMENT OF OPTION TO EXEMPT ATTENDANCE
OF CHILD SEVENTEEN YEARS OF AGE FROM SCHOOL**

Pursuant to Section 10-184 of the Connecticut General Statutes

I, _____, of _____,
Name of Parent, Guardian or Other **Address**

the parent, guardian or other person charged with the care of the following minor child

_____, of _____ who was
Name of Child **Address**

born on _____ do hereby elect to withdraw my child from public

school. Furthermore, before signing this form, a representative of the _____
Name of District

school district met with me and provided me with information concerning the educational opportunities and school accommodations available in the school system.

ACKNOWLEDGED BY:

Signature of Parent, Guardian or Other

Date

Students

5114 - Conduct and Discipline

Each student shall learn to respect the rights of others as individuals and as groups. The student shall learn the rules that govern appropriate behavior in his/her school and obey the rules established by the Board for all students in all public schools of the town.

Areas of Responsibility

Board of Education - The Board of Education holds the certified personnel responsible for the proper conduct and control of students while legally under the supervision and jurisdiction of the school.

Principal - The Principal may implement necessary procedures and rules and regulations to render effective the policies of the Board of Education relating to standards of student behavior. The Principal may involve representatives of all areas of school personnel, students, parents, and citizens of the community.

Teachers - Teachers shall be responsible for the instruction of students in rules and regulations of proper conduct, as well as be responsible for proper and adequate control of students. The responsibility and authority of any teacher extends to all students of the school district under the assigned supervision of the teacher and to other students so situated with respect to the teacher as to be subject to the teacher's control.

Parents - Parents shall be expected to cooperate with school authorities regarding the behavior of their children. Parents shall be held responsible for the willful misbehavior of their children.

I. Definitions

- A. **Exclusion** means any denial of public school privileges to a student for disciplinary purposes.
- B. **Emergency** means a situation in which the continued presence of the student in school poses such a danger to persons or property or 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.
- C. **School-Sponsored Activity** means any activity sponsored, recognized, or authorized by the Board and includes activities conducted on or off school property.
- D. **Removal means** the exclusion of a student for a class period of ninety minutes or less.

- E. **In-School Suspension** means an exclusion from regular classroom activity for no more than ten consecutive school days, but not exclusion from school, provided such exclusion shall not extend beyond the end of the school year in which such in-school suspension was imposed. No student shall be placed on in-school suspension more than fifteen (15) times or a total of fifty (50) days in one school year, whichever results in fewer days of exclusion.
- F. **Suspension** means the exclusion of a student from school privileges and/or transportation services for not more than ten (10) consecutive school days, provided such suspension shall not extend beyond the end of the school year in which such suspension is imposed; and further provided no student shall be suspended more than ten (10) times or a total of fifty (50) days in one school year, whichever results in fewer days of exclusion, unless such student is granted a formal hearing as provided below. Suspensions shall be in-school suspensions unless the administration determines for any student in grades three through twelve, inclusive, that (1) the student being suspended poses such a danger to persons or property or such a disruption of the educational process that the student shall be excluded from school during the period of suspension, or (2) that an out-of-school suspension is appropriate based on evidence of previous disciplinary problems that have led to suspensions or expulsion of the student and efforts by the administration to address such disciplinary problems through means other than out-of-school suspension or expulsion, including positive support strategies.
- A student in grades preschool through two, inclusive, may be given an out-of-school suspension if it is determined by the administration that such suspension is appropriately based on evidence that the student's conduct on school grounds is of a violent or sexual nature that endangers persons. In addition, a person's duty as a mandated reporter to report suspected child abuse or neglect is not limited by this provision.
- G. **Expulsion** means the exclusion from school privileges for any student in grades three to twelve, inclusive, for more than ten (10) consecutive school days. To be expelled, the student's conduct must be found to be both violative of a Board policy and either seriously disruptive of the educational process or endangering persons or property. The expulsion period may extend to the school year following the school year in which the expulsion was imposed. The total duration of a given expulsion shall not extend beyond one calendar year as provided for in state law.
- H. **School Days** shall mean days when school is in session for students.
- I. **Seriously Disruptive of the Educational Process, as applied to off-campus conduct**, means any conduct that markedly interrupts or severely impedes the day-to-day operation of a school.

- J. **School Days** shall mean days when school is in session for students.
- K. **Seriously Disruptive of the Educational Process, as applied to off-campus conduct**, means any conduct that markedly interrupts or severely impedes the day-to-day operation of a school.
- L. **Inhalants** are defined as including but not limited to the following: Nitrous Oxide (laughing gas, whippets, CO2 cartridges); Amyl Nitrate (“Locker Room”, “Rush”, “Poppers”, “Snappers”); Butyl Nitrate (“Bullet”, “Climax”); Chlorohydrocarbons (aerosol paint cans, cleaning fluids); Hydrocarbons (aerosol propellants, gasoline, glue, butane); Difluoroethane; Trifluoroethane; Tetrafluoroethene (“canned air”); Toluene; Acetone; Toluol; Trichloroethylene; Isopropanol; Methanol; Ether; Methyl Cellosolve Acetate; Hexane; Butyl Alcohol; Benzene; Methyl Ethyl Ketone; Cyclohexanone; Pentachlorophenol; Ethyl Acetate; Methyl Isobutyl Ketone; Trichloroethane; Dichlorodifluoromethane
- M. **Performance-enhancing Drugs or Substances** include anabolic agents or steroids, used for the intent of bodybuilding and muscle enhancement of physical ability and not for a valid medical purpose as defined by a physician, and includes but is not limited to those performance enhancing drugs and substances identified by the Connecticut Interscholastic Athletic Conference (CIAC) comprehensive list, as may be amended from time to time:
- (a) Pharmacologic agents (prescription or non-prescription) taken in doses that exceed the recommended therapeutic dose or taken when therapeutic indicators are not present.
 - (b) Agents used for weight control, including stimulants, diet pills, diuretics, and laxatives, when the user is in a sport that has weight classifications or that rewards leanness.
 - (c) Agents used for weight gain, including over-the-counter products advertised as promoting increased muscle mass.
 - (d) Physiologic agents or other strategies used to enhance oxygen-carrying capacity, including erythropoietin and red blood cell transfusions (blood doping).
 - (e) Any substance used for reasons other than to treat a documented disease state or deficiency.
 - (f) Any substance that is known to mask adverse effects or detect ability of another performance-enhancing substance; or
 - (g) Nutritional supplements, including Creatine, taken at “supraphysiologic” doses or at levels greater than required to replace deficits created by a disease state, training program, or participation in sports.

- N. **Distribution or Sale of Controlled Substances** means to deliver, sell, pass, share, or give any alcohol, drug, or mood-altering controlled substance, as defined herein, from one person to another or to aid in its use.
- O. **Possession of Controlled Substances** means to possess or hold any alcohol, drug, or mood altering substance determined to be illegal or otherwise prohibited, on one's person, in one's personal belongings, one's locker, car, backpack, etc.
- P. **Drug Paraphernalia** includes any instrument, utensil, or item which, in the administration's judgment, can be associated with the use of drugs, alcohol, or mood-altering substances. Examples include but are not limited to roach clips, pipes, bowls, rolling papers, plastic bags of the type used to package and transport narcotics, blunts, and other materials.

Notwithstanding the foregoing, the reassignment of a student from one regular education classroom program in the district to another regular education classroom program in the district shall not constitute a suspension or expulsion.

II. **Scope of the Student Discipline Policy**

In accordance with this policy, its regulation and applicable state law, students may be subject to a range of school disciplinary consequences for misconduct committed on or off school grounds. Disciplinary consequences may include removal from class, in school suspension, out of school suspension, suspension from school transportation, loss of school privileges such as, but not limited to, participation in school activities or functions, extracurricular activities and athletics and expulsion from school.

- A. **Conduct on School Grounds or at a School-Sponsored Activity: Suspension and Expulsion**
 - 1. Students may be suspended for conduct on school grounds including remote learning which is considered to be school grounds, or at any school- sponsored activity that endangers persons or property, violates a publicized policy of the Board or is seriously disruptive of the educational process.
 - 2. Students may be expelled for conduct on school grounds, including remote learning, or at any school- sponsored activity that is violative of a publicized policy and is seriously disruptive of the educational process or endangers persons or property. For a student to be expelled, the conduct must both violate a board policy, and either be seriously disruptive of the educational process or endanger persons or property.

B. Conduct off School Grounds: Suspension and Expulsion

1. Students may be suspended or expelled for conduct off school grounds if such conduct is violative of board policy and is seriously disruptive of the educational process. In making a determination as to whether such conduct is seriously disruptive of the educational process, the Administration and the Board of Education may consider, but such consideration shall not be limited to the following factors:
 - (1) whether the incident occurred within close proximity of a school.
 - (2) whether other students from the school were involved or whether there was any gang involvement.
 - (3) whether the conduct involved violence, threats of violence, or the unlawful use of a weapon, as defined in section C.G.S. § 29-38, and whether any injuries occurred; and whether the conduct involved the use of alcohol.
2. In making a determination as to whether such conduct is seriously disruptive of the educational process, the Administration and/or the Board of Education may also consider whether such off-campus conduct involved the use of drugs or whether the conduct in question is prohibited by federal or Connecticut state law and would indicate that the student presents a danger to any person in the school community or school property and/or the conduct resulted in an arrest.
3. When considering whether conduct off school grounds is seriously disruptive of the educational process, the term "weapon" means any BB gun, any blackjack, any metal or brass knuckles, any police baton or nightstick, any dirk knife or switch knife, any knife having an automatic spring release device by which a blade is released from the handle, having a blade of over one and one-half inches in length, any stiletto, any knife the edged portion of the blade of which is four inches or more in length, any martial arts weapon or electronic defense weapon, as defined in section 53a-3, or any other dangerous or deadly weapon or instrument. A weapon such as a pellet gun and/or airsoft pistol may constitute a deadly weapon if such weapon is designed for violence and is capable of inflicting death or serious bodily harm.

C. **Mandatory Expulsion**

It shall be the policy of the Board to expel a student, grades preschool, and kindergarten to twelve, inclusive, for one full calendar year if:

1. The student, on grounds or at a school-sponsored activity, was in possession of a firearm, as defined in 18 U.S.C. 921*, as amended from time to time, or deadly weapon, dangerous instrument or martial arts weapon, as defined in C.G.S. 53A-3; or
2. The Student, off school grounds, did possess such firearm in violation of C.G.S. 29-35 or did possess and use such a firearm, instrument or weapon in the commission of a crime; or
3. The student, on or off school grounds offered for sale or distribution a controlled substance, as defined in subdivision (9) of C.G.S. 21a-240, whose manufacture, distribution, sale, prescription, dispensing, transporting or possessing with intent to sell or dispense, offering or administering is subject to criminal penalties under C.G.S. 21-277 and 21a-278. Such a student shall be expelled for one calendar year if the Board of Education or impartial hearing board finds that the student did so possess or so possess and use, as appropriate, such a weapon or firearm, instrument or weapon or did so offer for sale or distribution such a controlled substance.

The Board may modify the period of a mandatory expulsion on a case-by-case basis.

*A firearm; currently defined by 18 U.S.C. 921, is any weapon that can expel a projectile by an explosive action and includes explosive devices, incendiaries, poison gases, and firearm frames, receivers, mufflers, or silencers.

A firearm, as defined by C.G.S. 53a-3 includes any sawed-off shotgun, machine gun, rifle, shotgun, pistol, revolver, or other weapon, whether loaded or unloaded from which a shot may be discharged, or a switchblade knife, a gravity knife, billy, black jack, bludgeon or metal knuckles.

A student enrolled in a preschool program provided by the Board shall not be expelled from such school except that a student may be expelled for one calendar year from such preschool program pursuant to the mandatory expulsion requirement in compliance with the Gun-Free School Act, as described in this section above.

D. **Permissive Expulsion**

In addition to a mandatory expulsion, students may be subject to permissive expulsions in accordance with II. A. 2. and II. B. 1, 2 and 3 above. The school administration may recommend to the Superintendent of Schools that a student be expelled from school when in the administration's opinion the student's conduct warrants expulsion in accordance with this policy. Upon receipt of such a recommendation the Superintendent will determine whether a sufficient basis exists for expulsion from school and if so, the Superintendent will proceed in accordance with Section VII. below. Expulsion Recommendation Procedures and Section VIII. Expulsion Hearing Procedures.

III. Actions Leading to Disciplinary Action

Conduct which may lead to disciplinary action (including but not limited to suspension and/or expulsion) includes conduct on school grounds, including remote learning, or at a school-sponsored activity, and conduct off school grounds, as set forth above. Such conduct includes, but is not limited to, the following:

1. Striking or assaulting a student, members of the school staff or other persons.
2. Theft.
3. The use of obscene or profane language or gestures.
4. Violation of smoking; dress; transportation regulations, or other regulations and/or policies governing student conduct.
5. Refusal to obey a member of the school staff, school security officers or law enforcement authorities, or disruptive classroom behavior.
6. Any act of harassment based on an individual's sex, sexual orientation, gender identity or expression, race, color, religion, disability, national origin or ancestry or membership in another legally protected class.
7. The sending, sharing, viewing, or possessing pictures, emails, or other material of a sexual nature in any form including in electronic form such as on a cell phone or other electronic device.
8. Refusal by a student to identify himself/herself to a staff member when asked.
9. A walk-out from or sit-in within a classroom or school building or school grounds.
10. Blackmailing, threatening, harassing, or intimidating school staff or students.
11. Possession of any weapon, weapon facsimile, deadly weapon, pistol, knife, blackjack, bludgeon, box cutter, metal knuckles, bb gun, soft air pistol, pellet gun, explosive device, firearm, whether loaded or unloaded, whether functional or not, or any other dangerous object, except that students may bring such devices or objects to school for educational reasons provided that the teacher in charge of the program in which such object would be used as a teaching resource has received prior written approval of the Principal and provision has been made to preclude the object being used for any other purpose.
12. Unauthorized entrance into any school facility or portion of a school facility or aiding or abetting an unauthorized entrance.
13. Possession or ignition of any fireworks or other explosive materials, or ignition of any material causing a fire.

14. Unauthorized possession, sale, distribution, use or consumption of tobacco, drugs, narcotics, or alcoholic beverages. For the purposes of this Paragraph 13, the term "drugs" shall include, but shall not be limited to, any medicinal preparation (prescription and non-prescription) and any controlled substance whose possession, sale, distribution, use or consumption is illegal under state and/or federal law, including but not limited to inhalants and other volatile substances as well as performance-enhancing drugs as defined and otherwise prohibited herein.
15. Inhalation, ingestion, application, use, possession or distribution of any abusable glue, aerosol paint or substance containing a volatile chemical with intent to inhale, ingest, apply or use (or cause another person to inhale, ingest, apply or use) any of these in a manner (1) contrary to the directions for use, cautions or warnings appearing on a label of a container of the glue, paint aerosol or other substance, including but not limited to "canned air"; and (2) designed to affect the central nervous system, create or induce a condition of intoxication, hallucination or elation, or change, distort, or disturb the person's eyesight, thinking process, balance or coordination.
16. Unauthorized possession, sale, distribution, use or consumption of performance-enhancing drugs, including anabolic steroids and food supplements, including but not limited to Creatine, by students involved in school-related athletics or any co-curricular or extra-curricular school activity/program, other than for a valid medical purpose as documented by a physician.
17. Possession of paraphernalia used or designed to be used in the consumption, sale or distribution of drugs, alcohol, or tobacco, as described in subparagraph (14) above.
18. The destruction of real, personal, or school property or property of staff members or other students, such as, cutting, defacing or otherwise damaging property in any way.
19. Accumulation of offenses such as school and class tardiness, school, class, or study hall cutting, or failure to attend detention.
20. Trespassing on school grounds while on out-of-school suspension or expulsion.
21. Making bomb threats or other threats to the safety of students, staff members, and/or other persons, or engaging in a plan to stage or create a violent situation at school for the purpose of creating fear, disruption or actual danger to students and staff.
22. Defiance of school rules and the valid authority of teachers, supervisors, administrators, other staff members and/or law enforcement authorities.
23. Unauthorized and/or reckless and/or improper operation of a motor vehicle on school grounds or at any school-sponsored activity.
24. Leaving school grounds, school transportation vehicle or a school-sponsored activity without authorization.

25. Using or copying academic and/or published work of another, including, but not limited to written material published on the Internet, and presenting it as his/her own without proper attribution.
26. Unauthorized use of any school computer, computer system, computer software, Internet connection or similar school property or system, or the use of such property or system for unauthorized or non-school related purposes.
27. Violating the District's Acceptable Use of Technology Agreement /Internet for use of school technology and privately owned devices.
28. Possession and/or use of a cellular telephone, radio, portable audio player, CD player, blackberry, personal data assistant, walkie-talkie, Smartphone, mobile or hand-held devices, tablets or computers or similar electronic devices on school grounds or at a school-sponsored activity in violation of Board policy and/or administrative regulations pertaining to the use of such devices.
29. Inappropriate displays of public affection of a sexual nature and/or sexual activity on school grounds, or at a school sponsored activity.
30. Possession and/or use of a laser pointer.
31. Hazing, bullying, stalking, teen dating violence, sexual harassment or assault, or discriminatory harassment of students or staff.
32. Intentional and successful incitement of truancy by other students.
33. The taking, disseminating, transferring, or sharing of obscene, pornographic, lewd, or otherwise illegal images or photographs, whether by electronic data transfer or otherwise (commonly called sexting).
34. Any conduct, on or off school grounds, or any other violation of school rules or regulations or a series of violations which makes the presence of the student in school seriously disruptive of the educational process and/or a danger to persons or property.
35. Any action prohibited by any Federal or State law which would indicate that the student presents a danger to any person in the school community or school property.

IV. Removal from Classroom

A student may be removed from class by a teacher or administrator if he/she deliberately causes a serious disruption of the educational process. When a student is removed, the teacher must send him/her to a designated area and notify the Principal or his/her designee at once. A student may not be removed from class more than six times in one school year nor more than twice in one week unless the student is referred to the building Principal or designee and granted an informal hearing at which the student should be informed of the reasons for the disciplinary action and given an opportunity to explain the situation.

V. Exclusion from Co-Curricular and Extra-Curricular Activities

Participation in co-curricular and extra-curricular activities is a privilege and not an entitlement. Students involved in such programs are expected to follow all school rules and demonstrate good citizenship. Failure to do so may result in partial or complete exclusion from said activities and programs. Activities include, but are not limited to, athletic programs, musical or drama productions, clubs, dances, field trips, and school trips out-of-state and abroad. When deemed appropriate by school administration, disciplinary action may be taken instead or in addition to exclusion from activities or programs.

VI. Procedures Governing Suspension-In and Out of School Suspensions

The administration of each school shall have the authority to invoke an out of school suspension for a period of up to ten school days or to invoke in-school suspension for a period of up to ten school days of any student for one or more of the reasons stated above at III. Actions Leading to Disciplinary Action, in accordance with the procedure outlined in this paragraph.

Suspensions shall be in-school suspensions unless for a student in grades three to twelve, inclusive, the administration determines that (1) the student being suspended poses such a danger to persons or property or such a disruption of the educational process that the student shall be excluded from school during the period of suspension, or 2) the administration determines that an out-of-school suspension is appropriate for such student based on evidence of (i) previous disciplinary problems that have led to suspensions or expulsion of such pupil, and (ii) efforts by the administration to address such disciplinary problems through means other than out-of-school suspension or expulsion, including positive behavioral support strategies, or (3) grades preschool to two, the administration determines that an out-of-school suspension is appropriate based on evidence that the student's conduct on school grounds is of a violent or sexual nature that endangers persons.

The administration is expected to use the guidelines developed and promulgated by the Commissioner of Education to help determine whether a student should receive an in-school or out-of-school suspension.

The administration shall also have the authority to suspend a student from transportation services whose conduct while awaiting or receiving transportation violates the standards set forth above in this policy.

- A. When suspension of a student is deemed by administration to be an appropriate disciplinary consequence, the following procedures shall be followed:
 1. Unless an emergency situation exists, no student shall be suspended prior to having an informal hearing before the Principal or designee at which the student is informed of the reasons for the disciplinary action and given an opportunity to respond. In the event of an emergency, the informal hearing shall be held as soon after the suspension as possible.
 2. Evidence of past disciplinary problems which have led to removal from a classroom, suspension, or expulsion of a student who is the subject of an informal hearing may be received by the Principal, but only considered in the determination of the length of suspensions.

3. For any student who is suspended for the first time and who has never been expelled from school, the Principal or designee may shorten or waive the suspension period if the student successfully completes a program specified by the administration and meets any conditions specified by the administration. Such program specified by the administration may not require the student or parent or guardian of the student to pay for participation in the program.
4. By telephone, the Principal or designee shall make reasonable attempts to immediately notify the parent or guardian of a student following the suspension and state the cause(s) leading to the suspension.
5. Whether or not home contact is made with the parent or guardian of such student, the Principal or designee shall forward a letter promptly to such parent or guardian to the last address reported on school records (or to a newer address if known by the Principal or designee), offering the parent or guardian an opportunity for a conference to discuss same.
6. Notice of the original suspension shall be transmitted by the Principal or designee to the Superintendent of Schools or designee not later than 24 hours after the suspension.
7. The student shall be allowed to complete any classwork, including examinations, without penalty, which he or she missed while under suspension.
8. Notice of the suspension shall be recorded in the student's cumulative educational record. Such notice shall be expunged from the cumulative educational record by the Board if the student graduates from high school. In the case of a pupil whose suspension period is shortened or waived, notice of the suspension shall be expunged from the cumulative educational record either upon the student's graduation from high school or, at the discretion of the administration, at the time the student completes the program specified by the administration and meets any other conditions required by the administration, whichever is earlier.
9. No student shall be placed on in-school suspension more than fifteen times or a total of fifty (50) days in one school year, whichever results in fewer days of exclusion, unless a formal hearing.
10. In cases where the student's suspension will result in the student being suspended, more than ten (10) times or fifty (50) days in a school year, whichever results in fewer days of exclusion, the student shall, prior to suspension, be granted a formal hearing before the Board of Education. The Principal or designee shall report the student to the Superintendent or designee and request a formal Board hearing.
11. The decision of the Principal or designee with regard to disciplinary actions up to and including suspensions shall be final.

VII. Expulsion Recommendation Procedure

- A. A Principal may consider recommendation for expulsion of a student in a case where he/she has reason to believe the student has engaged in conduct described at sections IIA and IIB above.
- B. A Principal must recommend, and it shall be the policy of the Board to expel any student kindergarten to twelve, inclusive, for one calendar year in all cases where the administration has reason to believe that a student:
 1. Was in possession on school grounds or at a school-sponsored activity of a deadly weapon, dangerous instrument, martial arts weapon, (as defined in in C.G.S. 53a-53), or firearm as defined in 18 USC 921 as amended from time to time; or
 2. 18 Off school grounds, possessed a firearm as defined in 18 USC 921, in violation of C.G.S. 29-35, or possessed and used a firearm as defined in 18 USC 921, a deadly weapon, a dangerous instrument or a martial arts weapon in the commission of a crime under section 952 of the Connecticut General Statutes; or
 3. Was engaged on or off school grounds in offering for sale or distribution a controlled substance (as defined in C.G.S. §21a-240(9)), whose manufacturing, distribution, sale, prescription, dispensing, transporting, or possessing with intent to sell or dispense, offering or administering is subject to criminal penalties under C.G.S. §§21a-277 and 21a-278.
 4. A preschooler may be expelled for possession of a firearm, as defined in 18 USC 921, as amended from time to time, on or off school grounds or at a preschool program-sponsored event. Such child shall be expelled for one calendar year if, at the expulsion hearing it is determined, that the child did so possess such a firearm. The Board may modify the period of expulsion for a child on a case-by-case basis.
 5. The following definitions shall be used in this section:
 - a. A "firearm" as defined in 18 USC 921 means;
 - (a) any weapon that will, is designed to, or may be readily converted to expel a projectile by the action of an explosive,
 - (b) the frame or receiver of any such weapon,
 - (c) a muffler or silencer, or any destructive device. As used in this definition, a "destructive device" includes any explosive, incendiary, or poisonous gas device, including a bomb, a grenade, a rocket having a propellant charge of more than four ounces, a missile having an explosive or incendiary charge of more than one-quarter ounce, a mine, or a similar device; or any weapon (other than a shotgun or shotgun shell particularly suited for sporting purposes) that will or may be converted to expel a projectile by explosive or other propellant having a barrel with a bore of more than "½" in diameter.

The term "destructive device" does not include: an antique firearm; a rifle intended to be used by the owner solely for sporting, recreational, or cultural purposes; or any device which is neither designed nor redesigned for use as a weapon

- (d) "Deadly weapon" means any weapon, whether loaded or unloaded, from which a shot may be discharged, or a switchblade knife, gravity knife, billy, blackjack, bludgeon, or metal knuckles.
- (e) "Dangerous instrument" means any instrument, article or substance which, under the circumstances in which it is used or attempted or threatened to be used, is capable of causing death or serious physical injury, and includes a "vehicle".
- (f) "Martial arts weapon" means a nunchaku, kama, kasari-fundo, octagon sai, tonfa or Chinese star.
- (g) When considering whether conduct off school grounds is seriously disruptive of the educational process, the term "weapon" means any BB. gun, any blackjack, any metal or brass knuckles, any police baton or nightstick, any dirk knife or switch knife, any knife having an automatic spring release device by which a blade is released from the handle, having a blade of over one and one-half inches in length, any stiletto, any knife the edged portion of the blade of which is four inches or more in length, any martial arts weapon or electronic defense weapon, as defined in section 53a-3, or any other dangerous or deadly weapon or instrument. A weapon such as a pellet gun and/or airsoft pistol may constitute a deadly weapon if such weapon is designed for violence and is capable of inflicting death or serious bodily harm.

- C. Upon receipt of an expulsion recommendation, the Superintendent may conduct an inquiry concerning the expulsion recommendation.

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

- D. A student enrolled in a preschool program provided by the Board of Education, state or local charter school or interdistrict magnet school shall not be expelled from such school except that a student shall be expelled for one calendar year from such preschool program pursuant to the mandatory expulsion requirement in compliance with the Gun-Free School Act.

VIII. Expulsion Hearing Procedure

A. Emergency Exception

Except in an emergency situation, the Board of Education shall, prior to expelling the student, conduct a hearing to be governed by the procedures outlined herein. Whenever an emergency exists, the hearing provided for above shall be held as soon as possible after the expulsion.

B. Hearing Panel

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

C. Notice

1. Written notice of the expulsion hearing must be given to the student, and, if the student is a minor to his/her parent(s) or guardian(s) a reasonable time prior the time of the hearing.
2. The written notice of the expulsion hearing shall inform the student of the following:
 - a. The date, time, and location of the hearing.
 - b. A short, plain description of the conduct alleged by the administration.
 - c. An explanation of the legal rights of the student and parent including the right of the student to be represented by any third party of his/her choice, including an attorney or advocate, at his/her expense or at the expense of his/her parents. The student may be able to obtain free or reduced cost legal services if eligible for such services, and how to access such services.
 - d. The conditions under which the Board is not legally required to give the student an alternative educational opportunity (if applicable).

D. Hearing Procedures

1. The hearing will be conducted by the Presiding Officer, who will call the meeting to order, introduce the parties, Board members and counsel, briefly explain the hearing procedures, and swear in any witnesses called by the administration or the student.

2. The hearing will be conducted in executive session. A verbatim record of the hearing will be made, either by tape recording or by a stenographer.
3. Formal rules of evidence will not be followed. The Board has the right to accept hearsay and other evidence if it deems that evidence relevant or material to its determination. The presiding officer will rule on testimony or evidence as to it being immaterial or irrelevant.
4. The hearing will be conducted in two parts. In the first part of the hearing, the Board will receive and consider evidence regarding the conduct alleged by the administration.
5. In the first part of the hearing, the charges will be introduced into the record by the Superintendent or his/her designee.
6. Each witness for the administration will be called and sworn. After a witness has finished testifying, he/she will be subject to cross-examination by the opposite party or his/her legal counsel and by Board members.
7. After the Administration has presented its case, the student will be asked if he/she has any witnesses or evidence to present. If so, the witnesses will be sworn, will testify, and will be subject to cross examination and to questioning by the Board. The student may also choose to make a statement at this time. If the student chooses to make a statement, he or she will be sworn and subject to cross examination and questioning by the Board. Concluding statements will be made by the administration and then by the student and/or his or her representative.
8. In cases where the respondent has denied the allegation, the Board must determine whether the respondent committed the offense(s) as charged by the Superintendent.
9. If the Board determines that the student has committed the conduct as alleged, then the Board shall proceed with the second portion of the hearing, during which the Board will receive and consider evidence regarding the length and conditions of expulsion.
10. When considering the length and conditions of expulsion, the Board may review the student's attendance, academic and past disciplinary records. The Superintendent will make a recommendation as to the discipline to be imposed.
11. Evidence of past disciplinary problems which have led to removal from a classroom, suspension or expulsion of a student being considered for expulsion may be considered only during the second portion of the hearing, during which the Board is considering length of expulsion and nature of alternative educational opportunity to be offered, unless the conduct alleged by the administration to support a request for expulsion is a continuing course of conduct occurring over a specified period of time.

12. For any student expelled for the first time who has never before been suspended from school, the Board may shorten the length of the expulsion or waive the expulsion period if the student successfully completes a program specified by the Board and meets any other conditions imposed by the Board. Such Board specified program shall not require the student or the parent or guardian of the student to pay for participation in the program.
13. Where administrators presented the case in support of the charges against the student, such administrative staff shall not be present during the deliberations of the Board either on questions of evidence or on the final discipline to be imposed. The Superintendent may, after reviewing the incident with administrators, and reviewing the student's records, make a recommendation to the Board as to the appropriate discipline to be applied.
14. The Board shall make findings as to the truth of the charges, if the student has denied them, and, in all cases, the disciplinary action, if any, to be imposed. The Board shall report its final decision in writing to the student, or if such student is a minor, also to the parent(s) or guardian(s), stating the reasons on which the decision is based, and the disciplinary action to be imposed. Said decision shall be based solely on evidence presented at the hearing.

IX. Board Policy Regarding Mandatory Expulsions

- A. In keeping with C.G.S. §10-233d and the Gun Free Schools Act, it shall be the policy of the Board to expel a student for one full calendar year for: the conduct described in Section VH(B)(1), (2) and (3) of this policy. The Board may modify the term of expulsion on a case-by-case basis.

X. Alternative Educational Programs for Expelled Students

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

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

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

The Board of Education will provide an alternative education to a sixteen to eighteen year old student expelled for the first time if he/she requests it and if he/she agrees to the conditions set by the Board of Education, except as follows. The Board of Education is not required to offer an alternative program to any student between the ages of sixteen and eighteen who is expelled for the second time.

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

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

D. Students Identified as Eligible for Services Under the Individuals with Disabilities Education Act (“IDEA”)

If the Board of Education expels a student who has been identified as eligible for services under the Individuals with Disabilities Education Act (“IDEA”), it shall offer an alternative educational program to such student in accordance with the requirements of IDEA, as it may be amended from time to time.

XI. Notice of Student Expulsion on Cumulative Record

A. Notice of expulsion and the conduct for which the student was expelled shall be included on the student’s cumulative educational record. Such notice, except for notice of an expulsion based upon possession of a firearm or deadly weapon, shall be expunged from the cumulative educational record by the Board if the student graduates from high school. In the case of a student for whom the length of the expulsion period is shortened or for whom the expulsion period is waived as a result of a first-time expulsion with no previous suspension on record, such notice shall be expunged from the student’s cumulative educational record by the Board, at the Board’s sole discretion, either

- (a) when the student graduates from high school, or
- (b) at the time the student completes the program specified by the Board and meets any other conditions required by the Board, whichever is earlier.

B. Change of Residence During Expulsion Proceedings

Student moving into the school district:

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

Student moving out of the school district:

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

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

A. Suspension of IDEA students:

Notwithstanding the foregoing, if the administration suspends a student identified as eligible for services under the IDEA, as reauthorized in 2004, (an “IDEA student”) who has engaged in conduct that violated any rule or code of conduct of the school district that applies to all students, the following procedures shall apply:

1. The administration shall not later than the date on which the decision to take disciplinary action is made, notify the parents of the student of the decision to suspend and a copy of the special education procedural safeguards must either be hand delivered or sent by mail to the parents on the date that the decision to suspend was made.
2. During the period of suspension, the school district is not required to provide any educational services to the IDEA student beyond that which is provided to all students suspended by the school district, unless the suspension constitutes a change in placement as defined below in subsection

B. Expulsion and Suspensions that Constitute Changes in Placement for IDEA Students

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

1. The parents of the student must be notified of the decision to suspend on the date on which the decision to suspend was made, and a copy of the special education procedural safeguards must either be hand-delivered or sent by mail to the parents on the date that the decision to suspend was made or as soon as practicable thereafter.
2. The school district shall immediately convene the IEP team, but in no case later than ten (10) school days after the recommendation for expulsion or the suspension which constitutes a change in placement was made. The relevant members of the student’s IEP team shall consider the relationship between the student’s disability and the behavior that led to the recommendation for expulsion or the suspension which constitutes a change in placement, in order to determine whether the student’s behavior was a direct manifestation of his/her disability.

3. If the IEP team finds that the behavior was a direct manifestation of the student's disability, the administration shall not proceed with the recommendation for expulsion. The IEP team shall consider the student's misconduct and revise the IEP to prevent a recurrence of the misconduct and to provide for the safety of other students and staff.
4. If the IEP team finds that the behavior was not a manifestation of the student's disability, the administration may proceed with the recommended expulsion or suspension that constitutes a change in placement.
5. During any period of expulsion, or suspension of greater than ten (10) days per school year, the administration shall provide the student with an alternative education program in accordance with the provisions of the IDEA.
6. The special education records and disciplinary records of the student must be transmitted to the individual(s) who will make the final determination regarding a recommendation for expulsion or a suspension that results in a change in placement.
7. The District has the authority, on a case-by-case basis, to determine whether the student should be removed from the classroom and placed in an alternative setting, pending a manifestation determination.
8. School personnel may remove a disabled student who has violated the conduct code from his/her current placement for up to 10 school days without a hearing.

C. Transfer of IDEA students for Certain Offenses:

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

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

As used in this subsection XII.C, the term "dangerous weapon" means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2.5 inches in length.

The term "serious bodily injury" means a substantiated risk of death, extreme physical pain, protracted loss, or impairment of the function of a bodily member, organ, or mental faculty.

XIII. Procedures Governing Suspension and Expulsion of Students Identified as Eligible for Educational Accommodations under Section 504 of the Rehabilitation Act of 1973

A. Expulsion of Students Identified as Eligible for Educational Accommodations Under Section 504 of the Rehabilitation Act of 1973:

Notwithstanding any provision to the contrary, if the administration recommends for expulsion a student identified as eligible for educational accommodations under Section 504 of the Rehabilitation Act of 1973 (a "Section 504 Student") who has engaged in conduct that violated any rule or code of conduct of the school district that applies to all students, the following procedures shall apply:

1. The parents of the student must be notified of the decision to recommend the student for expulsion.
2. The district shall immediately convene the student's Section 504 team (504 team), for the purpose of reviewing the relationship between the student's disability and the behavior that led to the recommendation for expulsion, in order to determine whether the student's behavior was a manifestation of his/her disability.
3. If the 504 team finds that the behavior was a manifestation of the student's disability, the administration shall not proceed with the recommendation for expulsion. The 504 team shall consider the student's misconduct and revise the 504 plan to prevent a recurrence of the misconduct and to provide for the safety of other students and staff.
4. If the 504 team finds that the behavior was not a manifestation of the student's disability, the administration may proceed with the recommendation for expulsion.

XIV. Notification to Parents or Guardian

- A. The parents or guardian of any minor student either expelled or suspended or removed from class shall be given notice of such disciplinary action within twenty-four (24) hours of the time of the institution of the period of expulsion, suspension or removal from class.
- B. The Superintendent of Schools shall forward to the student concerned and his/her parents, or the student if he/she has attained the age of 18, a copy of this Board policy on student discipline at the time the Superintendent sends out the notice that an expulsion hearing will be convened.

XV. Early Readmission

An expelled student may apply for early readmission to school. The Board delegates the authority to make decisions on readmissions to the Superintendent. Students desiring readmission to school shall direct such readmission requests to the Superintendent. The Superintendent has the discretion to approve or deny such readmission requests and may condition readmission on specified criteria. The Superintendent's decision is final and not appeal to Superior Court.

XVI. Dissemination of Student Conduct and Discipline Policy

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

XVII. Compliance with Reporting Requirements

1. The Board of Education shall report all suspensions and expulsions to the State Department of Education.
2. If the Board of Education expels a student for sale or distribution of a controlled substance, the Board shall refer such student to an appropriate state or local agency for rehabilitation, intervention or job training and inform the agency of its action.
3. If the Board of Education expels a student for possession of a deadly weapon or firearm, as defined in C.G.S. §53a3, the violation shall be reported to the local police.

Legal Reference:

Connecticut General Statutes

4-176e through 4-180a. Contested Cases. Notice. Record, as amended

10-74j Alternative education (PA 15-133)

10-222d Safe school climate plans. Definitions. Safe school climate assessments.

10-233a through 10-233f Suspension, removal and expulsion of students, as amended by PA 95-304, PA 96-244, PA 98-139, PA 07-66, PA 07-122, PA 08-160, PA 09-82, PA 09-6 (September Special Session), PA 10-111, PA 11-126, PA 14-229, PA 15-96, PA 16-147, PA 17-220 and PA 19-91.

10-233i Expulsion and suspension of children in preschool programs

19a-342a Use of electronic nicotine delivery system or vapor product prohibited.

29-38 Weapons in vehicles

53a-3 Definitions.

53a-217b Possession of Firearms and Deadly Weapons on School Grounds.

53-344b Sale and delivery of electronic nicotine delivery system or vapor products to minors.

53-206 Carrying of dangerous weapons prohibited.

PA 15-96 An Act Prohibiting Out-of-School Suspensions and Expulsions for Students in Preschool and Grades Kindergarten to Two.

Kyle P. Packer PPA Jane Packer v. Thomaston Board of Education.

Federal law

GOALS 2000: Educate America Act, Pub. L. 103-227.

Title III - Amendments to the Individuals with Disabilities Education Act. Sec. 314 (Local Control Over Violence)

Elementary and Secondary Act of 1965 as amended by the Gun Free Schools Act of 1994

P.L. 105-17 The Individuals with Disabilities Act, Amendments of 1997.

P.L. 108-446 The Individuals with Disabilities Education Improvement Act of 2004, 20 U.S.C. 1400 et seq.

18 U.S.C. §921 – Definitions of “firearms”

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

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

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

Title III - Amendments to the Individuals with Disabilities Education Act Sec. 314
(Local Control Over Violence)

Elementary and Secondary, Education Act of 1965 as amended by the Gun Free
Schools Act of 1994.

20 U.S.C. Section 7114, No Child Left Behind Act

Policy adopted: March 28, 2013
Policy revised: March 24, 2016

WINDSOR LOCKS PUBLIC SCHOOLS
Windsor Locks, Connecticut

Students

R5114 - Suspension and Expulsion/Due Process

Suspension

When the Principal or designee has determined that there is cause for suspension of a student, the following procedures shall be observed:

1. The student shall be given a hearing before the Principal or designee, at which time the allegation of misconduct against the student will be stated and the student will be given an opportunity to respond to the allegation. This hearing must be granted except when an emergency situation exists, in which case the hearing must be held as soon after the suspension as possible. Nothing in the informal hearing shall be taken to prevent a more formal hearing from being held if the circumstances warrant.
2. The Principal or designee may receive and consider evidence of past disciplinary problems which have led to removal from a classroom, suspension, or expulsion of the student.
3. The Principal or designee shall make every possible attempt to reach the parent or guardian of the student stating the allegations against the student and the terms and conditions of the suspension.
4. Whether the telephone contact is made or not the Principal or designee shall forward a letter to the parent or guardian at the last known address according to school records (unless a newer address is determined) not later than twenty four hours of the suspension, and offering the parent or guardian the opportunity for a conference to discuss the suspension.
5. Notice of the suspension shall be transmitted by the Principal to the Superintendent of Schools on an incident report within twenty-four hours of the commencement of the suspension.
6. Following a conference with the Principal or designee the parent or guardian may request the Superintendent to review the Principal's decision. Such review shall be completed, and a written report issued to the student and parent or guardian within three (3) days of the receipt of such request. In examining the Principal's decision to suspend, the Superintendent shall obtain oral or written statements from the Principal or designee, the student, and the person(s) who witnessed and reported the incident(s) which resulted in the suspension. The Superintendent may call all concerned parties together for a conference and take whatever other action is needed to determine the true facts of the matter.
7. If a student is eighteen or older, any notice required by Board policy and this regulation shall be given to the student.

8. Textbooks and homework are to be provided each student for the duration of the suspension period and the student shall be allowed to complete any classwork, including examinations, without penalty, which was missed during suspension.
9. The Superintendent shall report any unusually serious cases of student suspension to the Board of Education at the first meeting following such action.
10. Notice of a suspension for conduct endangering persons or property or seriously disruptive of the educational process and a description of the conduct leading to such suspension shall be included on the student's cumulative educational record. Such notice shall be expunged from the cumulative record by the Board if the student graduates from high school, except if such notice of expulsion is based on possession of a firearm or deadly weapon.
11. Suspensions shall be in-school suspensions unless the administration (1) determines that the student being suspended poses such a danger to persons or property or such a disruption of the educational process that the student shall be excluded from school during the period of suspension or (2) that an out-of-school suspension is appropriate based on evidence of previous disciplinary problems that have led to suspensions or expulsion of the student and efforts by the administration to address such disciplinary problems through means other than out-of-school suspension or expulsion, including positive support strategies.

A student in grades preschool through grade two, inclusive, may be given an out-of-school suspension if it is determined by the administration that such suspension is appropriate based on evidence that the student's conduct on school grounds is of a violent or sexual nature that endangers persons.

12. The administration will use the guidelines developed and promulgated by the Commissioner of Education to help determine whether a student should receive an in-school or out-of-school suspension.
13. In-school suspension will be served in the school attended by the student.
14. For any student who is suspended for the first time and who has never been expelled, the school administration may shorten the length of or waive the suspension period if the student successfully completes an administration-specified program and meets any other administration-required conditions. Such program shall be at no expense to the student or his/her parents/guardians.

The foregoing procedure will be followed unless the student has had a total of ten (10) suspensions during the current school year, or has been suspended for a total of fifty (50) days during the current school year or twenty (20) days in a given semester. If the student's proposed suspension would exceed either figure the suspension shall not take effect until so ordered by the Board of Education after a formal hearing such as that required for expulsion. If the Principal has reason to believe that the student's conduct endangers persons or property, is seriously disruptive of the educational process or is in violation of a Board policy, expulsion may be recommended.

Expulsion

The Board of Education or an impartial hearing board, as defined in C.G.S. 10-233d, may expel any student whose conduct on school grounds or at a school sponsored activity violates a publicized policy of the Board and is seriously disruptive of the educational process or endangers persons or property. A student's conduct off school grounds may be considered for expulsion if such conduct is seriously disruptive of the educational process and violative of a publicized Board policy.

In making a determination as to whether conduct is "seriously disruptive of the educational process," the administration, Board of Education or impartial hearing board may consider, but such consideration shall not be limited to; (1) whether the incident occurred within close proximity of a school; (2) whether other students from the school were involved or whether there was any gang involvement; (3) whether the conduct involved violence, threats of violence or the unlawful use of a weapon as defined in Section 29-38 and whether any injuries occurred, and (4) whether the conduct involved the use of alcohol.

The procedures leading to expulsion are as follows:

1. Requests for expulsion are to be directed to the Board of Education through the Superintendent of Schools.
2. Upon receipt of an expulsion request the Superintendent will conduct an inquiry within two (2) school days.
3. If after the inquiry the Superintendent or designee determines that the student ought to be expelled, the Superintendent shall forward such request to the Board of Education within five days after receipt of the request to expel.
4. Except in an emergency situation requiring the student's immediate removal, the Board shall conduct a hearing to be governed by the following procedures:
 - A. A student who has reached the age of majority or a minor student's parent or legal guardian must be given written notice at least five days prior to the date of the hearing.
 - B. The notice shall contain:

The date, time, and place of the scheduled hearing.

The details of the grounds for the expulsion

A statement of the student's rights including the right to have an individual of the student's choosing represent him/her at the hearing, including legal counsel and the right to have the expulsion hearing postponed for up to one week to allow time to obtain representation.

A statement concerning legal services provided free of charge or at a reduced rate that are available locally and how to access such services.

- C. At the hearing, the student shall have the right to make open and closing statements and present argument, to testify, and produce witnesses and other evidence in his/her defense including the submission of written documentation.
 - D. A student may be represented by any third party of his/her choice, including an attorney.
 - E. A student is entitled to the services of a translator, to be provided by the Board of Education, whenever the student or his/her parent or legal guardian do not speak the English language.
 - F. The Board or impartial hearing panel shall keep verbatim record of the hearing and the student or his/her parent or legal guardian shall be entitled to a copy of that record at his/her own expense.
 - G. The Board or impartial hearing panel shall report its final decision in writing to the student, stating the reasons on which the decision is based, and the penalty to be imposed. Said decision shall be based on evidence produced and derived at the hearing.
 - H. A student who has reached the age of majority or the parent or guardian of a minor student shall be provided a copy of the Board's written decision time in accordance with the Uniform Administrative Procedure Act. This shall not prevent the Board from rendering an oral decision at the time of the close of the hearing.
 - I. Whenever an emergency exists, the hearing provided for in the above procedure shall be held as soon as possible after the expulsion.
5. Whenever the Board of Education or impartial hearing panel expels a student it shall offer an alternative education program in accordance with state law. An alternative educational opportunity shall be offered to expelled students under the age of sixteen. Any expelled student who is between the ages of sixteen (16) and eighteen (18) not previously expelled and who wishes to continue his or her education shall be offered such an alternative educational opportunity if he or she complies with conditions established by the Board of Education. A student age 17 or older may be placed in an adult education program as an alternative educational opportunity. Any student participating in an adult education program during a period of expulsion shall not be required to withdraw from school under C.G.S. 10-184. Any parent or guardian of such student who does not choose to have his or her child enrolled in an alternative educational opportunity shall not be subject to the provision of Section 10-184 of the Connecticut General Statutes regarding mandatory school enrollment. Any special education student expelled for a misconduct not caused by the student's disability must be offered an alternative educational opportunity consistent with the student's needs during the period of expulsion. The Board is not obligated by law to provide an alternative educational opportunity to any student eighteen years of age or older.

6. If the Board expels a student for the sale or distribution of a controlled substance, the Board shall refer the student to an appropriate state or local agency for rehabilitation, intervention or job training, or any combination thereof, and shall inform the agency of its action.
7. If a student is expelled for possession of a firearm, deadly weapon, dangerous instruments (those that can be used to cause death or serious injury) or martial arts weapons the Board shall report the violation to the local police department.
8. The alternative educational opportunity offered to expelled students shall be equivalent to alternative education, as defined, by C.G.S. 10-74j with an individualized learning plan, (1) if the Board provides such alternative education, or (2) in accordance with the standards adopted by the State Board of Education, which includes the kind of instruction to be provided and the number of hours to be provided, during the period of expulsion.
9. Notice of the expulsion and the conduct for which the student was expelled shall be included on the student's cumulative educational record. Such notice shall be expunged from the cumulative educational record by the Board if the student graduates from high school unless the expulsion notice is based on possession of a firearm or deadly weapon.
10. The Board may adopt the decision of a student expulsion hearing conducted by another school district provided such Board of Education held a hearing pursuant to C.G.S. 10-233d(a). Adoption of such a decision shall be limited to a determination of whether the conduct that formed the basis for the expulsion would also warrant expulsion under the policies of this Board. The student shall be excluded from school pending such hearing. The excluded student shall be offered an alternative education opportunity in accordance with the provisions of 5 and 6 above.
11. Whenever a student against whom an expulsion hearing is pending withdraws from school and after notification of such hearing but before the hearing is completed and a decision rendered, (1) notice of the pending expulsion hearing shall be included on the student's cumulative educational record and (2) the Board shall completed the expulsion hearing and render a decision.
12. The Superintendent shall recommend an expulsion hearing if there is reason to believe a student possessed a firearm or other dangerous instrument in or on real property, comprising any public school or at any school activity as defined in C.G.S. 10-233a or in conduct displayed off school grounds.
13. If a student is found to have possessed a firearm, dangerous instrument, dangerous weapon or martial arts weapon in or on the real property or a school or at any school function as defined in Section 10-233a, or on or off school property offered for sale or distribution a dangerous drug, he or she must be expelled for one calendar year. The expulsion period may be modified on a case by case basis by the Board of Education or hearing board.
 - a. A student expelled for possession of a firearm or deadly weapon shall have the violation reported to the local police department or State Police if the student is enrolled in a regional vocational-technical school.

14. The Board will report annually to the Commission of Education, as prescribed, information pertaining to expulsions for weapons and/or dangerous instruments.
15. An expelled student may apply for early readmission to school. Such readmission shall be at the discretion of the Superintendent of Schools. Readmission decisions shall not be subject to appeal to Superior Court. The Board or Superintendent, as appropriate, may condition such readmission on specified criteria.
16. For any student expelled for the first time and who has never been suspended, the Board of Education may shorten the length of or waive the expulsion period if the student successfully completes a Board specified program and meets any other conditions required by the Board. Such a Board specified program shall not require the student or the parent/guardian of such student to pay for participation in the program.
17. If a student's expulsion is shortened or the expulsion period waived based upon the fact that the student was expelled for the first time, had never been suspended, and successfully completed a Board specified program and/or met other conditions required by the Board, the notice of expulsion shall be expunged from the cumulative educational record if the student graduates from high school or, if the Board so chooses, at the time the student completes the Board specified program and meets any other conditions required by the Board.

Prior Notice

The Superintendent shall provide for an effective means of informing all students and their parents or guardians of the Board's policy and this regulation at the beginning of each school year, or when the student enrolls or transfers during the school year.

Students

5114.12 - Student Handbooks

The administration shall publish and annually revise a handbook containing information about the District and about the individual schools and the rules and regulations with which students are expected to conform. The administration is responsible to ensure that the handbook does not conflict with any district policies or state or federal law. The handbook shall be distributed to all students the first week of each school year and to new students when they enroll.

The administration shall have the handbook and any revisions reviewed by legal counsel. The handbook will be published and updated annually on the district's website.

Policy adopted: March 28, 2013

Students

5116 - Enumeration of Children

The Board of Education (Board) shall annually determine by age the number of children of compulsory school age who reside within the jurisdiction of the local school district as of January first of each year.

Annually, but not later than June fifteenth, the Superintendent of Schools shall file with the Commissioner of Education, on a form prescribed by the State Department of Education, showing the number of children of compulsory school age residing within the jurisdiction of the Windsor Locks Public Schools.

The Superintendent of Schools shall call upon such other public and non-public agencies or sources as deemed necessary to provide information as may be required to complete such enumeration of children.

If any child of compulsory school age is not attending school, the Superintendent of Schools shall make a reasonable effort to ascertain the reason for such nonattendance. If such a child is employed at labor, the Superintendent shall make a reasonable effort to ascertain the name and address of such child's employer or the establishment where such child is employed.

Every reasonable effort shall be made thereafter to have any such child enrolled in a program of instruction as delineated by the Connecticut General Statutes.

Legal Reference: Connecticut General Statutes

Sections 10-249 Enumeration of children of compulsory school age in school districts and by state departments have jurisdiction over such children

10-250 Report showing number of children

10-251 Penalty for refusing to give age of child

Policy adopted: March 28, 2013

Students

School Attendance Areas

5117.2 – Interdistrict Choice

The Windsor Locks Board of Education (Board) recognizes that students may benefit from having a choice of schools to attend within the public school system that is not limited by school and/or district boundaries. Public school choice provides parents and students with greater opportunities to choose the school and/or program that best meets the academic needs of the student, positively influences the level of parent involvement and student motivation, improves academic achievement, reduces racial, ethnic and economic balance and provides a choice of educational programs for students.

The Windsor Locks Public Schools will cooperate with Capitol Region Education Council “CREC” in the planning and implementation of the state-wide inter-district public school attendance program in accordance with applicable Connecticut General Statutes, as amended from time to time, and with applicable provisions of the Every Student Succeeds Act (ESSA).

Nonresident students from other school districts within the state including Hartford, New Haven, Bridgeport, New Britain, New London, Waterbury and Windham and any other remaining priority school districts who apply pursuant to the admission guidelines approved by the Board may enroll in the Windsor Locks Public Schools on a space available basis, without payment of tuition except that the district shall receive an amount within available appropriations, from the Department of Education, for each out-of- district student attending a school within the district. It is recognized that the Regional Educational Service Centers (RESC) shall determine which school districts in its area are located close enough to a priority school district to make transportation feasible.

In providing for admission of nonresident students, the Superintendent shall consider:

1. Issues pertaining to the availability of space within a requested school to accommodate nonresident students. The district will notify its RESC by March 31 of each year of the space it will have available for students from the surrounding area for the new school year.
2. Programs available and the possible establishment of new programs.
3. Eligibility criteria for participating in a particular program, including age requirements, course prerequisites and required levels of performance.
4. Dates of enrollment of nonresident students in a school or program.
5. The requirement that participants attending school in the district shall do so until they graduate from high school.

It is the policy of the Windsor Locks Public Schools to receive nonresident students as part of the state-wide inter-district public school attendance program in accordance with the plan developed with CREC. Such planning, the Board believes, should consider, but not be limited to, the issues of definition and determination of space availability, choice of students, transportation to and from school and after-school activities. Further, planning should consider issues related to special education, prior disciplinary behavior, and acceptance of prior academic work. The Windsor Locks Public Schools will not recruit students under this program for athletic or extracurricular purposes.

The Board directs the Superintendent and staff not to make any distinction on account of race, color, religion, sex, gender identity or expression, disability or any other basis prohibited by state or federal law of any student who is in attendance or who seeks admission to the Windsor Locks Public Schools in the determination or recommendation of action under this policy.

Legal References:

Connecticut General Statutes

10-4a Education interests of state identified

10-226a Documentation of pupils and teachers of racial minorities and pupils eligible for free or reduced price lunches

10-226b Existence of racial imbalance 10-226c Plan to correct imbalance

10-226d Approval of Plan by State Board

10-226h. Programs and methods to reduce racial, ethnic and economic isolation

Regulations of Connecticut State Agencies

10-226e-3 Determination of racial imbalance

10-226e-4 Determination of impending racial balance

10-226e-5 Plans

10-225e-6 Approval of Plan

Policy adopted: March 28, 2013

Note to Board:

This policy provides numerous exceptions for nonresident students to attend District schools, with and without pay. In revising the policy, I left in all the exceptions previously provided for, but question some of them (see below). In reviewing this revised policy for adoption, I ask the Board to carefully consider which exceptions to continue, remove or modify. In so doing, consider the town's history with successful implementation of a given exception, rate of usage, financial implications, precedential implications, and any practicalities or circumstances that may be unique to your district.

The number and types of exceptions are not typical of most other Districts. Your policy is more lenient and provides for many instances when nonresident students many continue in school without paying tuition. The Board is not required to provide for any exceptions for nonresidents to attend school and it is a matter of discretion whether to make exceptions and which ones. The Board may provide for any exception it deems appropriate.

These exceptions have given me pause or question:

1. The exception that allows a student who moves out of the District prior to April 1st to apply to remain for the school year and apply for a tuition waiver. This seemly would allow a student who moves out at any point after the start of the school year, even on day two of a given school year, to remain for the entire year without paying tuition. Checking to see whether this is the intention of the Board.
2. Exception for students who attended WLHS for grades 9-11 and have moved out of district prior to their senior year to attend senior year in district without paying tuition. This could set a dangerous and costly precedent.
3. It is highly unusual to allow a student to attend school based solely upon the student's parents' property ownership in Windsor Locks even with payment of tuition. However, your policy provides for this. State law requires the Board to provide school accommodations to those who reside in district, and I have successfully argued at residency hearings that property ownership alone does not suffice to establish residency. The case law supports this position. I recommend removing this exception.

Lastly, the policy requires that two affidavits be signed, one by a parent/guardian and other by host family/individual, in circumstances where a student is a non- resident living with a relative or non-relative and seeks school accommodations in Windsor Locks. Only the parent affidavit accompanied your policy/regulation. I have drafted one for the host family and attach it for your review (see form 3).

Students

5118 - Resident and Non-Resident Attendance

Residency Requirements

It is the policy of the Windsor Locks Board of Education (Board) that any child of school age who is a resident of the Town of Windsor Locks, as defined by state statute, may attend the Windsor Locks Public Schools. In accordance with state law, the Board is required to provide free school accommodations to students who are *permanent* residents of Windsor Locks.

A child will be considered a permanent resident of Windsor Locks under the following conditions:

1. The child resides with his/her parents or a parent who is a bona fide resident of Windsor Locks.
2. In the case of a child whose parents are divorced or separated, the child will be entitled to school accommodations in the school district where he or she actually resides and spends the majority of his/her time irrespective of an award of legal custody to one or both parents. (*An award of custody to a parent may be considered indicia of where a child actually resides or spends the majority of time. However, custody is not determinative, and the totality of the circumstances will be evaluated.*)
3. The child resides with a legally appointed guardian who is a bona fide resident of Windsor Locks. The guardian or guardians will be asked to provide a court order indicating appointment as guardian of the student.
4. The child is a legally emancipated minor or eighteen (18) years of age or older and is a bona fide resident of Windsor Locks. The child will be asked to provide legal documentation proving emancipation.
5. A child who resides in a dwelling physically located in Windsor Locks and another Connecticut town shall be considered a resident of Windsor Locks or the other town in which the dwelling is located and may attend school in Windsor Locks or the other town. Dwelling for these purposes means a single, two or three family house or condominium unit.
6. Any child placed out by the Commissioner of Children and Families or by other agencies or persons as provided for under Section 10-253 (a) of the General Statutes of Connecticut. Payment of tuition for such education shall be made by the Board of Education of the school district under whose jurisdiction such child would otherwise be attending school where such a school district is identified.
7. Any child in a temporary shelter as provided for under Section 10-253(e)(2) of the General Statutes of Connecticut. Payment of tuition for such education shall be made by the school district in which the child would otherwise reside, if identified and notified.

8. **A child residing with relatives or non-relatives** as provided for under Section 10-253(d) of the General Statutes of Connecticut if the residency is to be permanent, provided without pay and not for the sole purpose of obtaining school accommodations:
- a. **Permanent** - "Permanent residency" shall be defined as one who resides in Windsor Locks and who has a present intention to remain within Windsor Locks *indefinitely*.
 - b. **Provided by the Windsor Locks Relative or Non-Relative without Payment or Compensation by the Child's Parent or Legal Guardian** - Pay shall include any monetary remuneration from a parent for the support of a child either to the relative or nonrelative but does not include gifts for purposes other than support. Pay does not include maintaining the child's health insurance, taking the child as a deduction for income tax purposes or making support payments according to a court order.
 - c. **Not for the Sole Purpose of Obtaining School Accommodations in the Windsor Locks Public School System** - as determined by individual facts and circumstances. The Board of Education or its designee may require documentation, including sworn affidavits, from the parent/guardian, emancipated minor or student eighteen years of age or older or relative or non-relative that the residence is to be permanent, provided without payment or compensation and not for the sole purpose of obtaining school accommodations.

Proof of Residency

Proof of residency will be required for all students upon initial registration for school. The Board reserves the right to additionally require that all students provide proof of residency annually and/or at the time of change of schools (i.e. entry into elementary, middle school and high school). Students are required to provide to their school timely updated information regarding residency and change of address at the time of change.

Proof of residency may be required anytime if the status of an individual student's residency is called into question.

Non-Resident Attendance

In accordance with this policy and its accompanying regulation, a school age child who does not reside in Windsor Locks may be eligible to attend the Windsor Locks Public Schools, with or without payment of tuition, under certain limited circumstances assuming all qualifying conditions are met and continue to be met to the satisfaction of the Superintendent or designee.

Regulation

The Superintendent shall establish a regulation to accompany this policy that includes, but is not limited to, an explanation of the circumstances and conditions under which a non-resident student may be permitted to attend a District school, with or without tuition; an explanation of the calculation of tuition; the procedures to be followed for denial of school accommodations and requests for a residency hearing and information regarding the related burden of proof and

appeals process.

Homeless Students and Unaccompanied Youth

A child or an unaccompanied youth asserting homelessness may be enrolled in and attend the Windsor Locks Public Schools in accordance with Board Policy 5118.1, Homeless Students (Policy 5118.1).

Non-Enrollment/Denial of Accommodations/Reimbursement of Tuition Costs

If in the opinion of the Superintendent or designee or the Board, a student resides in Windsor Locks for the primary purpose of obtaining a free public education or if the student has not established permanent residency, that student shall not be permitted to enroll or to continue in enrollment in the Windsor Locks Public Schools.

Students denied school accommodations based upon residency shall be provided due process in accordance with applicable state and federal law.

In the case that a student is determined to have been ineligible for free public school accommodations, it is the right of the Windsor Locks Public Schools to collect reimbursement from the parent/guardian of such student for any assessed costs of said schooling rendered during the time of enrollment in accordance with state law.

Legal Reference: Connecticut General Statutes
4-176e through 4-185 Uniform Administrative Procedure Act
10-186 Duties of local and regional Boards of Education re school attendance.
10-253 School privileges for children in certain placements, nonresident children and children in temporary shelters.

Policy adopted: March 28, 2013

WINDSOR LOCKS PUBLIC SCHOOLS
Windsor Locks, Connecticut

R 5118- Resident and Non-Resident Attendance

This regulation is established to guide a determination of residency and eligibility for school accommodations to be provided by the Windsor Locks Board of Education.

I. Student Registration

The parent/legal guardian enrolling their child shall complete appropriate sections of the Student Registration form, complete any applicable affidavits, and submit required documentation establishing residency at the time of registration. Updated student information is to be supplied annually on forms provided by the school at the beginning of each school. Any subsequent changes, most notably a change in a student's address, are required to be reported to a student's school in writing at the time of change.

II. Verification of Residency

Verification of residency shall be required in Grades Pre-K through twelve at the time of initial registration and/or the expiration of a mortgage or lease, or upon request by administration when there is a suspicion that there has been a change in residency or in circumstances that otherwise previously qualified a student for school accommodations.

Verification of residency shall include presentation of multiple documents confirming residency. The following is required: 1) for homeowners: mortgage or deed or tax bill , and for renters: lease or rental agreement signed by the landlord with landlords contact phone number, and 2) two recent utility bills in the same name and to the same address (for land line telephone, water, electric, gas, oil or cable television – not cellphone), and 3) if applicable, any notarized affidavits, or legal or court documentation proving/attesting to residency, guardianship, adoption, custody, emancipation, etc. (see registration form).

Individuals who are registering or renewing the registration for a relative or nonrelative who is residing with them in Windsor Locks will be required annually to complete affidavits provided by the district. In order to prove residency, the law requires the mutual intent of the relative or non-relative and the child or the parent or guardian that the residence is (1) permanent, (2) provided without pay and 3) not for the sole purpose of free school accommodations.

No one factor or combination of factors guarantees a finding of residency. A determination of residency involves both a quantitative and qualitative assessment of the documentation presented.

The Board of Education or its designee reserves the right to request additional proof of residency and/or to deny enrollment if the documentation submitted is adjudged to be insufficient to establish residency in Windsor Locks.

III. Special Circumstances -Non-Resident Student Attendance

1. Eligibility for School Attendance by Students Who Move Out of District After Completion of Grades 9-11

Students who move out-of-district after having completed Grades 9-11, inclusive, at Windsor Locks High School, may be permitted to complete Grade 12 at Windsor Locks High School, tuition-free under certain circumstances. Parents must report promptly to the school administration any change in home address and/or emergency information and request permission from the Superintendent of Schools for the student to complete high school in the District. Failure to do so may result in denial of attendance privileges, and an assessment of a tuition charge if a student is subsequently found to be a non-resident of Windsor Locks.

The granting of such a request will be based upon the following:

- a. Space is available and an appropriate education program can be provided.
- b. The parent/guardian assumes all responsibility for transporting the student to or from school.
- c. The student has a record of good citizenship at the school and continues to abide by the rules and regulations of the school and the district.
- d. Such accommodation shall be for no more than one school year.

2. Non-resident students may be accepted as tuition students in the schools under all the following conditions:

- a. Space is available and an appropriate program can be provided.
- b. Admission is subject to administrative review of the educational records, including available appropriate educational, physical, psychological, and psychiatric examinations.
- c. Transportation will not be provided if the student lives outside the district.
- d. Admission is probationary, subject to periodic review. Admission of non-resident students must be re-approved annually.

3. When a student becomes a non-resident of the district after April 1 of a school year, the student may be permitted to continue in attendance without charge for the remainder of that school year under all the following conditions:

- a. A written request for such accommodation is made to the Superintendent by the parent/ guardian of the student.
- b. Space is available and an appropriate education program can be provided.
- c. The parent/guardian assumes all responsibility for transporting the student to and from school.

- d. The student has a record of good citizenship at the school and continues to abide by the rules and regulations of the school and the district.
4. When a student becomes a non-resident of the district before April 1 of a school year, the parent/guardian may request for the student to remain in District for the remainder of the school year and also request a tuition waiver for the balance of said school year from the Board of Education. In determining whether to grant the request and/or such a waiver, the Board of Education may consider the following factors:
 - a. The recommendation of the Superintendent;
 - b. financial hardship;
 - c. the timing of the request;
 - d. space availability;
 - e. programmatic needs of the student; and
 - f. transportation.

If granted, the non-resident admission status with tuition waiver could be subject to review at any time. If the request to remain in school is granted, the student must continue to have a record of good citizenship at the school and continue to abide by the rules and regulations of the school and the district. The accommodation shall be for no more than one school year.

5. A student in the senior year who moves out of the district after the school year has begun shall be allowed to complete the program of studies for graduation at Windsor Locks High School without payment of tuition under all the following conditions:
 - a. A written request for such accommodation is made to the Superintendent by the parent/guardian of the student.
 - b. Space is available and an appropriate education program can be provided.
 - c. The parent/guardian assumes all responsibility for transporting the student to or from school.
 - d. The student has a record of good citizenship at the school and continues to abide by the rules and regulations of the school and the district.
 - e. Such accommodation shall be for no more than one school year.

IV. School Admissions of Non-Resident Students

I. Application and Admission

1. Application for admission for non-resident students will be made on a standard form provided by the school district.
2. Applications must be submitted to the Office of the Superintendent of Schools.

3. The Superintendent of Schools will approve non-resident students for admission based on the recommendation of the Principal or Director of Pupil Services.
4. Non-resident students will be provided all of the typical services except for transportation and programs provided to resident students, as well as being subject to all administrative rules and regulations.
5. Students whose parents have signed a rental lease or contract to purchase or build a residence in Windsor Locks, with the intent of dwelling in said residence within 90 calendar days, shall have the tuition fee waived. Copies of the above legal documents will be forwarded to the Superintendent of Schools. In the event that a certificate of occupancy is not issued and/or the family is not able to take possession or occupy the residence within the above prescribed time, a per diem tuition charge shall be levied beginning on the 91st calendar day until possession or occupancy occurs. There shall be no diminution of this charge due to a student's excused or unexcused absence from school. In the event of circumstances beyond the control of parents to take occupancy, a request for extension (for the tuition charge) can be made to the Superintendent.

V. Transportation

The Windsor Locks Board of Education shall assume no responsibility for the transportation costs of any non-resident student who attends the Windsor Locks Public Schools.

VI. Children Residing in Windsor Locks with Someone Other Than Parent or Legal Guardian

These procedures apply when the permanent residence of a student is in the Town of Windsor Locks and his or her parent/guardian resides elsewhere.

Connecticut General Statute 10-253 provides as follows:

“Children residing with relatives or non-relatives when it is the intention of such relatives or non-relatives and of the children or their parents or guardians that such residence is to be permanent, provided without pay, and not for the sole purpose of obtaining school accommodation, shall be entitled to all free school privileges accorded to resident children of the school district in which they then reside.”

It is not necessary that the child reside with parent/guardian. The test for determining whether a child is eligible for school privileges in Windsor Locks is:

1. The child must reside within the Town of Windsor Locks.
2. It must be the intention of the Windsor Locks host and of the student or his/her parent/guardian that the residence be permanent.

3. The residence must be provided without charge.
4. The residence must not be provided for the sole purpose of obtaining school accommodations.

In order to determine whether the conditions noted above are being met with respect to a particular child, the school administration shall require two separately signed affidavits (copies attached to this policy). The affidavits must be signed by the Windsor Locks host and by the student (if age eighteen or over) or the child's parent/guardian attesting to the truth of the four conditions as noted above.

VII. Emancipated Students

In instances where a student has legally declared his/her emancipation, the following requirements must be met:

1. A written statement from the parent stating the child has left the home and is no longer under the control of the parent.
2. A written statement from the student indicating the student's ability to provide his/her own support.
3. A written statement from an employer verifying the student's employment and salary.
4. A written statement from the owner of the apartment house, rooming house, etc. indicating a rent or lease arrangement, in the student's name.

If there is any question concerning a child's bona fide residence or of the written statements at any time, verification by personal visitations by school staff, school social worker or investigator may be in order.

VIII. Denial of School Accommodations

1. Notification

The Board may deny school accommodations based on an issue of residency in accordance with the following:

1. The Superintendent shall notify the parent or guardian, emancipated child, pupil eighteen (18) years of age or older or an unaccompanied youth in writing by regular mail and certified mail, return receipt requested, and a where deemed appropriate, additionally be hand delivery, that an investigation discloses that the child is not legally enrolled in school. This notice shall be sent to the actual address, if known, or the address of record, of the parent or guardian, emancipated child or other individual(s) listed as the responsible party on school records. The notice shall include a statement informing the parent or guardian, emancipated child, pupil eighteen (18) years of age or older or unaccompanied youth of their right to request a hearing before the Board of Education in accordance with Connecticut General Statutes Section 10-186. This letter shall set forth the way a

hearing shall be requested and shall set a date by which a hearing must be requested in writing.

2. The Superintendent shall advise the Board of Education under whose jurisdiction it claims such child, pupil eighteen years or older or unaccompanied youth should be attending school of its denial of school accommodations in Windsor Locks. The Superintendent shall provide such notification by sending a copy of the denial of accommodations letter to the Superintendent of Schools in the school district(s) where the student is believed to reside.
3. If no written request for a hearing is received by the Superintendent from the parent or guardian, emancipated child or pupil eighteen (18) years of age or older by the date specified in the denial of accommodations letter, then the child shall no longer be permitted to attend classes and all school books and equipment are to be returned by that date to the office of the administrator.
4. If a timely written request for a hearing is submitted by the parent or guardian, emancipated child, pupil eighteen (18) years of age or older or by unaccompanied youth, the student may continue to attend school upon request to do so until the Board has completed the hearing and made its decision.

2. Request for a Board Hearing/Hearing Procedures

1. The Board of Education shall conduct a hearing within ten (10) days after receipt of a written request from the parent, guardian, emancipated child, pupil eighteen years of age or older or unaccompanied youth for a hearing and the hearing shall be conducted in accordance with the provisions of Sections 4-176e to 4-180a, inclusive, and 4-181a of the General Statutes of Connecticut,
2. A written notice of a hearing shall be sent by the Board to the parent or guardian, emancipated child, pupil eighteen (18) years of age or older or unaccompanied youth and shall include:
 - a. A statement of the date, 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. A reference to the particular sections of the statutes and regulations involved;
 - d. A short and plain statement of the matters asserted.
 - e. A statement advising the parent or guardian of the right to be represented by counsel, to present evidence and argument, to have witnesses on their behalf and to cross-examine witnesses presented by the administration.
3. The party denied school accommodations shall have the burden of proving residency by a preponderance of evidence, unless the party denied school accommodations is claiming that he or she is a homeless child or youth as defined in 42 U.S.C. 11434a. In which

case, the party claiming ineligibility based upon residency shall have the burden of proving that the child or youth is not homeless by a preponderance of the evidence.

4. The Board of Education shall make a stenographic record or tape recording of such hearing.
 5. The Board of Education shall render a finding within ten (10) days after the hearing, and provide a written copy of its decision to the parties in accordance with Sections 4-176e to 4-180a, inclusive, and 4-181a of the General Statutes of Connecticut.
 6. If the decision of the Board of Education is that the child, pupil eighteen years or older, or unaccompanied youth, is a Windsor Locks resident entitled to school accommodations or otherwise entitled to school accommodations, the pupil shall be allowed to continue enrollment.
 7. If the decision of the Board of Education is that the student is a nonresident and not entitled to school accommodations a. and the student has remained in school pending the outcome of the Board hearing, he/she may elect to continue attending school for twenty (20) more days from the date the Board's decision was mailed; the twenty (20) days represents the time period in which an appeal of the decision may be lodged; once the appeal period has lapsed and if no appeal has been initiated, the child shall not be permitted to continue to attend school in the Windsor Locks Public Schools and all school books and equipment are to be returned to the office of the administrator. Once it is determined that the child, pupil eighteen years or older or unaccompanied youth, is not legally permitted to continue to attend school, and if the student continues to attend passed the appeal period, the Superintendent, on behalf of the Board, may avail itself of any appropriate, legal and available measures, including but not limited to referral to the police.
 8. If an appeal is not taken to the State Board of Education within twenty (20) days of the mailing of the finding of the Windsor Locks Board of Education to the aggrieved party, the decision of the Windsor Locks Board of Education shall be final.
3. Appeal of Board of Education Decision
1. A parent, guardian or emancipated child or pupil eighteen (18) years of age or older or unaccompanied youth may appeal the decision of the local Board to the State Board of Education within twenty (20) days of the mailing of the decision by the Board. Any child, emancipated minor or pupil eighteen (18) years of age or older, or unaccompanied youth who is denied accommodations by the Board may continue in attendance in the school district, at the request of the parent or guardian emancipated child or pupil or unaccompanied youth pending a determination of such appeal. If such an appeal is not brought within the twenty (20) days, then the Board decision becomes final.
 2. A copy of each notice of appeal shall be filed simultaneously with the Windsor Locks Board of Education and the State Board of Education.

3. Any such parent, guardian, emancipated minor, pupil eighteen (18) years of age or older or unaccompanied youth aggrieved by the finding shall, upon request, be provided by the State Board of Education a transcript of the hearing for a fee as specified in C.G.S. 1-212.
4. The Windsor Locks Board of Education shall, within ten (10) days after receipt of notice of an appeal, forward the record of the hearing to the State Board of Education.
5. The State Board of Education shall on receipt of a written request for a hearing made in accordance with the provisions of this subsection, establish an impartial hearing board of one or more persons to hold a public hearing in the Windsor Locks School District.
6. The hearing board shall render its decision within forty-five (45) days after receipt of the notice of appeal except that an extension may be granted by the commissioner of education upon an application by a party or the hearing board describing circumstances related to the hearing which requires an extension.
7. If the hearing board of the State Board of Education makes a determination that the child was not a resident of the Windsor Locks School District and, therefore, not entitled to school accommodations by the Board, the Board may assess tuition (based upon one one-hundred-eightieth of the town's net current local education expenditure, as defined in CGS 10-261, per pupil multiplied by the number of days of school attendance of the child in the district while not entitled to school accommodations provided by the district) against the parent, guardian emancipated child or pupil eighteen (18) years of age or older, as provided by law. The Board may seek to recover such amount through available civil remedies.
8. A parent, guardian or the student with legal standing aggrieved by the decision of the State Board of Education may appeal to the Superior Court according to C.G. S. 10-187, and may file with the State Board of Education within fifteen (15) days after personal delivery or mailing of the final decision, a petition for reconsideration of the final decision in accordance with C. G.S 4-181a.

Windsor Locks Public Schools Office
of the Superintendent of Schools
58 South Elm Street
Windsor Locks, CT 06096

Superintendent of Schools
Telephone (860) 292-5000

Date _____

Non-Resident Student Application and Agreement

_____ School Year

Parent or Guardian's Name(s) _____

Address _____

Telephone No. _____

Please be advised that I, the undersigned, will be financially responsible for tuition charges and all special charges for:

Full Name of Child

Date of Birth

while in attendance in the Windsor Locks Public Schools.

I (we) have read the Board of Education Admissions Policy for Non-Resident Students and hereby agree that I (we) shall abide by all such rules and regulations, and shall pay the annual tuition rate of \$ _____, pro-rated in two (2) semester payments. All tuition must be paid prior to the first day of attendance each semester.

Refunds for withdrawal will be made on a per diem rate, based on 1/90 of the total tuition charge for each remaining day of the prepaid semester. No refunds will be made after 60 days of enrollment each semester.

This agreement will be in effect only for the school year stated above, subject to the conditions stated in the Board of Education Policy for Non-Resident Students.

Signature of Parent(s)/Guardian(s) _____

Approved: _____ Date _____

Superintendent of Schools

Windsor Locks Board of Education
Affidavit for Purposes of Residency

PARENT/GUARDIAN AFFIDAVIT

ss: WINDSOR LOCKS

State of State of

Connecticut

County of Hartford

Personally appeared, _____ who made oath to the following:
(name of parent/guardian)

1. I am the parent/guardian of _____
(cross out inapplicable response) (name of child)
2. I reside at _____ in the Town of _____,
(street address)
State of Connecticut.
3. _____ does not currently reside with me.
(name of child)
4. It is my intention that _____
(name of child)
is to reside with _____ at _____
(name of resident host) (address of resident host)
in the Town of Windsor Locks, CT, and that such residence is to be permanent.
5. I do not pay, nor do I intend to pay _____ for providing such residence.
6. Such residence is not for the sole purpose of obtaining school accommodations.
7. I shall report to the Windsor Locks Board of Education any change in the foregoing circumstances within 30 days from the date on which such change occurs.
8. The Windsor Locks Board of Education is/is not (circle one) authorized to release information to obtain appropriate permission from _____
(name of resident host)
with respect to _____ in place of the undersigned.
(name of child)

I hereby swear to the truth of the foregoing statements, under penalty of perjury, recognizing that the Windsor Locks School District has released me from the obligation to pay tuition costs in reliance on this affidavit.

Signature of Parent/Guardian

Subscribed and sworn to before me this _____ day of _____, 20____.

Notary Public

My Commission expires on: _____

**Windsor Locks Board of Education
Affidavit for Purposes of Residency**

RELATIVE OR NON-RELATIVE AFFIDAVIT

ss: WINDSOR LOCKS

State of Connecticut

County of Hartford

Personally appeared, _____ who made oath to the following:
(name of relative/nonrelative)

1. I am the relative/nonrelative of _____
(cross out inapplicable response) (name of child)
2. I reside at _____ in the Town of _____,
(street address)
State of Connecticut.
3. _____ currently resides with me.
(name of child)
4. It is my intention that _____
(name of child)
is to reside with me, _____ at _____
(name of resident host) (address of resident host)
in the Town of Windsor Locks, CT, and that such residence is to be permanent.
5. I am not being paid, nor do I intend to be paid by the child's parent, guardian or others for providing such residence.
6. Such residence is not for the sole purpose of obtaining school accommodations.
7. I shall report to the Windsor Locks Board of Education any change in the foregoing circumstances within 30 days from the date on which such change occurs.

I hereby swear to the truth of the foregoing statements, under penalty of perjury, recognizing that the Windsor Locks School District is relying on this affidavit in agreeing to provide school accommodations to the above-named child.

Signature of Relative/Nonrelative

Subscribed and sworn to before me this _____ day of _____, 20____.

Notary Public

My Commission expires on: _____

Students

5118.1 - Homeless Students

Children and unaccompanied youth (youth) who meet the federal definition of “homeless” and are living in Windsor Locks or otherwise entitled to school accommodations under McKinney Vento or state law will be provided a free public education in the same manner as all other students enrolled in the Windsor Locks Public Schools and will not be discriminated against, stigmatized or segregated on the basis of their status as homeless.

The Board shall make reasonable efforts to identify homeless children and youth within the district, encourage their enrollment and eliminate existing barriers to their education, which may exist in district policies or practices, in compliance with all applicable federal and state laws.

Homeless students or youth, as defined by federal and state statutes, residing within the district are entitled to free school privileges.

Homeless students and youth residing within the district shall be provided continued educational services. Such services for the child may be:

1. Continued in the school of origin” which is the school the student attended when permanently housed or the school of last enrollment; or
2. Provided in the school that is attended by other students living in the same attendance area where the homeless child lives.

Students and youth residing in a temporary shelter are entitled to free school privileges from the district in which the shelter is located or from the school district where they would otherwise reside if not for the placement in the temporary shelter. The district in which the temporary shelter is located shall notify the district where the student would otherwise be attending. The district so notified may choose to either:

1. Continue to provide educational services, including transportation between the temporary shelter and the school in the home district; or
2. Pay tuition to the district in which the temporary shelter is located.

For students and youth living in a temporary shelter located outside of Windsor Locks and who otherwise would reside in Windsor Locks, the Board will continue to provide education services in District or will pay tuition to the district in which the temporary shelter is located. Transportation shall be provided or arranged to and from temporary shelters outside of the District in accordance with state law.

To the extent feasible, a homeless child or youth will be kept in the school of origin, unless it is against the wishes of the parent/guardian or youth. The District may apply the best interest of

the child/youth analysis to determine where the child/youth will attend the school of origin or other school giving while considering the preference of the parent/guardian or youth.

Homeless children and youth shall be provided educational services that are comparable to those provided to other students enrolled in the district, including but not limited to, Title I, transportation services, compensatory educational programs, gifted and talented, special education, ESL, health services and food and nutrition programs.

The Superintendent of Schools shall refer identified homeless children under the age of eighteen, who may reside within the school district, on a case by case basis, when there is reasonable suspicion of neglect or abuse, to the Connecticut Department of Children and Families (DCF). Homelessness by itself does not automatically mean that abuse or neglect exists.

The district administration shall attempt to remove existing barriers to school attendance by homeless emancipated minors and youth eighteen years of age:

1. The selected school for the homeless child shall enroll the child, even in the absence of records normally required for enrollment. The last school enrolled shall be contacted to obtain records.
2. Other enrollment requirements that may constitute a barrier to the education of the homeless child or youth may be waived at the discretion of the Superintendent. If the district is unable to determine the student's grade level due to missing or incomplete records, the district shall administer tests or utilize other reasonable means to determine the appropriate grade level for the child.
3. Fees and charges, which may present a barrier to the enrollment or transfer of a homeless child or youth, may be waived at the discretion of the Superintendent.
4. Transportation services must be comparable to those provided other students in the selected school. Transportation shall be provided to the student's school of origin in compliance with federal and state regulations.
5. Official school records policies and regulations shall be waived at the discretion of the Superintendent, in compliance with federal statutes.
6. The District shall make a reasonable effort to locate immunization records from information available. The District's liaison shall assist the parent/guardian in obtaining the necessary immunizations and records. The District shall arrange for students to receive immunizations through health agencies and at District expense if no other recourse is available. Immunizations may, however, be waived for homeless youth only in accordance with provisions of Board of Education policy on immunizations.

7. Other barriers to school attendance by homeless children or youth may be waived at the discretion of the Superintendent of Schools.

The District's educational liaison for homeless children is Director of Special Services.

The District's Liaison for Homeless Children (Liaison) duties include, but are not limited to:

1. Assisting homeless children and youth in placement/enrollment decisions, and considering the youth's wishes;
2. Providing notice of appeal in accordance with federal law regarding enrollment disputes,
3. Coordinating and collaborating with the State Coordinator for the Education of Homeless Children and Youth as well as with the community and school personnel responsible for the provision of education and related services to homeless children and youth.
4. The Liaison shall participate in State provided professional development opportunities for local liaisons as directed by the Superintendent of Schools.

In accordance with state law and the McKinney-Vento Homeless Assistance Act, (PL 107-110-Sec 1032), 42 U.S.C. 1 1431- 11435, unaccompanied youth and those students asserting homelessness will be afforded appropriate due process, including notifications regarding District decisions related to enrollment, school assignment, and transportation services.

(cf. 5141.3 Student Health Assessments and Immunizations) (cf. 5141.4 Child Abuse and Neglect)

Legal Reference:

Connecticut General Statutes

10-253(e) School privileges for children in certain placements, nonresident children and children in temporary shelters.

17a-101 Protection of children from abuse. Reports required of certain professional persons. When child may be removed from surrounding without court order.

17a-102 Report of danger of abuse.

17a-103 Reports of others.

17a-106 Cooperation in relation to prevention, identification and treatment of child abuse and neglect.

46b-120 Definitions.

McKinney-Vento Homeless Assistance Act, (PL 107-110-Sec 1032) 42 U.S.C. 1 1431- 11435

Policy adopted:

March 28, 2013

WINDSOR LOCKS PUBLIC SCHOOLS
Windsor Locks, Connecticut

**Windsor Locks Public Schools
Windsor Locks, Connecticut**

Student Residency Questionnaire

Student Information (Please Print)

Student's Legal Name: _____
(Last) (First) (Middle) (Nickname)

Date of Birth: _____ Sex: _____ Social Security Number: _____

Place of Birth: _____
(City) (County) (State) (Country)

Current Address: _____
(Street) (City) (Zip)

Home Phone: _____

Student's Driver's License Number: (if any) _____

Student's Social Security Number: (if any) _____

Parent/Guardian #1 Information

Name: _____

Mother Female Legal Guardian Father Male Legal Guardian

Current Address: _____

Employer: _____

Home Phone: _____ Work Phone: _____ Cell Phone: _____

Pager: _____ Fax: _____ Email: _____

Parent/Guardian #2 Information

Make and Year of Car of Parent/Legal Guardian's Vehicle: _____

License Plate Number: _____

Municipality/State Where Car is Registered: _____

Vehicle Registration Number: _____

Name: _____

Mother Female Legal Guardian Father Male Legal Guardian

Current Address: (if different from above) _____

Employer: _____

Home Phone: _____ Work Phone: _____ Cell Phone: _____

Pager: _____ Fax: _____ Email: _____

Make and Year of Car of Parent/Legal Guardian's Vehicle: _____

License Plate Number: _____

Municipality/State Where Car is Registered: _____

Vehicle Registration Number: _____

Who is/are the custodial parent(s)? (If the student does not reside with his or her biological or adoptive parent(s), state the name of the adult guardian(s) or custodian(s) with whom the student resides).

Are parents divorced? Yes No

If yes, what are the arrangements regarding custody? (Please provide copies of any supporting documentation from the court) _____

Sibling Information

Name: _____ Relationship to Student: _____ Date of Birth: _____

Address: _____ School: _____

Name: _____ Relationship to Student: _____ Date of Birth: _____

Address: _____ School: _____

Name: _____ Relationship to Student: _____ Date of Birth: _____

Address: _____ School: _____

Name: _____ Relationship to Student: _____ Date of Birth: _____

Address: _____ School: _____

Residency Questionnaire (To be completed by parent(s)/guardian(s) of the student)

I. Student Living Separately from Parent/Guardian

1. Is the student residing with you? Yes No

If yes, please go to Section II below.

If no, who is the student living with?

What is the relationship of this person to the student?

Why is the student residing with this person?

2. Does this person have custody of the student? Yes No

If yes, what was the reason for the transfer of custody to this person?

How long is this arrangement intended to last?

3. Are you providing financial or other compensation to this person? Yes No

If yes: What form of compensation? _____

In what amount? _____

For what purpose(s)? _____

4. Who will be responsible for the discipline and control of the student?

5. Who will be financially responsible for the student's health, welfare and educational needs?

6. Will the student spend time at a residence outside of the City of Windsor Locks?
Yes No

Please provide the address(es):

7. How much time will the student be spending at the above address(es) outside of Windsor Locks? If any boxes below are checked, specify the frequency next to the checked box (for example, one weekend per month, all school vacations, two nights per week).

Weekends _____

School vacations _____

Weeknights _____

_____ Other _____

8. Is there anything else the school needs to know about this living arrangement?

II. Parent/Guardian and Student Living Together at the Home of a District Resident

1. Do you own the residence in Windsor Locks at which you and the student are living?

Yes No

If no, do you rent at the address where you are living? Yes No

If no, are you and the student residing with an individual or individuals who are residents of Windsor Locks? Yes No

If yes, please provide the name(s) of the Windsor Locks Windsor Locks resident(s) with whom you are residing:

Please provide the address of the Windsor Locks resident(s) with whom you are residing:

2. Why are you and the student residing with the Windsor Locks resident(s)?

3. For how long is it anticipated that this arrangement will last?

4. Are you providing financial or other compensation to this person? Yes No

If yes: What form of compensation? _____

In what amount? _____

For what purpose(s)? _____

5. Will the student spend time at a residence outside of the District? Yes No

Please provide the address(es):

6. How much time will the student be spending at the above address(es) located outside of Windsor Locks? If any boxes below are checked, specify the frequency next to the checked box (for example, one weekend per month, all school vacations, two nights per week).

7.

Weekends _____
 School vacations _____
 Weeknights _____
 Other:

8. Is there anything else the school needs to know about this living arrangement?

III. Attestation Regarding Residency (to be signed by the Parent/Guardian completing this form)

In signing this document, I understand and acknowledge that I am representing that my child is entitled to free school accommodations from the Town/City of Windsor Locks by virtue of their having a legal residence at the above-named address. I understand that if the information provided in connection with this questionnaire is determined to be false or misleading, resulting in the child/children named above to not be legally entitled to attendance in Windsor Locks Public Schools, the school district may take legal action to recoup valid tuition charges and legal fees. I understand that if it is determined that I have

5118.1
Form 1

(continued)

defrauded the Windsor Locks Public Schools, I may also be subjected to the pains and penalties of perjury and false statement and such other remedies as may be available under law.

Signature of Parent/Guardian

Date

Signature of Witness

**Windsor Locks Public Schools
Windsor Locks, Connecticut**

Homeless Students Questionnaire

The following questions are intended to address the McKinney-Vento Homeless Education Assistance Act, 42 U.S.C. § 11431, *et seq.* Your answers to the following questions will aid school district staff to determine whether your child may be eligible for services under this Act.

1. Is your child's current address a temporary living arrangement? Yes No

2. Is this temporary living arrangement due to loss of housing or economic hardship?
Yes No

If you answered yes to the above questions, please complete the remainder of this form.

3. Where is the student presently living? (Please check one)

- In a hotel/motel
- In a shelter
- With more than one family in a house or apartment
- Moving from place to place
- In a place not designed for ordinary sleeping accommodations, such as a car, park or campsite
- Other: (please specify) _____

4. When do you anticipate that your child's temporary living arrangement will change?

In signing this document, I understand and acknowledge that I am representing that my child is entitled to free school accommodations from the Town/City Windsor Locks by virtue of their having a legal residence at the above-named address. I understand that if the information provided in connection with this questionnaire is determined to be false or misleading, resulting in the child/children named above to not be legally entitled to attendance in the Windsor Locks Public Schools, the school district may take legal action to recoup valid tuition charges and legal fees. I understand that if it is determined that I have defrauded the Windsor Locks Public Schools, I may also be subjected to the pains and penalties of perjury and false statement and such other remedies as may be available under law.

Signature of Parent/Guardian

Date

Signature of Witness

Students

5118.2 - Educational Opportunities for Military Children

In an effort to facilitate the placement, enrollment, graduation, data collection and provision of special services for students transferring into or out of the District because of their parents being on active duty in the U.S. Armed Services, the District supports and will implement its responsibilities as outlined in the *Interstate Compact on Educational Opportunity for Military Children*. The Board of Education believes it is appropriate to remove barriers to educational success imposed on children of military families because of their parents' frequent moves and deployment.

Definitions

"Active duty" means full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 USC Section 1209 and 1211.

"Uniformed services" means the Army, Navy, Air Force, Marine Corps, Coast Guard as well as the Commissioned Corps of the National Oceanic and Atmospheric Administration, and Public Health Services.

"Children of military families" mean school-aged children, enrolled in kindergarten through twelfth grade, in the household of an active duty member.

Deployment means the period one month before the service members' departure from their home station on military orders through six months after return to their home station.

Education(al) records means official records, files, and data directly related to a student and maintained by the school including, but not limited to, records encompassing all the material kept in the student's cumulative folder.

The requirements, applicable to eligible students, which must be fulfilled, are listed below. Eligible students are those who are children of active duty personnel, active duty personnel or veterans who have been severely injured and medically discharged, and active duty personnel who die on active duty within one year of service. Students are not eligible for the provisions of the *Compact* if they are children of inactive Guard or Reserves, retired personnel, veterans not included above or U.S. Department of Defense personnel and other federal civil service employees and contract employees.

The District's responsibilities to eligible children include the following:

- Sending schools must send either official or unofficial records with the moving students and District receiving schools must use those records for immediate enrollment and educational placement.

- Simultaneously, the receiving school must request official records and the sending schools shall respond within 10 days with the records.
- Immunization requirements of the District may be met within 30 days from the date of enrollment or within such time as is reasonably determined under the rules promulgated by the Interstate Commission.
- Receiving schools must honor placement of students in all courses from the sending school. These include, but are not limited to, Honors, International Baccalaureate, Advanced Placement, vocational-technical, and career pathway courses if those courses are offered in the receiving school.
- Receiving schools must allow for the continued enrollment of students at the same grade level as in the sending school, including kindergarten, regardless of the student's age.
- In compliance with federal law, special education students must be placed by the existing IEP with reasonable accommodations in the receiving school. This does not preclude the receiving school from performing subsequent evaluation to ensure appropriate placement.
- The receiving school shall make reasonable accommodations and modifications to address the needs of students identified as requiring 504 services in accordance with their existing 504 plans. This does not preclude the receiving from performing subsequent evaluation to ensure appropriate placement.
- The District will exercise, as deemed appropriate, the right to waive prerequisites for all courses and programs, while also maintaining its right to re-evaluate the student to ensure continued enrollment, as deemed appropriate.
- Absences related to a student visiting with his/her parent related to leave or deployment activities may be excused by the District at the discretion of the superintendent or designee.

(cf. 5111 – Admission)
 (cf. 5113 – Attendance and
 Excuses) (cf. 5123 –
 Promotion/Retention)
 (cf. 5125 – Student Records; Confidentiality)
 (cf. 5141.3 – Health Assessments and
 Immunizations) (cf. 6146 – Graduation
 Requirements)
 (cf. 6171 – Special Education)

Legal References:

Connecticut General Statutes
10-15f Interstate Compact on Educational Opportunity for Military Children

Policy adopted: March 28, 2013

Students

5122 - Class/Grade Assignment of Students Who Have Been Enrolled in a Non-Accredited or Home School Program

Students transferring from a school that is non-accredited or a home school program will be enrolled at a level of mastery commensurate with the Windsor Locks Public Schools performance standards and benchmarks. The principal or designee will make the final determination.

(cf. 5122.3 – Assignment of Former Home-Schooled Students to classes)

Legal References:

Connecticut General Statutes

10-221(b) Boards of Education to Prescribe Rules

Policy adopted: March 28, 2013

Note to Board –further revision of this regulation may be required.

Below under the heading, High School, the second to last bullet reads, " In order to graduate from the District's high school, the student must be enrolled in the District his/her twelfth (12th) grade". By law, it is permissible for the Board to require that a student be enrolled in both 11th and 12th grade in order to graduate. WL Board P6146, Graduation Requirements, indicates home schooled students must attend Windsor Locks High School for a minimum of two (2) years or four (4) semesters to be eligible for a diploma. This regulation and the P 6146 are inconsistent; the Board must decide upon the desired requirement for graduation (do students need to only attend WLPS for 12th grade or will attendance in both 11th and 12th grade be required). Let me know the decision of the Board and I will further revise the language in one or both policies, if needed.

Students

5122.3R - Assignment of Former Home-Schooled Students to Classes

When a student enters the District from home-schooled instruction, the District is required to determine the appropriate grade level and course level placement for the student. In order to make such determination, when a student seeks entry, the following procedures/guidelines listed below shall be followed.

The District retains the absolute right for assignment of all students. The parent/guardian, teacher, student (when appropriate), and the Building Principal shall meet to consider appropriate placement at grade level.

Elementary and Middle School (K-8) Students

At the elementary and middle school levels, the grade placement shall depend upon the age of the student, physical maturity, social adjustment, performance in relation to student learning objectives for grade level and a review of the course work completed during home instruction, as submitted by the parent/guardian as proof of achievement. This may include a portfolio of completed assignments, essays, tests, reports or other materials. The use of placement tests, achievement tests, or other assessments as deemed necessary for evaluation, administered by school staff, shall also be appropriate in determining grade placement.

High School

In addition to the above criteria, the following applies to students seeking entry from home schooling at the high school level (9-12).

- The student must qualify for admission with appropriate grade level skills and course credits.
- The Principal or designee will verify that the student is eligible to be included in school under these procedures.
- Following consultation with parents/guardians and the administration of academic

standardized tests and other assessments, where appropriate, the Principal or designee will make a determination of grade placement. Such determination will be based upon the District official's professional judgment of:

The requests of the parent/guardian;

The student's verified performance while on home-based instruction; and

When appropriate, the student's academic ability as documented by the results of district administered standardized achievement tests and other assessments as appropriate.

- Academic credits may be provided by the District to the student provided the student demonstrates appropriate academic proficiency. Proficiency in subject areas/courses is to be determined by tests administered by the respective Department Chairperson. Such tests can consist of semester and/or year-end tests. Any dispute or question to a proficiency determination shall be referred to the Principal.
- The amount of credit(s) to be awarded will be determined by the Department Chairperson(s) on the basis of proficiency with a recommendation to the Principal. Satisfactory proficiency for a specific course will be given a grade of "P" for passing with no letter or numerical designation of level of proficiency.
- When a determination has been made that the student is to receive credit toward graduation for a course(s) taken while home-schooled, the letter "P" as indicated above shall be entered on the student's transcript, for pass, along with the statement, "Home-Schooled." These courses are not to be considered in the grade point average or class rank of the student.
- When non-academic courses such as art or music are presented for credit by a home-schooled student, the school personnel responsible for determining mastery may elect to review a portfolio of work done by the student and/or allow the student to demonstrate proficiency through a performance.
- Once the appropriate grade level has been determined, the student and his/her parent/guardian and a guidance counselor will develop a planned program of study which will enable the student to make appropriate progress toward fulfilling the District's graduation requirements.
- All students must complete all courses required by state and federal statutes.
- In order to graduate from the District's high school, the student must be enrolled in the District his/her twelfth (12th) grade.
- No student shall be eligible for valedictorian/salutatorian honors or for designation as an honors graduate who has not been enrolled in the district's high school for at least two (2) years preceding high school graduation.

Legal Reference:

Connecticut General Statutes
10-221(b) Boards of education to prescribe rules

Regulation approved: March 28, 2013

Students

5123 - Promotion and Retention of Students

In keeping with state statutes, the Board of Education (Board) wishes to foster student achievement and reduce social promotion. To this end, the administration is directed to require students who have substantial academic deficiencies to attend summer school or other programs designed to assist students in remedying the deficiencies. At the elementary and middle school levels, if a student fails any one subject for two consecutive years, the student must comply with administrative recommendations for remediation or be considered for retention.

If a decision to retain a student or withhold credit has been made, a student and or his/her parents may appeal according to the process set forth in Board Policy.

Grades K-5

A student's achievement of skills for his assigned grade and readiness for work at a higher grade level shall be required before his/her promotion to the next higher grade.

All available information should be considered regarding a student's promotion or retention including the following: results of standardized and teacher-made tests including skill and content mastery; teacher observation of student potential and performance including work and study habits; social and emotional maturity; physical development, reading level, and attendance record (including number of tardy days). The effects of any identified handicapping conditions will be considered.

The Principal shall use established procedures for the promotion-retention of students that include provisions for: the written notification to the student and to parents by teachers of students being considered for retention; an examination of factors bearing upon a possible retention; recommendations of teachers involved in the student's instructional program; and conferences between teachers, parents and the Principal. If a student has ten (10) or more unexcused absences, the student will be required to attend summer school or be retained in his/her current grade.

No later than March 31st, the Principal shall conduct a meeting with the parents and teacher(s) to review the student's progress. At this time, a tentative decision should be made. A final decision regarding retention judged to be in the best interest of the child will be made by the Principal by June 1st. Parents will be notified in writing of this decision. The Superintendent shall receive a copy of the written notification. If the student scheduled to be retained successfully completes the full summer school basic skills program, or a similar pre-approved program, a re-evaluation of the student's status will be made upon completion of the program.

The student's folder shall contain a record of school and parental communications regarding any question of course failure or retention. Promotion requirements shall be delineated annually to students in the Windsor Locks Student Handbook.

Grades 6 - 8

For grades 7 and 8, a student must receive a passing grade in four of the five major subjects to be promoted from one grade level to the next. The five major subjects are language arts, mathematics, social studies, science, and foreign language. At grade 6, a student must receive a passing grade in three of the four major subjects which include language arts, math, science, and social studies. If the student scheduled to be retained successfully completes the full summer school basic skills program, or a similar pre-approved program, a re-evaluation of the student's status will be made upon completion of the program. The effects of any identified handicapping condition will be considered. Students and parents will be notified if students will not receive credit for subjects due to unexcused absences.

The student's folder shall contain a record of school and parental communications regarding any question of course failure or retention. Promotion requirements shall be delineated annually to students in the Windsor Locks Middle School Handbook.

Grades 9 - 12

At the high school level to be granted a high school diploma, a student must satisfactorily complete graduation requirements as specified in Board of Education Policy 6146, Graduation Requirements. In accordance with Policy 6146, student will need to demonstrate achievement of all cross-curricular and content-area graduation standards before receiving a high school diploma. Graduation implies that a student has satisfactorily demonstrated the District's performance standards, assessed in part by the statewide mastery examinations, and that the student has fulfilled the legally mandated number of distribution of credits.

Only course credits earned in grades nine through twelve shall satisfy grade level and graduation requirements. The number of credits earned for a student to be considered a sophomore, junior or senior at Windsor Locks High School are delineated in policy. Students who have not met the requirements to graduate will not be eligible to participate in graduation exercises.

The student's folder shall contain a record of school and parental communications regarding any question of course failure or retention. Promotion requirements shall be delineated annually to students in the Windsor Locks High School Handbook.

Promotion and graduation requirements shall be delineated annually to students in the Windsor Locks High School Program of Studies and in the elementary and middle school student handbooks.

Legal References:

Connecticut General Statutes

10-221 (b) Boards of education to prescribe rules

10-265g Summer reading programs required for priority school districts. Evaluation of student reading level. Personal reading plans. (as amended by PA 01-173 and PA 06-135)

10-2651 Requirements for additional instruction for poor performing student in priority school districts; exemption. Summer school required; exemption (as amended by PA 99-288m, PA 01-173, PA 03-174 and PA 06-135)
PA 99-288 An Act Concerning Education Accountability
PA-17-42 An Act Concerning Revisions to the High School Graduation Requirements

Policy adopted: March 28, 2013

Students

5123.1 Supervision/Actions Required for Schools/Districts Designated as “Needing Improvement”

Board of Education Responsibility

The Windsor Locks Board of Education (Board) is given specific educational policy and management responsibilities by statute if the District or a District school(s) is designated by the State Board of Education as “in need of improvement” based on student performance and performance trends on the state-wide mastery examinations,” consistent with federal and state law. Recognizing that the problems of low student test performance are multi-faceted and not susceptible to rapid amelioration, the Board, in partnership with the State of Connecticut, commits itself to action designed to address and remediate those special problems faced by the district/schools designated as “in need of improvement” by the state and the students who attend them.

Application of Policy

This policy shall apply only to schools in the District which have been officially designated as “in need of improvement” (I.N.O.I.) by the State Department of Education pursuant to the provisions of C.G.S. 10-223e(b). When the District or a designated school is removed from the list established by the state, this policy shall no longer be applicable.

Schools “In Need of Improvement”

1. As used in this policy, a school District which has been designated as “in need of improvement based on student performance and performance trends on state-wide mastery examinations” as defined in C.G.S. 10-223e(b) shall be referred to using the abbreviation “I.N.O.I.”
2. As used in this policy, “the process for improving school performance” required under state and federal law with respect to any public school within the District which has been designated as “in need of improvement” shall be referred to using the abbreviation “P.I.S.P.” for “process for improving school performance”.

Responsibility of the Board of Education Regarding Improvement Plan(s) (PISP)

1. Upon receipt of information from the State Department of Education that one or more schools have been designated as I.N.O.I., the Board shall review the steps legally required dealing with the designation.
2. If more than one District school is designated I.N.O.I. by the State, the Board, the schools on said designation list shall be prioritized and a timetable developed for such schools to undergo a process for improving school performance (“P.I.S.P”).

Students

Supervision/Actions Required for Schools/Districts Designated as “Needing Improvement”

3. Board shall be guided by the advice of the State Department of Education as to which such schools are most in need of improvement.
4. The list and timetable for improvement established by the Board shall be forwarded to the Commissioner of Education for his/her approval.
5. The Board shall require each school designated as I.N.O.I. to take the following actions:
 - Develop a written improvement plan (P.I.S.P.) designed to remediate the causes of the school’s I.N.O.I. designation. The P.I.S.P. for an I.N.O.I. school must include:
 - i. site-based management of the school;
 - ii. involvement of the school community and developed in consultation with the school’s Principal, teachers at the school, and parents of students attending the school;
 - Said improvement plan must be submitted to the Board of Education for its approval and will be implemented in accordance with the plan.

Responsibility of Board of Education to Monitor Improvement Plan (P.I.S.P.)

The school Principal shall have responsibility for coordinating steps necessary to implement the PISP for the school under the supervision of the Superintendent of Schools. The school Principal shall contact the State Department of Education to request technical support for the implementation of the P.I.S.P..

After the PISP has been approved for a school designated as I.N.O.I., the Board shall monitor progress made under the improvement plan.

If two years after the date of approval of the PISP, the Board finds that the I.N.O.I. school has not made sufficient progress, the Board, shall develop a plan for such school that requires the Superintendent to take one or more of the following actions in order to improve student performance at the designated school:

- a. Complete an operations audit and instructional audit to identify any deficits in curriculum and instruction or in the learning environment of the school or district and develop and implement a plan to correct any identified deficiencies;
- b. Redirect state and federal funds to address critical needs;
- c. Provide incentives to attract highly qualified teachers and principals;
- d. Direct the transfer and assignment of teachers and principals;
- e. Implement model curriculum, including, but not limited to, recommended textbooks, materials and supplies approved by the Department of Education;
- f. Reorganize or reconstitute schools

- g. to meet the State's instructional and learning benchmarks to ensure removal from the list of underperforming schools or districts.

Legal Reference: Connecticut General Statutes

10-14n Statewide mastery examination, Certification of mastery. Limitations on use of test results. Examinations in accordance with federal NCLB Act; funding. Kindergarten assessment tool.

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

10-223e State-wide education accountability plan and possible actions. Study of academic achievement.

10-265g Summer reading programs required for priority school districts. Evaluation of student reading level. Personal reading plans.

10-265l Requirements for additional instruction for poor performing students in priority school districts; exemption. Summer school required; exemption.

P.A. 10-111 An Act Concerning Education Reform in Connecticut.

P.A. 11-135 An Act Concerning Implementation Dates for Secondary School Reform, Exceptions to the School Governance Council Requirement and the Inclusion of Continuous Employment in a Cooperative Arrangement as Part of the Definition of Teacher Tenure.

PA-13-207 An Act Concerning Student Assessments.

P.L. 107-110 The No Child Left Behind Act.

Policy adopted: March 28, 2013

WINDSOR LOCKS PUBLIC SCHOOLS
Windsor Locks, Connecticut

Students

5125 - Confidentiality and Access to Student Records

I. Policy

The Board of Education ("Board") complies with the state and federal regulations regarding confidentiality, access to and amendment of student records. The Board shall implement procedures that protect the privacy of parents and students while providing proper access to records. Availability of these procedures shall be made known annually to parents of students currently in attendance and eligible students currently in attendance. This policy shall be read in conjunction with Board Policy 5145.15, Directory Information.

II. Definitions

- A. **Access** is defined as the right to inspect or review a student's education records or any part thereof. Access may include the right to receive copies of records under limited circumstances.
- B. **Biometric record**, as used in the definition of personally identifiable information, means a record of one or more measurable biological or behavioral characteristics that can be used for automated recognition of an individual, such as fingerprints, retina and iris patterns, voiceprints, DNA sequence; facial characteristics and handwriting.
- C. **De-identified education records** means education records or information from education records from which all personally identifiable information has been removed, and for which the district has made a reasonable determination that a student's identity is not personally identifiable, whether through single or multiple releases, taking into account other reasonably available information.
- D. **Directory Information** includes information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. It includes, but is not limited to, the parent's or guardian's name, address and/or e-mail address, the student's name, address, telephone number, e-mail address, photographic, computer and/or video images, date and place of birth, major field(s) of study, grade level, enrollment status (full-time; part-time), participation in school-sponsored activities or athletics, weight and height (if the student is a member of an athletic team), dates of attendance, degrees, honors and awards received, and the most recent previous school(s) attended.

Directory information does not include a student's social security number, student identification number or other unique personal identifier used by the student for purposes of accessing or communicating in electronic systems unless the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN or password.

E. **Disciplinary action or proceeding** means the investigation, adjudication or imposition of sanctions by an educational agency or institution with respect to an infraction or violation of internal rules of conduct applicable to students.

F. **Disclosure** means to permit access to or to release, transfer, or other communication of personally identifiable information as contained in education records by any means, including oral, written or electronic means, to any party except the party identified as the party that provided or created the record.

G. **Education Records**

1. **Education records** means any information directly related to an identifiable student that is recorded in any manner (e.g., handwriting, print, computer media, video or audio tape, film, microfilm, and microfiche) and that is maintained by the school system or persons acting for the school system.

2. **Education records does not include:**

- a. private, personal, or working notes in the sole possession of the maker thereof; and which are not accessible or revealed to any other individual except a "substitute".
- b. records maintained by a law enforcement unit of the school district that were created by that unit for the purpose of law enforcement.
- c. employment records used only in relation to the student's employment by the school district that are 1) made and maintained in the normal course of business, 2) relate exclusively the student's capacity as an employee, and 3) are not made available for any other purpose.
- d. records on an eligible student (i.e. over 18 or attending a postsecondary educational institution) that are considered "treatment records" as they meet the following criteria: 1) the records are maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional capacity or assisting in a paraprofessional capacity, 2) the records are

made in connection with the treatment of the student and 3) the records are disclosed only to individuals providing such treatment (treatment does not include remedial educational activities or activities that are part of the program or instruction of the school district); however, the school district must, upon request, permit an eligible student to have a physician or other appropriate professional of the student's choice review his/her treatment records.

- e. records created or received by the school district after an individual is no longer a student in attendance and that are not directly related to the individual's attendance as a student; and
 - f. grades on peer-graded papers before they are collected and recorded by a teacher.
- H. **Eligible Student** is a student or former student who has reached 18 years of age or is attending an institution of post-secondary education or is an emancipated minor.
- I. **Law Enforcement Unit** is an individual, office, department, division, or other component of an educational agency or institution, that is officially authorized or designated by that agency or institution to 1) enforce laws or refer matters of law enforcement to appropriate authorities or 2) maintain the physical security and safety of the agency or institution.
- J. **Legitimate Educational Interest** means the need for a school official to review an education record in order to fulfill his or her professional responsibilities.
- K. **Parent** is defined as a parent or parents of a student including a natural parent, a guardian, or surrogate parent, or an individual acting as a parent in the absence of a parent or guardian. The rights of a parent shall transfer to an eligible student; however, a parent of a student who claims that student as a dependent under Section 152 of the Internal Revenue Code of 1954 is entitled to access to the student's education records without the eligible student's consent.
- L. **Personally Identifiable Information** includes, but is not limited to, the student's name; the name of the student's parent or other family members; the address of the student or his/her family; a personal identifier, such as the student's social security number, student number or biometric record; other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name; other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or information requested by a person who the school district reasonably believes

knows the identity of the student to whom the education record relates.

- M. **School Official** is a person employed by the District as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Board of Education; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.
- N. **Signed and Dated Written Consent** to disclose personally identifiable student information from a student's education records must specify the records to be disclosed, the purpose of disclosure and the party to whom such records should be provided. Consent may include a record and signature in electronic form provided that the consent identifies and authenticates a particular person as the source of electronic consent.

III. **Annual Notification of Rights/Release of Directory Information**

- A. On an annual basis, the school district will notify parents and/or eligible students currently in attendance of their rights regarding a student's education records. This notice will be published in all student handbooks in the District and will also be published in the school district's guide to Pupil Services and will be published in any other manner "reasonably likely" to inform such parents and eligible students of their rights. The school district will take steps to ensure that parents or eligible students whose primary or home language is not English or who are disabled will also be notified of their rights regarding a student's education records.
- B. On an annual basis, the school district will also notify parents and/or eligible students currently in attendance of any categories of information designated as directory information. This notice will provide such individuals with an opportunity to object to such disclosure. An objection to the disclosure of directory information shall be good for only one school year.
- C. In the annual notification, the school districts will also provide notice to parents and/or eligible students that the district is legally obligated to provide military recruiters or institutions of higher education, upon request, with the names, addresses and telephone numbers of secondary school students, unless the secondary student or the parent of the student objects to such disclosure in writing. Such objection must be in writing and shall be effective for one school year.

IV. Confidentiality of Education Records

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

V. Access to Education Records

- A. Parents and/or an eligible student have the right to inspect and review all education records of the student unless such rights have been waived under Section XI, below. Parents' rights of inspection and review are restricted to information dealing with their own child. In the case of an eligible student, the right to inspect and review is restricted to information concerning the student. All requests for access to education records must be in writing.
- B. When submitting a written request to inspect or review education records, the request must identify the record or records being sought. The school district will notify the parent or eligible student of the date, time, and location where the records may be inspected and reviewed.
- C. The parents or eligible students may designate in writing a representative to inspect and review the records. Consent for disclosure of education records to a designated representative must be signed and dated by the parent or eligible student.
- D. A school professional shall be present at all such inspections and reviews and shall respond to reasonable requests for explanations and interpretations of the records.

- E. For the records of regular education students, the Board will make education records available for inspection and review by parents or eligible students within a reasonable period of time, but in any event, no more than forty-five (45) calendar days from the receipt of a written request.
- F. For students requiring special education, the Board will comply with a request to inspect and review a student's education records within ten (10) days of the request; or within three (3) days of the request if the request is in order to prepare for a meeting regarding an IEP meeting (planning and placement team meeting) or any due process proceeding.
- G. Parents of students eligible to receive special education and related services (or the eligible student) have the right to receive one free copy of their child's (his/her) education records. The request for the free copy must be in writing and the Board shall comply with the written request within five (5) school days of the request. Notwithstanding the fact that a test instrument or portion of a test instrument may meet the criteria of an "education record" under the Family Educational Rights and Privacy Act, 20 USC 1232g, any test instrument or portion of a test instrument for which the test manufacturer asserts a proprietary or copyright interest in the instrument shall not be copied. The parent or eligible student retains the right to review and inspect such information and the Board of Education shall respond to reasonable requests from the parent or eligible student for explanations and interpretations of the student's education record, which may include reviewing copyrighted testing instruments.
- H. Aside from a parent or eligible student, staff members, school employees and other school officials may access a student's educational records only if they have been determined by the school system to have a legitimate educational interest in accessing the information contained in such records. Disclosures to any other parties may only be made in accordance with the exemptions and provisions set forth in Section VII, below.
- I. Pursuant to the procedures set forth in Section VI, below, the district maintains a record of all parties that have requested access to education records, including access to education records found in computer memory banks.
- J. Non-custodial Parents:

Non-custodial parents retain their rights to review their child's education records unless the school district has been provided with evidence that there is a court order, state statute, or legally binding document relating to such matters as divorce, separation, or custody that specifically revokes the non-custodial parent's rights. School notices shall be mailed to the non-custodial

parent/guardian requesting the notices at the same time that they are provided to the custodial parent/guardian. Any requests by the non-custodial parent/guardian to receive school notices shall be effective for as long as the child remains in the school the student is attending at the time of the request.

K. Copies and Fees:

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

VI. Record Keeping Requirements/Documentation of Access to Education Records

- A. The school district will appoint an individual to be responsible for the care and upkeep of all education records. Education records are kept by categories, each of which encompasses a specific type of data collected during a student's educational career. These categories also determine how long the school district must maintain the records. The school district will provide to parents, on request, a list of the categories and locations of education records collected, maintained, or used by the school district.
- B. Except as provided below, a record (log) will be kept documenting each request for, and disclosure of, personally identifiable information from the

education records of each student, including information found in computer memory banks. The record log shall contain:

- 1) the name of any individual, agency, or organization that requested or obtained access to the student's records.
- 2) the date of the request for access.
- 3) whether access was given.
- 4) the purpose for which the party was granted access to the records.
- 5) the names of additional parties to whom the receiving party may disclose the information on behalf of the school district; and
- 6) the legitimate educational interest in obtaining the information.

C. The record (log) requirement does not apply to requests from, or disclosure to:

- 1) a parent or eligible student.
- 2) a party seeking directory information.
- 3) a party who has a signed and dated written consent from the parent and/or eligible student.
- 4) school officials from the school district in which the student is currently enrolled who have a legitimate educational interest in the information contained in the student's record; or
- 5) persons seeking or receiving the information as directed by a Federal grand jury, other law enforcement subpoena, or ex parte order of the Attorney General of the United States (provided that the information requested is not to be redisclosed).

D. The record (log) is a permanent part of the student's education records and must be available to the parent or eligible student upon request.

E. If the district makes a release of education records without consent in a health and safety emergency, the district must record:

- 1) the articulable and significant threat to the health and safety of a student or other individuals that formed the basis for disclosure; and
- 2) the parties to whom the district disclosed the information.

VII. The Release of Records or Personally Identifiable Information

A. The school system or its designated agent(s) may not permit release of education records or any information from such records which contains personally identifiable student information to any outside individual, agency, or organization without the signed and dated written consent of the parents or eligible student, except as indicated in Section VII.C below. Personally identifiable information contained in the education record, other than directory information, will not be furnished in any form (i.e., written, taped, person-to-person, statement over the telephone, on computer disk, e-mailed,

etc.) to any person other than those listed below, unless prior written consent has been obtained.

- B. To be effective, the written consent must be signed and dated and must specify the records that may be disclosed, state the purpose of the disclosure, and identify the party or class of parties to whom the disclosure may be made.
- C. Personally identifiable information may be released without consent of the parents, or the eligible student, only if the disclosure meets one of the criteria set forth below:
 - 1. The disclosure is to other school officials within the district, including teachers, who have been determined by the school district to have legitimate educational interests in the education records.
 - 2. The disclosure is to a contractor, consultant, volunteer, or other party to whom an agency or institution has outsourced institutional services or functions, provided that the outside party (a) performs an institutional service or function for which the district would otherwise use employees, (b) is under the direct control of the district with respect to the use and maintenance of education records, and is subject to the requirements of FERPA along with Connecticut student data privacy laws with respect to the use and redisclosure of personally identifiable information from education records.
 - 3. The disclosure is to officials of another school, including other public schools, charter schools, and post-secondary institutions, in which the student seeks or intends to enroll, or where the student is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer. Disclosure of personally identifiable information will be made only upon condition that the student's parents be notified of the transfer, receive a copy of the record if desired, and have an opportunity for a hearing to challenge the content of the record pursuant to Section X.
 - 4. The disclosure is to authorized representatives of the Comptroller General of the United States; the Attorney General of the United States; the Secretary of Education; or State and local educational authorities, under the following conditions: the school shall provide such authorized representatives access to student or other records that may be necessary in connection with the audit, evaluation, or enforcement of state and federally supported education programs, but shall not permit such representatives to collect personally identifiable information unless specifically authorized to do so by state and

federal law or if the parent or eligible student has given written consent for the disclosure.

5. The disclosure is made in connection with a student's application for, or receipt of, financial aid, if such information is necessary to determine eligibility for, the amount of, or the conditions for financial aid, or to enforce the terms and conditions of financial aid.
6. The disclosure is to state and local officials or authorities within the juvenile justice system as long as the officials and authorities to whom the records are disclosed certify in writing to the school district that (a) the information is required by the court, (b) will not be disclosed to any other party without the prior, written consent of the parent of the student, except as provided under State law. Disclosure shall be permitted for information relating to the student's school attendance, adjustment and behavior, as well as the student's individualized education program (IEP) and related documents if the student receives special education services. If a student is placed on probation by the juvenile court, school officials may issue their own recommendation concerning the conditions of the student's probation.
7. The disclosure is to organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction, so long as (a) the study does not permit personal identification of parents or students by individuals other than representatives of the organization, (b) the information is destroyed after it is no longer needed for the purposes for which the study was conducted, and (c) the district enters into a written agreement with the organization conducting the study that ensures that the study protects the confidentiality of personally identifiable student information consistent with FERPA requirements.
8. The disclosure is to accrediting organizations in order to carry out their accrediting functions.
9. The disclosure is to parents of an eligible student who claim that student as a dependent student as defined in Section 152 of the Internal Revenue Code of 1986.
10. The disclosure is to comply with a judicial order or lawfully issued subpoena, provided that the educational agency makes a reasonable effort to notify the parent or the eligible student in advance of compliance, unless such disclosure is in compliance with (a) a federal grand jury subpoena and the court has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed; or (b) any other subpoena issued for a law enforcement purpose and the court or other issuing agency has

ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed; or (c) an ex parte order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning the investigation or prosecution of terrorism crimes specified in sections 2332b(g)(5)(B) and 2331 of title 18, U.S. Code.

11. If the school district initiates legal action against a parent or student, the school district may disclose to the court, without a court order or subpoena, the education records of the student that are relevant for the school district to proceed with the legal action as plaintiff.
12. If a parent or eligible student initiates legal action against the school district, the school district may disclose to the court, without a court order or subpoena, the student's education records that are relevant for the school district to defend itself.
13. The disclosure is to appropriate parties, including parents of an eligible student, in connection with a health and safety emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals. In making a determination regarding the disclosure of education records without consent in a health and safety emergency, the district may take into account the totality of the circumstances pertaining to the threat to the health or safety of a student or other individuals. If the district reasonably determines that there is an articulable and significant threat to the health or safety of a student or other individuals, it may disclose information from education records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other individuals, provided, however, that the district record such disclosure in accordance with Section VI. D, above.
14. The disclosure is to the parent of a student who is under 18 years of age or to the student.
15. The disclosure concerns sex offenders and other individuals required to register under Section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. 14071, and the information was provided to the district under 42 U.S.C. 14071 and applicable federal guidelines.

VIII. Directory Information

1. The school district will notify parents (of students currently enrolled within the district) or eligible students (currently enrolled in the district) annually of any categories of information designated as directory information. This notice will provide such individuals with

an opportunity to object to such disclosure. An objection to the disclosure of directory information shall be good for only one school year.

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

IX. De-identified Records and Information

1. The school district may release education records or information from education records without the consent of a parent or eligible student after the removal of all personally identifiable information, provided that the district has made a reasonable determination that a student's identity is not personally identifiable, whether through single or multiple releases, taking into account other reasonably available information.
2. The school district may release de-identified education records including student level data from education records for the purpose of

education research by attaching a code to each record that may allow the recipient to match information received from the same source, provided that:

- a) the district does not disclose any information about how it generates and assigns a record code, or that would allow a recipient of the information to identify a student based on the record code;
- b) the record code is used for no purpose other than identifying a de-identified record for the purposes of education research and cannot be used to ascertain personally identifiable information about a student; and
- c) the record code is not based on a student's social security number or other personal information.

X. Disciplinary Records:

Nothing in this policy shall prevent the school district from:

1. Including in the education records of a student appropriate information concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community.
2. Disclosing appropriate information concerning disciplinary action taken against a student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community, to teachers and school officials who have been determined to have legitimate educational interests in the behavior of the student.
3. In accordance with state and federal law, the district will facilitate the transfer of records of suspension and expulsion of a student to officials of any private elementary or secondary school in which the student is subsequently enrolled or seeks, intends or is instructed to enroll.

XI. Records of the Department of Children and Families ("DCF")

1. Documents related to any Department of Children and Families ("DCF") child abuse and/or neglect investigations that are maintained by the Board are considered education records under the Family Educational Rights and Privacy Act ("FERPA"). As such, they are

subject to the confidentiality and disclosure requirements set forth in this policy and in corresponding provisions of state and federal law. Such records should be kept in a confidential location, with restricted access and shall be disclosed only as authorized by law. In addition to meeting the requirements under FERPA, should the Board receive a request to disclose confidential DCF records to an outside third party, the Board shall redact the name or other personally identifiable information concerning the individual suspected of being responsible for the alleged abuse and/or neglect unless the requested records are being released to the individual named in the DCF records.

2. In addition, the district shall redact the name or any personally identifiable information related to the identity of any individual responsible for making a report of alleged child abuse and/or neglect before releasing or transferring any DCF records containing such reports.

XII. Rediscovery of Education Records

- A. The school district may disclose personally identifiable information from an education record only on the conditions that:
 1. the party to whom the information is disclosed will not subsequently redisclose the information to any other party without the proper consent of the parent or eligible student, and
 2. the officers, employees, and agents of a party that receives such information may only use the information for the purposes for which disclosure was made.
- B. Notwithstanding the provisions of Section A. above, the school district may disclose personally identifiable information from an education record with the understanding that the information may be redisclosed by the recipient of the information as long as prior written consent for disclosure is not required, for one of the reasons listed in Article VII, Section C. above, and at least one of the following conditions is met.
 1. The record of the original disclosure includes the names of the parties to whom redisclosure is being made and the legitimate interests each such party has in requesting or obtaining the information.
 2. In the case of disclosures made pursuant to a court order or lawfully issued subpoena, the district has made a reasonable effort to notify the parent or eligible student in advance of compliance with the subpoena (except if such subpoena meets the criteria set forth above in Article VII, Section C. (10)).

3. Disclosure is made to a parent, and eligible student, or the parent of an eligible student.
 4. The information is considered directory information.
- C. In the event that the Family Policy Compliance Office determines that a third party outside of the school district has improperly redisclosed personally identifiable information from education records in violation of FERPA, the school district may not allow that third party access to personally identifiable information from education records for at least five (5) years.

XIII. Amendment of Education Records

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

XIV. Hearing Rights and Procedures

A. Rights

1. Upon written request of a parent or eligible student to the Superintendent, an opportunity for a hearing shall be provided to challenge the content of a student's education records on the grounds that the information contained in the education records is inaccurate, misleading, or otherwise in violation of the privacy rights of the student.
2. If, as a result of the hearing, the school district decides that information contained in the education records of a student is inaccurate, misleading, or otherwise in violation of the privacy rights of the student, the records

shall be amended, and the parent or eligible student shall be informed in writing.

3. If, as a result of the hearing, the school district decides that information contained in the education records of a student is not inaccurate, misleading, or otherwise in violation of the privacy rights of the student, the parent or eligible student shall be informed of the right to place in the student's education records a statement commenting on the contested information or stating why he or she disagrees with the district's decision, or both.
 - a. Any statement placed in the records of the student shall be maintained by the school system as part of the records of the student as long as the record or contested portion is maintained by the school system.
 - b. If the contested portion of the education record is disclosed by the school system, the statement of disagreement by the parents and/or eligible student shall also be disclosed.

B. Procedures

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

XV. Waiver of Rights

- A. A student who is an applicant for admission to an institution of post-secondary education or is in attendance at an institution of post-secondary education, may waive his or her right to inspect and review confidential letters and confidential statements of recommendations with the following limitations:
 - 1. The student is notified, upon request, of the names of all individuals providing the letters or statements.
 - 2. The letters or statements are used only for the purpose for which they were originally intended.
 - 3. The waiver is not required by the agency as a condition of admission to or receipt of any other service or benefit from the agency.
 - 4. The waiver is in writing and executed by the student, regardless of age, rather than by the parent.
- B. A waiver may be revoked with respect to any actions occurring after the revocation.
- C. Revocation of a waiver must be in writing.

XVI. Special Confidentiality Procedures for HIV-Related Information

- A. **The following definitions shall apply to Section XII of this policy:**

- 1. **Confidential HIV-Related Information**

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

- 2. **Health Care Provider**

“Health Care Provider” means any physician, dentist, nurse, provider of services for the mentally ill or persons with mental retardation, or other person involved in providing medical, nursing, counseling, or other health care, substance abuse or mental health service, including

such services associated with, or under contract to, a health maintenance organization or medical services plan.

3. Protected Individual

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

4. Release of confidential HIV-related information

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

5. School Medical Personnel

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

XVII. HIV-related Information

A. Confidentiality:

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

B. Accessibility of Confidential HIV-related Information

1. No school staff member who obtains confidential HIV-related information may disclose or be compelled to disclose such information, except to the following:
 - a. the protected individual, his/her legal guardian or a person authorized to consent to health care for such individual.
 - b. any person who secures a release of confidential HIV-related information.
 - c. a federal, state or local health law officer when such disclosure is mandated or authorized by federal or state law.
 - d. a health care provider or health facility when knowledge of the HIV-related information is necessary to provide appropriate care or treatment to the protected individual or when confidential HIV-related information is already recorded in a medical chart or record and a health care provider has access to such record for the purpose of providing medical care to the protected individual;
 - e. a medical examiner to assist in determining cause of death; or
 - f. any person allowed access to such information by a court order.

C. Procedures

1. If a school staff member, other than school medical personnel, is given confidential HIV-related information regarding a protected individual who is also a student from the student's legal guardian or the student, the school staff member shall attempt to secure a release of confidential HIV-related information for the sole purpose of disclosing such information to school medical personnel.
2. If a school medical personnel member is given confidential HIV-related information regarding a protected individual, who is also a student, by a student's legal guardian, or by the student, and the legal guardian or the student requests accommodations to the student's program for reasons related thereto, the school medical personnel member shall inform the legal guardian or the student, if an eligible student, that a release of confidential HIV-related information is necessary before such information may be

disclosed to other educational personnel capable of assessing the need for and implementing appropriate accommodations to the student's program.

3. Any school staff member who obtains confidential HIV-related information from a source other than the protected individual or his/her legal guardian shall keep such information confidential and shall not disclose such information.
4. No school staff member may disclose confidential HIV-related information to other school staff members without first obtaining a release of confidential HIV-related information.
5. Any record containing confidential HIV-related information shall be maintained in a separate file, and shall not be subject to the provisions of this policy regarding accessibility of general student records.
6. If school medical personnel determine that the health and safety of the student and/or others would be threatened if a release of confidential HIV-related information is not obtained, the school medical personnel may seek a court order authorizing disclosure. In such cases, such confidential HIV-related information may be disclosed as set forth in and subject to any limitation of such court order.

D. Disclosures Pursuant to a Release

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

XVIII. Retention and Destruction of Student Records

1. No additions, except routine updating, shall be made to a student's records after high school graduation or permanent departure without the parent's or guardian's prior consent for those students who have not reached the age of eighteen years. Adult students may give consent themselves.
2. The guide to disposal of municipal records for Connecticut is located in Connecticut General Statutes Section 7-109. For disposal of education records, see Schedule V of "Records Retention schedules 1982" (Revised 1983) published by the Public Records Administration, Connecticut State Library, Hartford, Connecticut.

XIX. Child Abuse Reporting

Nothing in this policy shall limit a mandated reporter's responsibility to report suspected child abuse, neglect and sexual assault under the Board Policy, 5141.4, Reporting of Suspected Child Abuse, Neglect and Sexual Assault.

XX. Right To File A Complaint

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

Family Policy Compliance Office
U.S. Department of
Education 400 Maryland
Avenue, S.W. Washington,
DC 20202-4605

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.
10-154a Professional communications between teacher or nurse & student.
10-209 Records not to be public.
10-221b Boards of education to establish written uniform policy re:
treatment of recruiters.
11-8a Retention, destruction and transfer of documents
11-8b Transfer or disposal of public records. State Library Board to adopt
regulations.
17a-28 Definitions. Confidentiality of and access to records; exceptions.
Procedures for aggrieved persons. Regulations.
17a-101k Registry of findings of abuse or neglect of children maintained
by Commissioner of Children and Families. Notice of finding of abuse or
neglect of child. Appeal of finding. Hearing procedure. Appeal after
hearing. Confidentiality. Regulations.
19a-581 et. seq. AIDS Testing and Medical Information
Regulations of Connecticut State Agencies §10-76d-18
46b-56 (e) Access to Records of Minors.
Office of the Public Records Administrator, Retention Schedule M8
Education Records (Revised 2/2005)
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.).
Dept. of Educ. 34 C.F.R. Part 99 (May 9, 1980 45 FR 30802) regs.
implementing FERPA enacted as part of 438 of General Educ. provisions
act (20 U.S.C. 1232g)-parent and student privacy and other rights with
respect to educational records, as amended 11/21/96, and Final Rule 34
CFR Part 99, December 9, 2008)
USA Patriot Act of 2001, PL 107-56, 115 Stat. 272, Sec 507, 18 U.S.C.
§2332b(g)(5)(B) and 2331
PL 107-110 "No Child Left Behind Act of 2001" Sections 5208 and 9528
Owasso Independent Sch. Dist. No.1-011 v. Falvo, 534 U.S.426 (2002)

Policy adopted: March 28, 2013

WINDSOR LOCKS PUBLIC SCHOOLS
Windsor Locks, Connecticut

Students

Confidentiality and Access to Student Records

Classification of Student Records

The school district will appoint a Custodian of Records who will ensure that student education records are kept as follows:

A. Category "A" Records

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

RECORD		LOCATION
a.	Basic biographical information	Cumulative/Health File
b.	Academic achievement (grades/transcripts)	Cumulative File
c.	Date of high school graduation or equivalent	Cumulative File
d.	Records of immunizations	Cumulative/Health/Pupil Personnel File
e.	Attendance records (days absent/present/tardy)	Cumulative File
f.	*Notice of Expulsion for Firearm or Deadly Weapon (C.G.S. 10-233c(e), 10-233d(f))	Cumulative File

B. Category "B" Records

1. This includes verified information for the formulation of education programs for all students, but not absolutely necessary over an indefinite period of time.
2. Data in Category B must be accurate, clearly understood, and verified before becoming part of any continuing record. There should be no anonymous entries in a student's school record.
3. Category B records may be maintained for at least six (6) years after the student leaves the school district or graduates from high school.
4. Notice of a student's suspension or expulsion shall be expunged from the student's cumulative educational record if the student graduates from high school, except for notice of an expulsion based upon possession of a firearm or deadly weapon.
5. *In cases where a student is suspended or expelled for the first time, and the Administration or the Board, respectively, has shortened or waived the period of suspension or expulsion in accordance with the Board's disciplinary policy relating to first time offenses, the Administration or the Board, respectively, may choose to expunge such notice of suspension or expulsion from the student's cumulative record at the time the student completes the specified program and any other conditions imposed by the Administration/Board, rather than upon graduation. Should the notice be expunged in accordance with this provision, a record of the fact that the student had been suspended or expelled shall be maintained apart from the student's cumulative record, for the limited purpose of determining whether any subsequent offenses by the student would constitute the student's first suspension or expulsion.
6. Records containing information pertaining to child abuse/neglect referrals or reports; or containing confidential HIV-related information should be kept separate from the student's cumulative folder, in confidential files.
7. Confidential HIV-related information contained in the confidential file should only be disclosed pursuant to district policy.
8. Information contained in documents related to any Department of Children and Families ("DCF") child abuse and/or neglect investigation, or any such investigation conducted by local law enforcement officials, shall be kept confidential. Such records shall only be disclosed in accordance with the Board's policy regarding Confidentiality and Access to Education Records.

9. Category B records shall include the following (if applicable):

RECORD		LOCATION
a.	Child-Study Team Records/Student Assistance Team Records	Cumulative/Pupil Personnel File
b.	Standardized group test scores (CAPT, CMT, etc.)	Cumulative/Pupil Personnel File
c.	Diagnostic reading/math test results (not special education)	Cumulative File
d.	Educational and/or vocational interest	Cumulative File
e.	Speech/language and hearing evaluations (not special education)	Cumulative/Health File
f.	Comprehensive health records	Cumulative/Health/Pupil Personnel File
g.	Correspondence relating to the student	Cumulative/Health/Pupil Personnel File
h.	Suspensions/expulsions	Cumulative File*
i.	Parent/eligible student's signed release forms	Cumulative/Health/Pupil Personnel File
j.	Truancy Records (including record of parent conferences and referrals)	Cumulative File
k.	Child Abuse/Neglect Forms	CONFIDENTIAL FILE
l.	Reports Containing Confidential HIV-Related Information	CONFIDENTIAL FILE
m.	Awards	Cumulative File
n.	Diagnostic test results (non-special education)	Cumulative File/Pupil Personnel
o.	Extracurricular Activities	Cumulative File
p.	Letters of Recommendation	Cumulative File
q.	Parent's/Eligible Student's signed release forms (permitting disclosure of records)	Cumulative/Health/Pupil Personnel File
r.	Diploma (if not picked up by student)	Cumulative File
s.	Accident Reports	Cumulative File
t.	Basic school entrance health histories	Cumulative/Health File
u.	Cumulative Health Record (CHR-1, original or copy)	Health File (*copy remains with district/original follows student)
v.	Individualized Health Care Plans/Emergency Care Plans	Cumulative/Health/Pupil Personnel File

RECORD		LOCATION
w.	Health Assessment Records (HAR-3)	Health File
x.	Incident Reports	Cumulative File
y.	Medication administration records (*6 yrs or until superseded by yearly summary on file)	Health File
z.	Parent authorization for medications/treatments	Health File
aa.	Physician's orders for medications/treatments	Health File
bb.	Referral forms for services based on results of mandated screenings	Health/Pupil Personnel File
cc.	Sports histories and physical-examination reports	Health File
dd.	Nursing Records (Health assessment data; Nursing process notes; 3 rd party health records)	Health File

B. Category "C" Records - Special Education

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

Category C shall include (where applicable)

RECORD		LOCATION
a.	PPT referral form	Pupil Personnel File
b.	School counselor case records	Cumulative/Pupil Personnel File
c.	School psychologists case records	Cumulative/Pupil Personnel File
d.	School social-work case records	Cumulative/Pupil Personnel File

e.	School speech/language pathology case records	Cumulative/Pupil Personnel File
f.	Section 504 Records	Cumulative/Pupil Personnel File
g.	Special Education assessment/evaluation reports	Pupil Personnel File
h.	Due process records (including complaints, mediations, and hearings)	Pupil Personnel File
i.	Individual Transition Plan	Pupil Personnel File
j.	Individualized Education Program ("IEP") Records	Pupil Personnel File
k.	Planning and Placement Team ("PPT") records (including notices, meetings, consent forms)	Pupil Personnel File
l.	Individualized Family Service Plans ("IFSPs")	Pupil Personnel File

C. Category "D" Records

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

RECORD	MINIMUM RETENTION REQUIRED	LOCATION
a. Sports Contract/Student Contract (including signature sheet for student handbook)	End of school year in which signed	Cumulative File
b. Permission slips/waivers	3 years	Cumulative File
c. Free/reduced meal application and documentation	3 years	Cumulative File
d. Annual Notification to Parents (Student Behavior and Discipline, Bus Conduct, Electronic Communications Systems, and the National School Lunch Program)	1 year	Cumulative File
e. Adult Education Registration Records	3 years or until audited, whichever comes first	Cumulative File
f. After school program registration records	1 year	Cumulative File

g. Pesticide application notification registration form	5 years	Cumulative File
h. School registration records including residency documentation	3 years or until audited, whichever comes later	Cumulative File
i. Student portfolio work (student produced work for grading assessment)	End of year in which student received grade	May be Maintained by Individual Teachers
j. Tardy slips from parents/guardians	End of school year	Cumulative File
k. Physician's Standing Orders	Permanent; revise as required. Keep old copy separately.	Health File

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

RECORD	MINIMUM RETENTION REQUIRED	LOCATION
l. Student's emergency information	Until superseded or student leaves school district	Cumulative/Health File
m. Test Protocols	Discretion of district	Cumulative/Pupil Personnel File
n. Surveillance videotapes made on school bus (*if maintained by district)	2 weeks	N/A
o. Log of access to education records	Maintained for same retention period as required for the record	Cumulative/Health/Pupil Personnel

E. Duration of Student Records

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

F. Responsibility for Maintenance of Student Records

1. The Director of Pupil Personnel [or Special Education] is the Custodian of Records.

2. In addition, the following personnel are designated as the guardians of records for each of the schools:
 - a. Categories A, B and D: Principal at each school.
 - b. Category C: Case Manager at each school.
 - c. With respect to confidential HIV-related information, if the Principal is a recipient of an HIV-related disclosure, the Principal shall be the guardian of records. If not, whoever was the recipient of the HIV-related disclosure shall be the guardian of the records. With respect to child abuse and neglect investigation material, the CASE Manager at each school shall be the guardian of the records.
3. The chief custodian of records will annually list for public inspection the names and positions of the custodians of records in each of the schools.
4. Each of the custodians of records shall supply parents, on request, a list of the types and locations of education records collected, maintained, or used within the Windsor Locks Public Schools.
5. The custodians of records is responsible for ensuring compliance with the confidentiality and access provisions of this Board policy and these administrative regulations.

WINDSOR LOCKS PUBLIC SCHOOLS
Windsor Locks, Connecticut

Model Notification of Rights Under FERPA for Elementary and Secondary Institutions

[Note: Under the procedures outlined in the policy, the following information will be disclosed on an annual basis to parents of students currently in attendance, or eligible students currently in attendance.]

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

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

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

2. The right to request the amendment of the student's education records that the parents or eligible student believe are inaccurate or misleading, or otherwise violates the student's privacy right under FERPA.

Parents or eligible students may ask the District to amend a record that they believe is inaccurate, misleading, or otherwise violates the student's privacy rights. Parents or an eligible student should write the school principal [or appropriate school official], clearly identifying the part of the record the parents or eligible student want changed, and specify why it is inaccurate or misleading, or otherwise violates the student's privacy rights.

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

3. The right to consent to disclosures of personally identifiable information contained in the student's educational records, except to the extent that FERPA authorizes disclosure without consent.

Model Notification of Rights Under FERPA for Elementary and Secondary Institutions
(continued)

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

Upon request, the District will disclose a student's education record without consent to officials of another public school, including other public schools, charter schools, and post-secondary institutions in which the student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment, or transfer. (The District is required by FERPA to make a reasonable attempt to notify the parent or student of the records request unless it states in its annual notification that it intends to forward records on request.)

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

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, DC 20202-4605

Model Notification of Rights Under FERPA for Elementary and Secondary Institutions
(continued)

Unless notified in writing by a parent or eligible student to the contrary within two weeks of the date of this notice, the school district will be permitted to disclose "Directory Information" concerning a student without the consent of a parent or eligible student. Directory Information includes information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. Such information can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. It includes, but is not limited to, the parent's name and/or e-mail address, the student's name, address, telephone number, e-mail address, photographic, computer, and/or video images, date and place of birth, major field(s) or study, grade level, enrollment status (full-time; part-time), participation in school-sponsored activities or athletics, weight and height (if the student is a member of an athletic team), dates of attendance, degrees, honors and awards received, and the most recent school(s) attended.

Directory information does not include a student's social security number, student identification number or other unique personal identifier used by the student for purposes of accessing or communicating in electronic systems unless the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN or password.

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

An objection to the disclosure of directory information shall not prevent the school district from disclosing or requiring a student to disclose the student's name, identified or institutional email address in a class in which the student is enrolled.

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

TRANSFER OF CONFIDENTIAL STUDENT INFORMATION

Date: _____

Pursuant to the Family Educational Rights and Privacy Act ("FERPA"), I hereby authorize the _____ Public Schools to release and/or obtain the following confidential records regarding my child:

Name of Child: _____
Address: _____

Date of Birth: _____
Parent(s)/
Guardian(s): _____
School: _____

Please check all that apply:

	Obtain	Release
All Records	<input type="checkbox"/>	<input type="checkbox"/>
Cumulative File	<input type="checkbox"/>	<input type="checkbox"/>
Pupil Personnel/Special Education	<input type="checkbox"/>	<input type="checkbox"/>
Disciplinary	<input type="checkbox"/>	<input type="checkbox"/>
Health/Medical*	<input type="checkbox"/>	<input type="checkbox"/>
Other (please specify)	<input type="checkbox"/>	<input type="checkbox"/>

To/From: _____
Name

Address: _____
Street Town State/Zip

Code

Telephone: (_____) _____ Fax: (_____) _____

I understand that the information to be disclosed is protected as an "education record" under FERPA, and that such information shall not be redisclosed unless permitted under FERPA. I further understand that the officers, employees, and agents of any party that receives protected information under FERPA may use such information only for purposes for which the disclosure is made.

Signature of Parent/Guardian

Date

Print Name of Parent/Guardian

5125R
Appendix B

(continued)

***If this authorization is being used to obtain Protected Health Information from a child's physician or other covered entity under HIPAA, the following section must also be completed:**

I, the undersigned, specifically authorize _____ to disclose my child's
Name of Physician

medical information, as specified above, to my child's school, _____,
Name of School

at the above address for the purposes described below (i.e., health assessment for school entry, special education evaluation, etc.):

By signing below, I agree that a photocopy of this authorization will be valid as the original. This authorization will be valid for a period of one year from the date below. I understand that I may revoke this authorization at any time by notifying the physician's office in writing, but if I do, it will not have any effect on actions taken by the physician prior to receiving such revocation.

I understand that under applicable law, the information disclosed under this authorization may be subject to further disclosure by the recipient and thus, may no longer be protected by federal privacy regulations.

I understand that my child's treatment or continued treatment with any health care provider or enrollment or eligibility for benefits with any health plan may not be conditioned upon whether or not I sign this authorization and that I may refuse to sign it.

Any information received by the school pursuant to this authorization is subject to all applicable state and federal confidentiality laws governing use and disclosure of such information.

Signature of Parent/Guardian

Date

Print Name of Parent/Guardian

WINDSOR LOCKS PUBLIC SCHOOLS
Windsor Locks, Connecticut

RELEASE OF CONFIDENTIAL HIV-RELATED INFORMATION

I hereby authorize _____ to release
[name of individual who holds the information]
confidential HIV-related information, as defined in Connecticut General Statute §19a-581,
concerning _____ to the following personnel:
[name of protected individual]

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

This authorization shall be valid for:

1. The student's stay at _____ School
2. The current school year
3. Other _____ (specify period)

I provide this information based on my responsibility to consent for the health care of
_____. I understand that such information shall be
held confidential by the persons authorized here to receive such information, except as otherwise
provided by law.

Name

Relationship to Student

Date

Students

5125.11 - Health/Medical Records

When applicable, District schools will comply with the Health Insurance Portability and Accountability Act of 1996 (HIPAA) to maintain the privacy of protected health information that it receives, obtains, transmits or sends. The Board of Education designates the Superintendent as its HIPAA Privacy Officer.

Student education records, including personally identifiable health information, maintained by the District is subject to and protected by the Family Educational Rights and Privacy Act (FERPA). Both the United States Department of Health and Human Services and the United States Department of Education Family Policy Compliance Office have stated that student records under FERPA are not subject to HIPAA. Therefore, District schools will comply with FERPA's confidentiality provisions rather than HIPAA's.

The District will seek Medicaid eligibility information to determine if services to a student may be billed. Bills will be processed electronically for Medicaid reimbursement for qualified services to eligible special education students. The District will comply with HIPAA's electronic transactions requirements. Procedures and safeguards will be developed to protect the privacy of health information and prevent wrongful user and disclosure. At a minimum, the policy and procedure for student records will comply with the Family Educational Rights and Privacy Act of 1974 (FERPA) with assurances that the District has obtained authorization from the parent or adult student prior to the release of protected health information for the purpose of Medicaid billing. Individuals involved in the Medicaid billing process for the District shall be trained on the privacy procedures. Discipline shall be imposed, up to and including discharge, for staff that wrongfully uses or discloses protected health information.

(cf. 3231 – Medical Reimbursement for Special Education Students)
(cf. 5125 – Student Records; Confidentiality)

Legal References:

Connecticut General Statutes

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

10-15b Access of parent or guardians to student's records.

10-154a Professional communications between teacher or nurse & student.

10-209 Records not to be public

46b-56 (e) Access to Records of Minors.

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

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.).

Dept. of Educ. 34 C.F.R. Part 99 (May 9, 1980 45 FR 30802) regs. implementing FERPA enacted as part of 438 of General Educ. provisions act (20 U.S.C. 1232g)-parent and student privacy and other rights with respect to educational records, as amended 11/21/96.

USA Patriot Act of 2001, PL 107-56, 115 Stat. 272, Sec 507, 18 U.S.C. §2332b(g)(5)(B) and 2331

PL 107-110 "No Child Left Behind Act of 2001" Sections 5208 and

42 U.S.C. 1320d-1320d-8, P.L. 104-191, Health Insurance Portability and Accountability Act of 1996 (HIPAA)

65 Fed. Reg. 50312-50372

65 Fed. Reg. 92462-82829

63 Fed. Reg. 43242-43280

67 Fed. Reg. 53182-53273

Policy adopted: March 28, 2013

This policy is entitled Student Photographs but it is solely devoted to the topic of the publishing of student images and names (this is a topic that may be addressed in P 5145.15 Directory Information and/or 5125 Confidentiality and Access to Student Records.) The regulation to accompany this policy addresses a situation where a photographer is commissioned to take student photographs available for purchase (i.e. annual school photos). The policy and the regulations do not match. Perhaps the regulation is a holdover from a different version of 5125.2. Consider what you would like the policy to address and I can modify either the policy/regulations to support the Board's goal.

5125.2

Student Photographs

Publishing of Student Images/Names

The school system routinely makes use of videotaping and digital and traditional photography for educational purposes. Examples include, but are not limited to, the videotaping of concerts, assemblies, and sporting events. Student images without names may be displayed in a variety of ways including, but not limited to, bulletin boards, publications, and the school or District web site. A parent or guardian who does not want their child videotaped or photographed and the image displayed as described above is asked to contact the school principal.

In certain circumstances, it may be desirable to display a student's image in a publication or on the school or district web site with his name, such as when an award is given. Publishing a student's image with his name requires express written permission from the parent or guardian.

The provision of seeking prior permission does not apply to school yearbooks, school newspapers, or images published by the working press. If a parent or guardian has a concern about the publication of a student's image in these settings, that concern should be brought to the school principal.

Information or images constituting "directory information" do not require prior written permission for publication except where a parent or student has opted out of the release of directory information.

Policy adopted: March 28, 2013

Comment [CD1]: I recommend that you look at your definition of directory information and amend your description of directory information to include reference to these types of photographs if it does not.

Here is an example of one way to define directory information:

Student's name, parent's name, address, telephone number, electronic mail address, date and place of birth, grade level, major field of study, enrollment status (full-time or part-time), participation in officially recognized activities and sports including audiovisual or photographic records of the openly visible, activities thereof (e.g. artistic performances, sporting contests, assemblies, service projects, awards ceremonies, etc.), weight and height of members of athletic teams, dates of attendance, degrees, honors and awards received, most recent previous school attended and photographs of regular school activities that do not disclose specific academic information about the child and/or would not be considered harmful or an invasion of privacy.

5125.2R Student Photographs

1. Photographs of students at all levels may be taken at the discretion of the individual school involved.
2. All students photographed may be given the opportunity of purchasing prints.
3. A selection of a photographer will be the responsibility of each individual school.
4. The individual school will not be allowed to enter into a contract with any photographer.
5. A written agreement of times, dates, costs, etc. is permissible.
6. There shall be no cost to the Town or the Education Department through any agreements with photographers.

Students

5125.3 - Professional Communication Between a Certified Teacher, Administrator or Registered Nurse and a Student, Parent

The Board of Education (Board) recognizes that constructive communications between parents and youth promote a fuller opportunity for student development and maturation. Accordingly, the Board through its policies and procedures postulates a position of helpfulness and support to advance constructive parent student communications.

Constructive communications between parent and child are viewed as characterized by a quality of openness, regard for confidentiality or privacy, harmonious dialogue, sensitivity to critical issues, and a spirit of mutual support and respect.

A magnitude of pressures and problems confront families in our society. Young people face complex problems. The problems their parents face, unfortunately, are no less complex. Because of the changes taking place in society, parents in general may not have parallel experiences they may draw upon as frameworks for counseling their youngsters. Thus it is possible for gaps to develop in parent-child communications. Nevertheless, it is imperative in these times that members of the family not go their separate ways but rather strive to come together for mutual understanding and support. In this regard, the professional staff can assist in family relationships.

The certified staff, guidance counselors, school social workers, and registered nurses are in positions to receive from students and parents personalized communications (such as outlined in this policy). The efforts of the professional staff toward closing communication gaps and advancing constructive communications between students and their parents are strongly encouraged.

Professional communications made by a student and/or a parent to a school professional shall be confidential as set forth herein and as required under Connecticut state and/or federal law. Notwithstanding, professional staff shall refrain from making promises of absolute confidentiality when receiving information from a student or parent as disclosure may be required by law, Board Policy, professional obligation or duty or for health and safety reasons. The decision of a school professional whether or not to disclose information shared in confidence by a parent or student shall be guided by law, Board Policy and any applicable professional code of conduct or responsibility.

- A. A professional communication is defined as any communication made privately and in confidence by a student or parent to a certified teacher, administrator or registered school nurse who is employed by or assigned to a District school.
- B. It is important to respect the privacy of the student and parent, and certified teachers, administrators and registered nurses should be mindful to provide the student and parent privacy for the receiving of such communications.

C. Regarding the confidentiality of professional communications:

1. Any such professional employee shall not be required to disclose any information acquired through a professional communication with a student, when such information concerns alcohol or drug abuse or any alcoholic or drug problem of such student.
2. However, if such employee obtains physical evidence from such student indicating that a crime has been or is being committed by such student, such employee shall be required to turn such evidence over to school administrators or law enforcement officials, provided in no such case shall such employee be required to disclose the name of the student from whom he obtained such evidence and such employee shall be immune from arrest and prosecution for the possession of such evidence obtained from such student.
3. Such evidence must be turned over to school administrators or law enforcement officials within two days after receipt of such physical evidence, provided such evidence is obtained less than two days before a school vacation or the end of a school year, such evidence shall be turned over within two calendar days after receipt thereof, excluding Saturdays, Sundays and holidays. Any such physical evidence surrendered to the school administration shall be turned over to the Commissioner of Consumer Protection or to the Windsor Locks Police Department within three school days (or three calendar days, excluding weekends and holidays, if sooner).
4. Any such professional employee who, in good faith discloses, or does not disclose, such professional communication, 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 disclosure.
5. It is recommended that in the course of receiving a private communication, the professional employee or registered school nurse should state clearly to the student that confidentiality cannot be sustained if there exists a clear and present danger to the health of the student or other students. Professional staff will continue to be mindful that cases of suspected child abuse must be reported as outlined by Policy #5141.4.

D. Because parents have a continuing concern for the welfare of their children, professional employees of the school, and registered school nurses in the course of their employment, should endeavor to encourage communications between students and their parents.

Legal References:

Connecticut General Statutes

10-154a Professional communication between teacher or nurse and student. Surrender of physical evidence obtained from students.

Policy adopted: March 28, 2013