

TOLLAND PUBLIC SCHOOLS



Parent/Guardian Annual Notification Booklet

2014-2015

Purpose of this Parent/Guardian Annual Notification Booklet

This Parent/Guardian Annual Notification Booklet is provided to inform families of those policies required by the State of Connecticut.

Other policies and procedures are published in the 2014-2015 school handbooks and are available on line at each school's website.

This booklet does not represent all policies and procedures of the Tolland Public Schools. The complete Tolland Public School Board of Education Policy Handbook is available in the Office of the Superintendent of Schools. District policies may also be viewed in their entirety on-line at <http://tolland.k12.ct.us/boe/policies.html>.

VISION STATEMENT

Tolland Public Schools will represent education at its best, preparing each student for an ever-changing society, and becoming a full community of learning where excellence is achieved through each individual's success.

MISSION STATEMENT

The Tolland School System will educate and challenge students to achieve their potential by providing a variety of educational experiences to enable them to be productive citizens in an ever-changing society.

Non-Discrimination Statement

The Board of Education will not make employment decisions (including decisions related to hiring, assignment, compensation, promotion, demotion, disciplinary action and termination) on the basis of race, color, religion, age, gender, marital status, sexual orientation, national origin, ancestry, disability (including pregnancy), genetic information, or gender identity or expression, except in the case of a bona fide occupational qualification.

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

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

Legal References:

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

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

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

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

Americans with Disabilities Act, 42 U.S.C. §12101 Section 504 of the Rehabilitation Act Of 1973, 29 U.S.C. § 794

Title II of the Genetic Information Nondiscrimination Act of 2008, Pub.L.110233, 42 USC 2000ff; 34 CFR1635

Connecticut General Statutes §10-153. Discrimination on basis of marital status

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

Connecticut General Statutes §46a-81a. Discrimination on basis of sexual orientation: Definitions

Connecticut General Statutes § 46a-81c Sexual Orientation Discrimination: Employment
Public Act 11-55 An Act Concerning: Discrimination.

Notification of Rights Under the Protection of Pupil Rights Amendment (PPRA)

Surveys can be a valuable resource for schools and communities in determining student needs for educational services. When a survey is used, every effort should be made to ask questions in a neutral manner to ensure the accuracy of the survey.

Administrators, teachers, other staff members and the Tolland Board of Education may use surveys for many purposes. Such purposes may include, but are not limited to, the need for student services, the determination of prevailing views pertaining to proposed policies and/or practices, or the determination of student knowledge and/or attitudes related to a specific subject or units. These are examples of surveys and not intended to be an all-inclusive listing. Administrative approval is required for surveys. Responses will not be used in any identifying manner.

Parents shall have the right to inspect all instructional material that will be used for a survey, analysis, or evaluation as part of a federal program.

Prior to administering a survey, the Board of Education must approve all those that are received by the superintendent that include reference to any of the factors listed below. In addition, no student may, without parental consent, take part in a survey, analysis, or evaluation that reveals information concerning:

1. Political affiliations or beliefs of the student or the student's parent;
2. Mental or psychological problems of the student or the student's family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating and demeaning behavior;
5. Critical appraisals of other individuals with whom respondents have close family relationships;
6. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
7. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program), or
8. Religious practices, affiliations, or beliefs of the student or the student's parent.

Surveys conducted for other agencies, organizations or individuals must have the recommendation of the superintendent of schools and the approval of the Board of Education as to content and purpose. The results of such approved surveys must be shared with the superintendent of schools.

Parents/guardians shall have the right to inspect, upon their request, a survey created by a third party before the survey is administered or distributed by a school to a student. Such requests shall be made in writing with a response to be at least two weeks in advance of any survey to be given.

Overall survey results following decisions must be shared with all parties who request such information.

Parents/guardians shall be notified at least annually, at the beginning of the school year, of this policy and when enrolling students for the first time in District schools. This notification must explain that parent/guardians, or students 18 or older, have the right to "opt the student out of participation," in writing, in the following activities:

1. The collection, disclosure and use of personal information gathered from students for the purpose of marketing or selling that information. This does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to students, such as:
 - A. college or other post-secondary education recruitment, or military recruitment;
 - B. book clubs, magazines and programs providing access to low-cost literary products;
 - C. curriculum and instructional materials used in schools;
 - D. tests and assessments;
 - E. student recognition programs, and
 - F. the sale by students of products or services to raise funds for school-related activities.
2. The administration of any survey that delves into the restricted sensitive subject areas identified and listed above, or
3. The administration of any non-emergency, invasive physical examination or screening that is required as a condition of attendance, administered by the school not necessary to protect the immediate health or safety of the student or other students and not otherwise permitted or required by state law.

Note: The term "invasive physical examination" means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion or injection into the body, but does not include a hearing, vision or scoliosis screening.

The term "personal information" means individually identifiable information including a student's or parent's name, address, telephone number, or social security number.

Parents/guardians of a student shall also have the right to inspect, upon request, any instructional material used as part of the educational curriculum.

Note: the term "instructional material" means instructional content that is provided to a student, regardless of format. It does not include tests or academic assessments.

To protect student privacy in compliance with the PPRA, the Tolland Public Schools has adopted policies regarding these rights. Parents and/or eligible students who believe their rights have been violated under the PPRA may contact:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-4605

Notification of Rights Under FERPA

I. Policy

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

II. Definitions

A. Access

"Access" is defined as the right to inspect, review, or obtain copies of 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

"Biometric record", as used in the definition of personally identifiable information, means a record of one or more measureable 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 Record

"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

"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 parents' names, 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 schools 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 purpose of access to or communication 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

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

Disclosure means to permit access to or to release, transfer, or otherwise communicate 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 a student that is recorded in any manner (e.g., handwriting, print, computer media, video or audio tape, film, microfilm, and microfiche) and that is maintained by the school system or persons acting for the school system.
2. Education Records 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 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 education institution) that are considered "treatment records" meeting the following criteria: 1) the records are maintained by a physician, psychologist, or

other recognized professional or 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 not 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

An "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

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

The word "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 is a dependent under Section 152 of the Internal Revenue Code of 1986 is entitled to the student's education records without the eligible student's consent.

L. Personally Identifiable Information

"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 a 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, therapist, or school resource officer); 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

Signed and dated written consent to disclose personally identifiable student information from a student's records must specify the education 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 of 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 Personnel or special education 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 district 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 shall be effective for one school year.

IV. Confidentiality of Education Records

- A. All school officials are directed to maintain the confidentiality of personally identifiable information contained in a student's education records. Each person who has access to student 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, Administrative Regulations and in a manner consistent with State and Federal law.
- B. Education records are not public records and any disclosure other than to persons authorized to receive the records without prior consent of a parent or an eligible student violates the law and

Board policy, except as provided in Federal and State statutes.

- C. The school district shall use reasonable methods, including administrative policies and procedures, as well as physical and technological access controls, to ensure that school officials obtain access to only those education records in which they have a legitimate educational interest.
- D. The district shall use reasonable methods to identify and authenticate the identity of parents, students, school officials and other parties to whom the district discloses personally identifiable information from education records.
- E. The district shall require contractors and other outside agencies with access to education records to certify their compliance with the confidentiality requirements of this policy, as well as applicable State and Federal law.

V. Access to Education Records

- A. Parents and/or an eligible student have the right to inspect and review all education records of the student unless such rights have been waived under 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 with ten (10) days of the request; or with 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 may meet the criteria for 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, the district maintains a record of all parties that have access to education records, including access to education records found in computer memory banks.
- J. Non-Custodial Parents: A parent does not lose his or her right to access to education records upon divorce. Non-Custodial parents retain their rights to review their child's education records unless the school district has been provided with evidence that there is a court order, state statute, or legally binding document relating to such matters as divorce, separation, or custody that specifically revokes the non-custodial parent's right. 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 of Education Records/Fees:
 - 1. The school district cannot charge a fee to search for or to retrieve the education records of a student. As noted above, if a student has been identified as requiring special education and related services, the parents' (or eligible student's) right to inspect and review the child's records shall include the right to receive one free copy of those records. The request for the free copy shall be made in writing. The Board 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.
 - 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.
 - c. 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.
1. The record (log) shall contain 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;
 6. and 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 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 or 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 re-disclosed).
- 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 agents may not permit release of education records or any information from such records which contains personally identifiable information to any outside individual, agency, or organization without the 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, 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 with respect to the use and redisclosure of personally identifiable information from education records.
 3. Transfer Students:
 - a) The disclosure is to officials of another school, including other public schools, charter schools, and post-secondary institutions in which the student seeks or intends to enroll or where the student is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer. Disclosure of personally identifiable information will be made only upon condition that the student's parents be notified of the transfer, receive a copy of the record if desired, and have an opportunity for a hearing to challenge the content of the record pursuant to Section X.
 - b) when a student enrolls in a new public school district (including public charter school), the receiving school district must send written notice of such enrollment to the school the student previously attended not later than two (2) business days after the student enrolls. Not later than ten (10) days after receipt of such notice, the sending school shall transfer the student's records to the new school district.
 - c) upon notification by the Department of Children and Families of a decision to change the school placement for a student attending district schools who is placed in out-of-home care by DCF pursuant to an order of temporary custody or an order of commitment, in accordance with Section 46b-129 of the Connecticut General Statutes, the Board shall transmit to the receiving school, not later than one (1) business day after receipt of such notification from DCF, all essential educational records for the student, including, but not limited to, the student's individualized education plan and behavioral intervention plan, if any, and all documents necessary for the receiving school to determine appropriate class placement and to provide educational services. The Board shall transfer nonessential records to the receiving school in accordance with subsection b) above.
 4. The disclosure is to authorized representatives of the 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 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, administer 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 Section 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

D. 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.

E. De-Identified Records and Information

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

F. Disciplinary Records

Nothing in this policy shall prevent the school district from:

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

G. In accordance with state and federal law, the district will facilitate the transfer of records of suspension and expulsion of a student to officials of any private elementary or secondary school in which the student is subsequently enrolled or seeks, intends or instructed to enroll.

H. 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, including records of allegations,

investigations and reports made to DCF, should be kept in a confidential and central location, with restricted access and shall be disclosed only as authorized by law. In addition to meeting the requirements under FERPA, should the Board receive a request to disclose confidential DCF records to an outside third party, the Board shall redact the name or other personally identifiable information concerning the individual suspected of being responsible for the alleged abuse and/or neglect unless the requested records are being released to the individual named in the DCF records.

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

VIII. 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 rediscover 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 rediscovered 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 rediscovery 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, an 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 rediscovered personally identifiable information from education records in violation of FERPA, the school district may not allow that third party access to personally identifiable information from education records for at least five (5) years.

IX. Amendment of Education Records

- A. If a parent or an eligible student believes that information in the student's education records is inaccurate, misleading or violates the student's right to privacy, he/she is entitled to:
 - 1. Request in writing that the school district make appropriate amendments;
 - 2. Receive within a reasonable period of time a decision from the school district.
- 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 data in accordance with the request is not warranted, it shall so inform the parent or eligible student and advise him/her of the right to a hearing pursuant to this policy.

X. Hearing Rights and Procedures

- A. Rights
 - 1. Upon written request of a parent or eligible student to the Superintendent, 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 student's right to privacy, the data shall be amended, and the parent or eligible student shall be informed in writing.
 - 3. If, as a result of the hearing, it is decided that data are not inaccurate, misleading, or otherwise in violation of the student's right to privacy, 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 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 requests a delay.
 - 2. The parent shall be given notice of the date, place, and time of the hearing.

3. The hearing will be conducted by a person(s) 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 and the school system shall have the right to be represented by person(s) of their choosing at their own expense, to cross-examine witnesses, to present evidence, and to receive a written decision of the hearing.
5. The decision reached through the hearing shall be made in writing within a reasonable period of time after the hearing. The decision will be based solely upon the evidence presented at the hearing and shall include a summary of the evidence and the reasons for the decision.

XI. Waiver of Rights

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

XII. Special Confidentiality Procedures for HIV-Related Information

- A. The following definitions shall apply to 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 been diagnosed as having HIV infection, AIDS or HIV-related illness.

4. Release of confidential HIV-related information

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

5. School Medical Personnel

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

B. Confidentiality of HIV-related Information

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

C. Accessibility of Confidential HIV-related Information

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

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

D. Procedures

- 1. If a school staff member, other than school medical personnel, is given confidential HIV-related information regarding a protected individual who is also a student from the student's legal guardian or the student, the school staff member shall attempt to secure a release of confidential HIV-related information for the sole purpose of disclosing such information to school medical personnel.
- 2. If a school medical personnel member is given confidential HIV-related information regarding a protected individual, who is also a student, by a student's legal guardian or by the student and the legal guardian or the student requests accommodations to the student's program for reasons related thereto, the school medical personnel member shall inform the legal guardian or the student, if an eligible student, that a release of confidential HIV-related information is necessary before such information may be disclosed to other educational personnel capable of assessing the need for and implementing appropriate accommodations to the student's program.
- 3. Any school staff member who obtains confidential HIV-related information from a source other than the protected individual or his/her legal guardian, shall keep such information confidential and shall not disclose such information.
- 4. No school staff member may disclose confidential HIV-related information to other school staff members without first obtaining a release of confidential HIV-related information.
- 5. Any record containing confidential HIV-related information shall be maintained in a separate file, and shall not be subject to the provisions of this policy regarding accessibility of general student records.
- 6. If school medical personnel determine that the health and safety of the student and/or others would be threatened if a release of confidential HIV-related information is not obtained, the school medical personnel may seek a court order authorizing disclosure. In such cases, such confidential HIV-related information may BE disclosed as set forth in and subject to any limitation of such court order.

E. Disclosures Pursuant to a Release

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

XIII. Child Abuse Reporting

Nothing in this policy shall limit a mandated reporter's responsibility to report suspected child abuse or neglect under the Board's Child Abuse and Neglect Reporting Policy #4090.

XIV. Right to File a Complaint

FERPA affords parents and eligible students the right to file a complaint with the U.S. Department of Education concerning alleged failures by the 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

Parental Access to Instructional Material

In accordance with federal law and Board policy, parents shall be permitted access to instructional material used as part of the educational curriculum for any student.

"Instructional Material" means any instructional content that is provided to a student, regardless of its format, including printed or representational materials, audiovisual material, and materials in electronic or digital formats (such as materials accessible through the internet). The term does not include academic tests or academic assessments.

Upon request, the District shall permit parents to inspect any instructional material. The District shall grant a reasonable period of time after a parental request is received.

Parent Involvement Policy for Title I Students

The Board of Education endorses the parent involvement goals of Title I and encourages the regular participation by parents of Title I eligible children in all aspects of the program. The education of children is viewed as a cooperative effort among the parents, school and community. In this policy, the word "parent" also includes guardians and other family members involved in supervising the child's schooling.

Pursuant to federal law, the District will develop jointly with, agree on with and distribute to parents of children participating in the Title I program a written parent involvement policy.

At the required annual meeting of Title I parents, parents will have opportunities to participate in the design, development, operation and evaluation of the program for the next school year. Proposed activities shall be presented to fulfill the requirements necessary to address the requirements of parental involvement.

In addition to the required annual meeting, at least three additional meetings shall be held, at various times of the day and/or evenings, for parents of children participating in the Title I program. These meetings shall be used to provide parents with:

1. information about programs provided under Title I;
2. a description and explanation of the curriculum in use, the forms of academic assessment used to measure student progress, and the proficiency levels students are expected to meet;
3. opportunities to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children, and
4. the opportunity to bring parent comments, if they are dissatisfied with the school's Title I program, to the District level.

Title I funding, if sufficient, may be used to facilitate parent attendance at meetings through payment of transportation and childcare costs.

The parents of children identified to participate in Title I programs shall receive from the school Principal and Title I staff an explanation of the reasons supporting each child's selection for the program, a set of objectives to be addressed, and a description of the services to be provided. Opportunities will be provided for the parents to meet with the classroom and Title I teachers to discuss their child's progress. Parents will also receive guidance as to how they can assist in the education of their children at home.

Each school in the District receiving Title I funds shall jointly develop with parents of children served in the program a "school-parent compact" outlining the manner in which parents, school staff and students share the responsibility for improved student academic achievement in meeting state standards.

The "school-parent compact" shall:

1. describe the school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment enabling children in the Title I program to meet the state's academic achievement standards;
2. indicate the ways in which each parent will be responsible for supporting their children's learning, such as monitoring attendance, homework completion, monitoring television watching, volunteering in the classroom, and participating, as appropriate, in decisions related to their child's education and positive use of extra-curricular time' and
3. address the importance of parent-teacher communication on an on-going basis, with at a minimum, parent-teacher conferences, frequent reports to parents, and reasonable access to staff.

Legal references: Improving America's Schools Act, P.L. No. 103-382, Sec. 1112 local education agency plans.

Improving America's Schools Act (IASA), P.L. 103-382.

P.L. 107-110, "No Child Left Behind Act of 2001," Title I – Improving the Academic Achievement of the Disadvantaged, Sec. 1118.

Pesticide Application on School Property

It is the policy of the Tolland Board of Education to implement an integrated pest management plan that uses available pest control techniques to reduce the amounts of pesticides applied in any building, or the grounds of any Tolland Public School by using alternative methods of pest control, that may include structural maintenance, proper sanitation practices, appropriate solid waste management and alternative mechanical or biological control, along with pesticides.

The decision to apply pesticide in any building, or the grounds of any Tolland Public School is dependent on results of periodic monitoring for pest populations to determine if a pest problem exists that exceeds acceptable threshold levels.

No application of pesticides shall be made in any building, or the grounds of any Tolland Public Schools during regular school hours or during planned activities at any school except as provided by Connecticut statute or regulation.

Parents or guardians of children in any school/or staff members in any school may register for prior notice of pesticide application at their school. Each school shall maintain a registry of persons requesting such notice, and shall provide notice to registered individuals in accordance with applicable Connecticut statutory and regulatory provisions.

The Superintendent may direct that an emergency application of a lawn care pesticide be made without prior notice to parents or guardians of children in any school and/or staff members in the event of a threat to human health, subject to applicable Connecticut statutory and regulatory provisions.

The Superintendent may direct that an emergency application of a pesticide be made during regular school hours or during planned activities at school without prior notice to parents or guardians of children and/or staff members in any school in any school in the event of an immediate threat to human health, subject to applicable Connecticut statutory and regulatory provisions.

There shall be no application of any lawn care pesticide on the grounds of any school with students in grade eight (8) or lower, except on an emergency basis, subject to applicable Connecticut statutory and regulatory provisions. Notwithstanding this prohibition, until July 1, 2010, an application of a lawn care pesticide may also be made on the playing fields and playgrounds of a District school with students in grade eight (8) or lower, provided such application is made pursuant to an integrated pest management plan and all applicable statutory and regulatory provisions.

Administrative Regulation Regarding Pesticide Application on School Property

A. Definitions:

1. **Pesticide:** means a fungicide used on plants, an insecticide, a herbicide or a rodenticide, but does not mean a sanitizer, disinfectant, antimicrobial agent or a pesticide bait.
2. **Lawn Care Pesticide:** means a pesticide registered by the United States Environmental Protection Agency and labeled pursuant to the Federal Insecticide, Fungicide and Rodenticide Act for use in lawn, garden and ornamental sites or areas.

3. Integrated Pest Management: means use of all available pest control techniques including judicious use of pesticides, when warranted, to maintain a pest population at or below an acceptable level, while decreasing the use of pesticides.
4. Restricted Use Pesticide: means any pesticide or pesticide use classified as restricted by the Administrator of the United States Environmental Protection Agency or by the Connecticut Commissioner of Environmental Protection.

B. Integrated Pest Management Plan:

1. The District's Integrated Pest Management Plan shall be consistent with the Model Pest Control Management Plan developed by the Connecticut Commissioner of Environmental Protection Pursuant to Section 22a-661 of the Connecticut General Statutes.

C. Notice of Pesticide Application:

1. Parents or guardians of children in any school and/or staff members in any school may register for prior notice of pesticide application at their school.
2. Each school shall maintain a registry of persons requesting such notice.
3. Parents or guardians of children in any school and/or staff members in any school who register for prior notice of pesticide application at their school shall be provided notice of each scheduled pesticide application at their school on or before the day that any application of pesticide is to take place.
4. The notice shall include the following information:
 - a. the name of the active ingredient of the pesticide being applied;
 - b. the location of the application on school property;
 - c. the date of the application,
 - d. the name of the school administrator, or designee, who may be contacted for further information.

D. Emergency Pesticide Application:

1. In the event of a threat to human health, the Superintendent may direct that an emergency application of a lawn care pesticide be made without prior notice to parents or guardians of children in any school and/or staff members.
2. In the event of an immediate threat to human health, the Superintendent may direct that an emergency application of a pesticide be made, during regular school hours or during planned activities at school, without prior notice to parents or guardians of children in any school and/or staff members. Such application may only be made if (1) it is necessary to make the application during such a period and (2) such restricted use pesticide.
3. In the event of such emergency application, no child may enter the area of such application until it is safe to do so according to the provisions on the pesticide label.

4. In the event of such emergency application, the provisions set forth below in Section F regarding authorized pesticide applicators shall not apply if the Superintendent determines that it is impractical to obtain the services of any such applicator, provided that the application does not involve a restricted use pesticide.

E. Record of Pesticide Application:

A copy of the record of each pesticide application at a school shall be maintained at the school for a period of five (5) years, which record shall include the information required by Section 22a-66a of the Connecticut General Statutes, as it may be amended from time to time.

F. Authorized Pesticide Applicator:

No person, other than a pesticide applicator with Supervisory Certification under Section 22a-54 of the Connecticut General Statutes or a pesticide applicator Operational Certification under Section 22a-54 under the Direct Supervision of a Supervisory Pesticide Applicator, may apply pesticide within any building or on the grounds of any school within the District.

G. Prohibition on Use of Lawn Care Pesticides at District Schools with students through grade 8:

1. There shall be no application of any lawn care pesticide on the grounds of any school with students in grade eight (8) or lower, except on an emergency basis, subject to applicable Connecticut Statutory and regulatory provisions and the conditions set forth above.
2. Notwithstanding this prohibition, until July 1, 2010, an application of a lawn care pesticide may also be made on the playing fields and playgrounds of a District school with students in grade eight (8) or lower, provided such application is made pursuant to an integrated pest management plan and all applicable statutory and regulatory provisions.

Wellness Policy

Mission and Goal

It is the mission of the Tolland School District to promote healthy schools by supporting wellness, good nutrition, and regular physical activity as part of the total learning environment. Healthy eating patterns and exercise are essential for students to reach their full academic potential. It is through positive dietary lifestyle practices/education that this can be achieved. Schools in the Tolland District have the responsibility to help students and staff establish and maintain lifelong, healthy eating and exercise patterns. Schools that plan and implement school nutrition programs have been shown to positively influence student lifelong eating habits.

All students shall possess the knowledge and skills necessary to make lifelong healthy food choices and physical activity choices. In addition, staff is encouraged to model healthy eating and physical activity as a valuable part of daily life.

It is through this policy that the school District shall make effective use of school and community resources that will equitably serve the needs and interests of all students and staff, taking into consideration differences in cultural norms.

COMPONENTS OF THE POLICY:

I. NUTRITION EDUCATION AND PROMOTION

All schools should follow the sequential nutrition education curriculum (revised 6/05) that follows the healthy and balanced living curriculum.

Implementation of the nutrition education curriculum can be connected with existing curricula in subject areas other than physical education and health.

Ongoing revision of the nutrition education curriculum will be on an as needed basis and will be revised by staff from each of the schools in the District.

Professional development will be provided to staff involved with the teaching of the nutrition education curriculum.

The nutrition education curriculum will be age appropriate across the school District.

Educational reinforcement and nutrition promotion will be a joint effort between the food service staff and the nutrition education staff.

The instructional staff as well as support staff and administrators will be made aware of the wellness policy concerning nutrition.

An appropriate number of class hours should be designated for nutrition education.

The entire staff will be encouraged to improve their own awareness of wellness in relation to nutrition and activity.

Nutrition education will be provided to parents beginning at the elementary level. This will continue throughout the student's education in the District through communications such as: handouts, articles, postings on the District's website, etc.

II. PHYSICAL ACTIVITY AND PROMOTION

All schools should follow the standards-based sequential physical education curriculum that follows the healthy and balanced living curriculum.

Physical activity will be integrated across curricula and throughout the school day.

Provide a daily recess outdoors, if possible, which will be prior to eating lunch if feasible.

Schools will be encouraged to provide before and/or after school physical activity opportunities.

Ensure physical education classes and recesses are used appropriately by all students and are not used as a means to deal with academic or behavior issues.

Safe routes will be encouraged by the school District at each school.

Schools will be available for use by the community for activities.

During transition times, students will be encouraged to participate in small physical activities such as stretching, etc.

The physical education classes throughout the District are offered as follows:

K – 30 minutes/ week, Gr. 1-4 – twice a week/30 minutes, Gr. 5-8 – twice a week/42 minutes, Gr. 9 – 5 times per week/ 84 minutes for 1 quarter, Gr. 10 – Physical Education 5 times per week/ 84 minutes for 1 quarter and fitness 5 times per week/ 84 minutes for 1 quarter.

The physical education classes should maintain appropriate student teacher ratio.

The physical education classes should be provided adequate space and equipment and should conform to all applicable safety standards.

All physical education classes to include at least 50% of moderate to vigorous activity.

The District should provide training for physical education teachers on an annual basis.

The District will require students to meet their physical education requirements as set by the Board of Education

The Connecticut State Physical Fitness tests will be administered to students in required Physical Education classes (K-10).

III. NUTRITION STANDARDS FOR FOODS AT SCHOOL (SCHOOL MEALS AND OTHER FOODS AND BEVERAGES)

All foods made available to students separately from reimbursable meals on school property will meet the Connecticut Nutrition Standards. All beverages sold to students on school property will comply with the requirements of State Statute. All meals provided through the national school lunch program will comply with Federal Nutrition Standards, all applicable USDA Regulations and the current USDA Dietary Guidelines for Americans.

Food items that do not meet the Connecticut Nutrition Standards and beverages that do not meet the requirement of State Statute can only be sold to students at the location of an event that occurs after the school day or on the weekend, provided the sale is not from a vending machine or school store.

Fresh, canned, or frozen fruits and vegetables with minimal added sugars, salt, or fat will be offered daily.

Purchasing programs and food preparation methods will be used to decrease fat, sugar, and sodium levels in food served.

Only low fat and fat free plain milk and low fat flavored milk will be offered.

Beverages other than milk will be consistent with current State and Federal Regulations and will include at minimum bottled water and 100 percent fruit and vegetable juices in containers no larger than 12 ounces.

Nutrition content of school meals and snacks will be available upon request for items sold in the cafeteria.

School meals shall be made attractive to students by appealing to their tastes and preferences. Periodically food sampling and taste testing of healthy choices will allow student input for new menu items.

Students will be encouraged to start each day with a healthy breakfast.

The Tolland District will not enter into exclusive contracts for any food/beverage item that does not meet the Connecticut Nutrition Standards or the requirements of the State Beverage Statute.

All food related fundraisers sold to students on school premises must meet the Connecticut Nutrition Standards and the beverage requirements of State Statute at all times. Schools and groups will be encouraged to conduct fundraising activities with nonfood items.

Snacks served during the school day or in after-school programs will make a positive contribution to the children's diets and health. If a fee is collected to cover the cost of snack foods and/or beverages, then all snacks must meet the Connecticut Nutrition Standards and the beverage requirements of State Statute.

Parents will be encouraged to send in snacks that meet the same guidelines.

Food will not be used as a reward or as a punishment for student behaviors, unless it is detailed in a student's individualized education plan (IEP).

IV. OTHER SCHOOL-BASED WELLNESS ACTIVITIES

Dining areas are clean, attractive and have enough seating for all students. Appropriate supervision is provided and safe behavior reinforced.

Advertising of foods or beverages in the areas accessible to students during meal times must be consistent with established requirements of State Statute.

Schools will work toward scheduling recess before lunch for all students in grades 1- 5.

Lunch periods are scheduled as near the middle of the school day as possible.

The District will work to assure that every student who may qualify for free or reduced meals is aware of this benefit.

Information regarding free and reduced meal benefits is sent home with each student at the beginning of the year and is available year round in each school and the food service central office.

At this time, Tolland does not participate in a summer food service program.

The child nutrition program will aim to be financially self-supporting.

Budget neutrality or profit generation will not take precedence over the nutritional needs of students.

If subsidy of the child nutrition fund is needed, it will not be from the sale of foods that have minimal nutritional value and/or compete nutritionally with program meals.

The District will employ a food service director, who is properly qualified, certified, and/or credentialed according to current professional standards, to administer the school food service program.

Each year all food service staff attend mandatory training sessions. They are also provided the opportunity to participate in various professional development programs and encouraged to attain sanitation certification. Additional certification is available through the School Nutrition Association (SNA).

Each food service manager is required to hold the SNA certification.

All foods made available in the child nutrition program will comply with the state and local food safety and sanitation regulations.

Hazard analysis and critical control points (HACCP) plans and guidelines are implemented to prevent food illness in schools.

Access to the food service operations is limited to food service staff and authorized personnel to assure the safety and security of the food supply.

Shared food should meet State/Federal/District nutrition guidelines with possible food restrictions and food allergies considered.

School staff will be encouraged to improve their own health and wellness, thus creating positive role models.

Access to free drinking water via water fountains is available at the cafeteria and throughout the schools.

School personnel will assist in developing the practice of washing hands before eating and students shall have access to hand-washing facilities.

All schools will follow a no food policy for birthdays, celebrations, instruction, or rewards unless approved by Administration.

V. MARKETING AND PROMOTION

In order to ensure consistency of the health messages and to ensure timely communication to parents, all components of the school wellness policy will be distributed to parents of the Tolland School District by each school. The policy can be printed in the Tolland Eagle, or other such publications that are distributed by each school District. Special flyers or announcements can also be distributed through each school's specific distribution mechanism.

Food services will provide input on student purchases upon request by parents.

Copies and updates to the school wellness policy will be made available via the Board of Education website.

Recognizing the importance of engaging community organizations and local business in the wellness initiative, District schools will share this new initiative with various community organizations and businesses by posting flyers and asking them to assist in the nutrition initiative. The Tolland Public Library will be made aware of this initiative to help students find books, websites, and periodicals on wellness and nutrition.

An initial article and periodic updates about the school wellness policy will be incorporated into the Superintendent's monthly news articles in the Tolland Monthly.

Students at each school will be encouraged to create posters or other visual materials to market/promote the program throughout the individual classrooms and throughout their building.

Administrators throughout each school will ensure that information about positive, healthy food alternatives, will be posted throughout their schools.

If appropriate, articles, student work, journals, photographs, contests, or other representations of the students' wellness initiatives will be made available to representatives of the local news media.

VI. MEASUREMENT AND EVALUATION

A District-wide nutrition and physical activity advisory committee will meet a minimum of twice a school year.

Members of this committee should include but are not limited to:

- District food service director/manager/dietitian
- Administrator
- Board of Education member
- School nurse
- Physical education and/or regular education teacher
- Curriculum coordinator

This committee will be responsible for overseeing policy implementation in the following areas:

- Monitor implementation of guidelines set forth in the District wellness policy.
- Integration of nutrition and physical activity in overall curriculum in all schools.
- Develop recommendations for assisting with implementation of this policy.
- Assure staff professional development includes nutrition and physical activity issues.
- That consistent healthful choices are among all school venues exists involving the sale of food in the system.
- A representative from the advisory committee will be part of the District-wide safety committee.

The committee will be responsible for an annual report in June to the Superintendent. That includes but is not limited to the following:

- A list of physical activity programs and opportunities for students and staff throughout the school year.
- Recommend need for any revisions to school Wellness Policy.

Bullying in the Schools

The Tolland Board of Education is committed to creating and maintaining an educational environment that is physically, emotionally and intellectually safe and thus free from bullying, harassment and discrimination. In accordance with state law and the Board's safe school climate plan, the Board expressly prohibits any form of bullying behavior on school grounds; at a school-sponsored or school-related activity, function or program, whether on or off school grounds; at a school bus stop; on a school bus or other vehicle owned, leased or used by a local or regional board of education; or through the use of an electronic device or an electronic mobile device owned, leased or used by board of education.

The Board also prohibits any form of bullying behavior outside of the school setting if such bullying (i) creates a hostile environment at school for the student against whom such bullying was directed, (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school. Discrimination and/or retaliation against an individual who reports or assists in the investigation of an act of bullying is likewise prohibited.

Students who engage in bullying behavior shall be subject to school discipline up to and including expulsion in accordance with the Board's policies on student discipline, suspension and expulsion, and consistent with state and federal law.

For purposes of this policy, "bullying" means the repeated use by one or more students of a written, verbal or electronic communication, such as cyberbullying, directed at or referring to another student attending school in the same school district, or a physical act or gesture by one or more students repeatedly directed at another student attending school in the same school district, that:

- 1) causes physical or emotional harm to such student or damage to such student's property;
- 2) places such student in reasonable fear of harm to himself or herself, or of damage to his or her property;
- 3) creates a hostile environment at school for such student;
- 4) infringes on the rights of such student at school; or
- 5) substantially disrupts the education process or the orderly operation of a school.

Bullying shall include, but not be limited to, a written, verbal or electronic communication or physical act or gesture based on any actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, socioeconomic status, academic status, physical appearance, or mental, physical, developmental or sensory disability, or by association with an individual or group who has or is perceived to have one or more of such characteristics.

For purposes of this policy, "cyberbullying" means any act of bullying through the use of the internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any electronic communications.

Consistent with the requirements under state law, the Tolland Board of Education authorizes the Superintendent or his/her designee(s), along with the safe school climate coordinator, to be responsible for developing and implementing a safe school climate plan in furtherance of this policy. As provided by state law, such safe school climate plan shall include, but not be limited to provisions which:

- (1) enable students to anonymously report acts of bullying to school employees and require students and the parents or guardians of students to be notified annually of the process by which students may make such reports;
- (2) enable the parents or guardians of students to file written reports of suspected bullying;
- (3) require school employees who witness acts of bullying or receive reports of bullying to orally notify the safe school climate specialist, or another school administrator if the safe school climate specialist is unavailable, not later than one school day after such school employee witnesses or receives a report of bullying, and to file a written report not later than two school days after making such oral report;

- (4) require the safe school climate specialist to investigate or supervise the investigation of all reports of bullying and ensure that such investigation is completed promptly after receipt of any written reports made under this section;
- (5) require the safe school climate specialist to review any anonymous reports, except that no disciplinary action shall be taken solely on the basis of an anonymous report;
- (6) include a prevention and intervention strategy for school employees to deal with bullying;
- (7) provide for the inclusion of language in student codes of conduct concerning bullying;
- (8) require each school to notify the parents or guardians of students who commit any verified acts of bullying and the parents or guardians of students against whom such acts were directed not later than forty-eight hours after the completion of the investigation;
- (9) require each school to invite the parents or guardians of a student who commits any verified act of bullying and the parents or guardians of the student against whom such act was directed to a meeting to communicate to such parents or guardians the measures being taken by the school to ensure the safety of the student against whom such act was directed and to prevent further acts of bullying;
- (10) establish a procedure for each school to document and maintain records relating to reports and investigations of bullying in such school and to maintain a list of the number of verified acts of bullying in such school and make such list available for public inspection, and annually report such number to the Department of Education and in such manner as prescribed by the Commissioner of Education;
- (11) direct the development of case-by-case interventions for addressing repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual that may include both counseling and discipline;
- (12) prohibit discrimination and retaliation against an individual who reports or assists in the investigation of an act of bullying;
- (13) direct the development of student safety support plans for students against whom an act of bullying was directed that address safety measures the school will take to protect such students against further acts of bullying;
- (14) require the principal of a school, or the principal's designee, to notify the appropriate local law enforcement agency when such principal, or the principal's designee, believes that any acts of bullying constitute criminal conduct;
- (15) prohibit bullying (a) on school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by a local or regional Board of Education, or through the use of an electronic device or an electronic mobile device owned, leased or used by the local or regional Board of Education, and (b) outside of the school setting if such bullying (i) creates a hostile environment at school for the student against whom such bullying was directed, (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school;

- (16) require, at the beginning of each school year, each school to provide all school employees with a written or electronic copy of the school district's safe school climate plan; and
- (17) require that all school employees annually complete the training described in Conn. Gen. Stat. §10-220a.

The notification required pursuant to subdivision (8) (above) and the invitation required pursuant to subdivision (9) (above) shall include a description of the response of school employees to such acts and any consequences that may result from the commission of further acts of bullying. Any information provided under this policy or accompanying safe school climate plan shall be provided in accordance with the confidentiality restrictions imposed under the Family Educational Rights Privacy Act ("FERPA") and the district's confidentiality and access to student information policy and regulations.

Not later than January 1, 2012, the Tolland Board of Education shall approve the safe school climate plan developed pursuant to this policy and submit such plan to the Department of Education. Not later than thirty (30) calendar days after approval by the Board, the Board shall make such plan available on the Board's and each individual school in the school district's web site and ensure that the safe school plan is included in the school district's publication of the rules, procedures, and standards of conduct for schools and in all student handbooks.

Administrative Regulations Concerning Bullying Behavior in the Schools

The Board is committed to creating and maintaining a physically, emotionally, and intellectually safe educational environment free from bullying, harassment and discrimination. In order to foster an atmosphere conducive to learning, the board has developed the following safe school climate plan, consistent with state law and board policy. This plan represents a comprehensive approach to addressing bullying and cyberbullying and sets forth the board's expectations for creating a positive school climate and thus preventing, intervening, and responding to incidents of bullying.

Bullying behavior is strictly prohibited, and students who are determined to have engaged in such behavior are subject to disciplinary action, which may include suspension and expulsion from school. The district's commitment to addressing bullying behavior, however, involves a multi-faceted approach, which includes education and the promotion of a positive school climate in which bullying will not be tolerated by students or school staff.

I. Prohibition against bullying and retaliation

- A. The Board expressly prohibits any form of bullying behavior on school grounds; at a school-sponsored or school-related activity, function or program whether on or off school grounds; at a school bus stop; on a school bus or other vehicle owned, leased or used by a local or regional Board of Education; or through the use of an electronic device or an electronic mobile device owned, leased or used by the Board of Education.
- B. The Board also prohibits any form of bullying behavior outside of the school setting if such bullying (i) creates a hostile environment at school for the student against whom such bullying was directed, (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school;
- C. In addition to prohibiting student acts which constitute bullying, the board also prohibits discrimination and/or retaliation against an individual who reports or assists in the investigation of an act of bullying.

D. Students who engage in bullying behavior in violation of Board policy and the safe school climate plan shall be subject to school discipline, up to and including expulsion, in accordance with the Board's policies on student discipline, suspension and expulsion, and consistent with state and federal law.

II. Definition of bullying

A. "bullying" means the repeated use by one or more students of a written, verbal or electronic communication, such as cyberbullying, or a physical act or gesture directed at another student attending school in the same district that:

1. Causes physical or emotional harm to such student or damage to such student's property;
2. Places such student in reasonable fear of harm to himself or herself, or of damage to his or her property;
3. Creates a hostile environment at school for such student;
4. Infringes on the rights of such student at school; or
5. Substantially disrupts the education process or the orderly operation of a school.

B. Bullying shall include, but not be limited to, a written, verbal or electronic communication or physical act or gesture based on any actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, socioeconomic status, academic status, physical appearance, or mental, physical, developmental or sensory disability, or by association with an individual or group who has or is perceived to have one or more of such characteristics.

III. Other definitions

- A. "cyberbullying" means any act of bullying through the use of the internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any electronic communications.
- B. "electronic communication" means any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectronic or photo-optical system;
- C. "hostile environment" means a situation in which bullying among students is sufficiently severe or pervasive to alter the conditions of the school climate;
- D. "mobile electronic device" means any hand-held or other portable electronic equipment capable of providing data communication between two or more individuals, including, but not limited to, a text messaging device, a paging device, a personal digital assistant, a laptop computer, equipment that is capable of playing a video game or a digital video disk, or equipment on which digital images are taken or transmitted;
- E. "outside of the school setting" means at a location, activity or program that is not school related, or through the use of an electronic device or a mobile electronic device that is not owned, leased or used by a local or regional Board of Education;

- F. "prevention and intervention strategy" may include, but is not limited to,(1) implementation of a positive behavioral interventions and supports process or another evidence-based model approach for safe school climate or for the prevention of bullying identified by the Department of Education, (2) school rules prohibiting bullying, harassment and intimidation and establishing appropriate consequences for those who engage in such acts, (3) adequate adult supervision of outdoor areas, hallways, the lunchroom and other specific areas where bullying is likely to occur, (4) inclusion of grade-appropriate bullying education and prevention curricula in kindergarten through high school, (5) individual interventions with the bully, parents and school employees, and interventions with the bullied child, parents and school employees, (6) school-wide training related to safe school climate, (7) student peer training, education and support, and (8) promotion of parent involvement in bullying prevention through individual or team participation in meetings, trainings and individual interventions.
- G. "school climate" means the quality and character of school life with a particular focus on the quality of the relationships within the school community between and among students and adults.
- H. "school employee" means (1) a teacher, substitute teacher, school administrator, school superintendent, guidance counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by a local or regional Board of Education or working in a public elementary, middle or high school; or (2) any other individual who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in a public elementary, middle or high school, pursuant to a contract with the local or regional Board of Education.
- I. "school-sponsored activity" shall mean any activity conducted on or off school property (including school buses and other school-related vehicles) that is sponsored, recognized or authorized by the Board of Education.

IV Leadership and Administrative Responsibilities

A. Safe school climate coordinator

For the school year commencing July 1, 2012, and each school year thereafter, the superintendent shall appoint, from existing school district staff, a district safe school climate coordinator ("coordinator"). The coordinator shall:

1. Be responsible for implementing the district's safe school climate plan ("plan");
2. Collaborate with safe school climate specialists, the Board, and the Superintendent to prevent, identify and respond to bullying in district schools;
3. Provide data and information, in collaboration with the Superintendent, to the Department of Education regarding bullying;
4. Meet with safe school climate specialist at least twice during the school year to discuss issues relating to bullying in the school district and to make recommendations concerning amendments to the district's plan.

B. Safe School Climate Specialist

For the school year commencing July 1, 2012, and each school year thereafter, the principal of each school (or principal's designee) shall serve as the safe school climate specialist. The safe school climate specialist shall investigate or supervise the investigation of reported acts of bullying and act as the primary school official responsible for preventing, identifying and responding to reports of bullying in the school.

V. Development and Review of Safe School Climate Plan

- A. For the school year commencing July 1, 2012 and each school year thereafter, the principal of each school shall establish a committee or designate at least one existing committee ("committee") in the school to be responsible for developing and fostering a safe school climate and addressing issues relating to bullying in the school. Such committee shall include at least one parent/guardian of a student enrolled in the school, as appointed by the school principal.
- B. The committee shall: 1) receive copies of completed reports following bullying investigations; 2) identify and address patterns of bullying among students in the school; 3) review and amend school policies relating to bullying; 4) review and make recommendations to the coordinator regarding the safe school climate plan based on issues and experiences specific to the school; 5) educate students, school employees and parents/guardians on issues relating to bullying; 6) collaborate with the coordinator in the collection of data regarding bullying; and 7) perform any other duties as determined by the principal that are related to the prevention, identification and response to school bullying.
- C. Any parent/guardian serving as a member of the committee shall not participate in any activities which may compromise the confidentiality of any student, including, but not limited to receiving copies of investigation reports, or identifying or addressing patterns of bullying among students in the school.
- D. Not later than January 1, 2012, the Board of Education shall approve the safe school climate plan developed pursuant to Board policy and submit such plan to the Department of Education. Not later than thirty (30) calendar days after approval by the Board, the Board shall make such plan available on the Board's and each individual school in the school district's web site and ensure that the safe school climate plan is included in the school district's publication of the rules, procedures and standards of conduct for schools and in all student handbooks.

VI. Procedures for Reporting and Investigating Complaints of Bullying

- A. Students and parents (or guardians of students) may file written reports of bullying. Written reports of bullying shall be reasonably specific as to the basis for the report, including the time and place of the alleged conduct, the number of incidents, the target of the suspected bullying, and the names of potential witnesses. Such reports may be filed with any building administrator and/or the safe school climate specialist (i.e. building principal), and all reports shall be forwarded to the safe school climate specialist for review and actions consistent with this plan.
- B. Students may make anonymous reports of bullying to any school employee. Students may also request anonymity when making a report, even if the student's identity is known to the school employee. In cases where a student requests anonymity, the safe school climate specialist or his/her designee shall meet with the student (if the student's identity is known) to review the request for anonymity and discuss the impact that maintaining the anonymity of the complainant may have on the investigation and on any possible remedial action. All anonymous reports shall be reviewed and reasonable action will be taken to address the situation, to the extent such action may be taken that does not disclose the source of the report,

and is consistent with the due process rights of the student(s) alleged to have committed acts of bullying. No disciplinary action shall be taken solely on the basis of an anonymous report.

- C. School employees who witness acts of bullying or receive reports of bullying shall orally notify the safe school climate specialist or another school administrator if the safe school climate specialist is unavailable, not later than one (1) school day after such school employee witnesses or receives a report of bullying. The school employee shall then file a written report not later than two (2) school days after making such oral report.
- D. The safe school specialist shall be responsible for reviewing any anonymous reports of bullying and shall investigate or supervise the investigation of all reports of bullying and ensure that such investigation is completed promptly after receipt of any written reports. In order to allow the district to adequately investigate complaints filed by a student or parent/guardian, the parent of the student suspected of being bullied should be asked to provide consent to permit the release of that student's name in connection with the investigation process, unless the student and/or parent has requested anonymity.
- E. In investigating reports of bullying, the safe school climate specialist or designee will consider all available information known, including the nature of the allegations and the ages of the students involved. The safe school climate specialist will interview witnesses, as necessary, reminding the alleged perpetrator and other parties that retaliation is strictly prohibited and will result in disciplinary action.

VII. Responding to Verified Acts of Bullying

- A. Following investigation, if acts of bullying are verified, the safe school climate specialist or designee shall notify the parents or guardians of the students against whom such acts were directed as well as the parents or guardians of the students who commit such acts of bullying of the finding not later than forty-eight hours after the investigation is completed. This notification shall include a description of the school's response to the acts of bullying. In providing such notification, however, care must be taken to respect the statutory privacy rights of other students, including the perpetrator of such bullying. The specific disciplinary consequences imposed on the perpetrator, or personally identifiable information about a student other than the parent/guardian's own child, may not be disclosed except as provided by law.
- B. In any instance in which bullying is verified, the safe school climate specialist or designee shall also invite the parents or guardians of the student who commits any verified act of bullying and the parents or guardian of the student against whom such act was directed to a meeting to communicate the measures being taken by the school to ensure the safety of the student/victim and to prevent further acts of bullying. The invitation may be made simultaneous with the notification described above in section VII. A., as it must include a description of the school's response to such acts, along with consequences, as appropriate. Normally, separate meetings shall be held with the respective parents; however, at the discretion of the safe school climate specialist and with written consent of the parents/guardians involved, the meeting(s) may be held jointly.
- C. If bullying is verified, the safe school climate specialist or designee shall develop a student safety support plan for any student against whom an act of bullying was directed. Such support plan will include safety measures to protect against further acts of bullying.
- D. A specific written intervention plan shall be developed to address repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual.

The written intervention plan may include counseling, discipline and other appropriate remedial actions as determined by the safe school climate specialist or designee, and may also incorporate a student safety support plan, as appropriate.

E. Notice to Law Enforcement

If the principal of a school (or his/her designee) reasonably believes that any act of bullying constitutes a criminal offense, he/she shall notify appropriate law enforcement. Notice shall be consistent with the Board's obligations under state and federal law and Board policy regarding the disclosure of personally identifiable student information. In making this determination, the principal or his/her designee, may consult with the school resource office, if any, and other individuals the principal or designee deems appropriate.

F. If a bullying complaint raises concern about discrimination or harassment on the basis of a legally protected classifications (such as race, religion, color national origin, sex sexual orientation, age, or disability), The safe school climate specialist or designee shall also coordinate investigation with other appropriate personnel within the district as appropriate (e.g. the Title IX Coordinator, Section 504 coordinator, etc.)

VIII. Documentation And Maintenance Of Log

- A. Each school shall maintain written reports of bullying, along with supporting documentation received and/or created as a result of bullying investigations, consistent with the Board's obligations under state and federal law. Any educational record containing personally identifiable student information pertaining to an individual student shall be maintained in a confidential manner, and shall not be disclosed to third parties without written prior written consent of a parent, guardian or eligible student, except as permitted under Board policy and state and federal law.
- B. The principal of each school shall maintain a list of the number of verified acts of bullying in the school and this list shall be available for public inspection upon request. Consistent with district obligations under state and federal law regarding student privacy, the log shall not contain any personally identifiable student information, or any information that alone or in combination would allow a reasonable person in the school community to identify the students involved. Accordingly, the log should be limited to basic information such as the number of verified acts, name of school and/or grade level and relevant date. Given that any determination of bullying involves repeated acts, each investigation that results in a verified act of bullying for that school year shall be tallied as one verified act of bullying unless the specific actions that are the subject of each report involve separate and distinct acts of bullying. The list shall be limited to the number of verified acts of bullying in each school and shall not set out the particulars of each verified act, including, but not limited to any personally identifiable student information, which is confidential information by law.
- C. The principal of each school shall report the number of verified acts of bullying in the school annually to the Department of Education in such manner as prescribed by the Commissioner of Education.

IX. Other Prevention and Intervention Strategies

- A. Bullying behavior can take many forms and can vary dramatically in how the nature of the offense and impact the behavior may have on the victim and other students. Accordingly, there is no one prescribed response to verified acts of bullying. While conduct that rises to the level

of "bullying" as defined above will generally warrant traditional disciplinary action against the perpetrator of such bullying, whether and to what extent to impose disciplinary action (e.g. detention, suspension or expulsion) is a matter for the professional discretion of the building principal, (or other responsible program administrator, or his/her designee). No disciplinary action may be taken solely on the basis of an anonymous complaint. As discussed below, schools, may also consider appropriate alternative to traditional disciplinary sanctions, including age-appropriate consequences and other restorative or remedial interventions.

- B. A specific written intervention plan shall be developed to address repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual. This plan may include safety provisions, as described above, for students against whom acts of bullying have been verified and may include other interventions such as counseling, discipline, and other appropriate remedial actions as determined by the responsible administrator.
- C. The following sets forth possible interventions which may also be utilized enforce the Board's prohibition against bullying:

- i. Non-disciplinary interventions

When verified acts of bullying are identified early and/or when such verified acts of bullying do not reasonably require a disciplinary response, students may be counseled as to the definition of bullying, its prohibition, and their duty to avoid any conduct that could be considered bullying. Students may also be subject to other forms of restorative discipline or remedial actions, appropriate to the age of the students and nature of the behavior.

If a complaint arises out of conflict between students or groups of students, peer or other forms of mediation may be considered. Special care, however, is warranted in referring such cases to peer mediation. A power imbalance may make the process intimidating for the victim and therefore inappropriate. In such cases, the victim should be given additional support. Alternatively, peer mediation may be deemed inappropriate to address the concern.

- ii. Disciplinary interventions

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

In-school suspension and suspension maybe imposed only after informing the accused perpetrator of the reasons for the proposed suspension and giving him/her an opportunity to explain the situation, in accordance with the Board's Student Discipline Policy.

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

iii. Interventions for bullied students

The building principal (or other responsible program administrator) or his/her designee shall intervene in order to address repeated incidents of bullying against a single individual. Intervention strategies for a bullied student may include the following:

- a. Counseling;
- b. Increased supervision and monitoring of student to observe and intervene in bullying situations;
- c. Encouragement of student to seek help when victimized or witnessing victimization;
- d. Peer mediation or other forms of mediation where appropriate.
- e. Student safety support plan; and
- f. Restitution and/or restorative interventions.

iv. General Prevention and Intervention Strategies

In addition to the prompt investigation of complaints of bullying and direct intervention when acts of bullying are verified, other district actions may ameliorate potential problems with bullying in school or at school-sponsored activities. While no specific action is required, and school needs for specific prevention and strategies may vary from time to time, the following list of potential prevention and intervention strategies shall serve as a resource for administrators, teachers and other professional employees in each school. Such prevention and intervention strategies may include, but are not limited to;

- a. School rules prohibiting bullying, harassment and intimidation and establishing appropriate consequences for those who engage in such acts;
- b. Adequate adult supervision of outdoor areas, hallways, the lunchroom and other specific areas where bullying is likely to occur.
- c. Inclusion of grade appropriate bullying education and prevention curricula in kindergarten through high school, which may include instruction regarding building safe and positive school communities including developing healthy relationships and preventing dating violence as deemed appropriate for older students;
- d. Individual interventions with the perpetrator, parents and school employees, and interventions with the bullied students, parents and school employees;
- e. School-wide training related to safe school climate, which training may include Title IX/Sexual harassment training, Section 504/ADA Training, cultural diversity/multicultural education or other training in federal and state civil rights legislation or other topics relevant to safe school climate;
- f. Student peer training, education and support; and

- g. Promotion of parent involvement in bullying prevention through individual or team participation in meetings, trainings and individual interventions;
- h. Implementation of a positive behavioral interventions and supports process or another evidence-based model approach for safe school climate or for the prevention of bullying, including any such program identified by the Department of Education;
- i. Respectful responses to bullying concerns raised by students, parents or staff;
- j. Planned professional development programs addressing prevention and intervention strategies which training may include school violence prevention, conflict resolution and prevention of bullying, with a focus in evidence based practices concerning same;
- k. Use of peers to help ameliorate the plight of victims and include them in group activities;
- l. Avoidance of sex-role stereotyping;
- m. Continuing awareness and involvement on the part of school employees and parents with regards to prevention and intervention strategies;
- n. Modeling by teachers of positive, respectful, and supportive behavior toward students;
- o. Creating a school atmosphere of team spirit and collaboration that promotes appropriate social behavior by students in support of others;
- p. Employing classroom strategies that instruct students how to work together in a collaborative and supportive atmosphere.

Tolland Public Schools
Safe School Climate Plan
December 14, 2011

The Tolland Board of Education is committed to creating and maintaining a physically, emotionally, and intellectually safe educational environment free from bullying, harassment and discrimination. In order to foster an atmosphere conducive to learning, the Board has developed the following Safe School Climate Plan, consistent with state law and Board policy. This plan represents a comprehensive approach to addressing bullying and cyberbullying and sets forth the Board's expectations for creating a positive school climate and thus preventing, intervening, and responding to incidents of bullying.

Component	Actions	Person(s) Responsible	Timeline
Safe School Climate Plan	<ul style="list-style-type: none">• Develop Safe School Climate Plan in accordance with PA 11-232• Submit Safe School Climate Plan for Board approval• Submit Board-approved Safe School Climate Plan to CSDE• Publish Safe School Climate Plan on District Web Site and in the school district's publication of the rules, procedures and standards of conduct for schools and in all student handbooks	Superintendent Superintendent Superintendent Safe School Climate District Coordinator	By January 1, 2012 By January 1, 2012 By January 1, 2012 By February 1, 2012
Safe School Climate Committee	<ul style="list-style-type: none">• Appoint District Safe School Climate Coordinator• Appoint Safe School Climate Specialist in each school• Establish Safe School Climate Committee in accordance with PA 11-232 (include at least one parent/guardian of a student at the school)• Establish roles, responsibilities and procedures for Safe School Climate Committee including:<ul style="list-style-type: none">○ Receive copies of completed reports following investigations of bullying;	Superintendent Principal Safe School Climate District Coordinator and Safe School Climate Specialists Safe School Climate Committee	By July 1, 2012 By July 1, 2012 By July 1, 2012 By July 1, 2012

Component	Actions	Person(s) Responsible	Timeline
	<ul style="list-style-type: none"> ○ Identify and address patterns of bullying among students in the schools; ○ Review and make recommendation to amend school policies relating to bullying; ○ Review and make recommendations to the district's safe school climate coordinator regarding the District's Safe School Climate plan based on issues and experiences specific to the school; ○ Educate students, school employees and parents and guardians of students on issues relating to bullying; ○ Collaborate with the district safe school climate coordinator in the collection of data regarding bullying, in accordance with the law; ○ Perform any other duties as determined by the school principal that are related to the prevention, identification and response to school bullying for the school. 		
Notification Requirements	<ul style="list-style-type: none"> • Provide all school employees with a written or electronic copy of the school district Safe School Climate Plan. • Notify students and parents or guardians of students of the process by which students may make reports of bullying. • Provide students with notice of the definition of bullying, cyberbullying and the potential consequences of engaging in such acts by the inclusion of language in student codes of conduct 	Safe School Climate District Coordinator Safe School Climate District Coordinator Safe School Climate District Coordinator	By July 1, 2012 and annually By July 1, 2012 and annually By July 1, 2012 and annually
Component	Actions	Person(s) Responsible	Timeline

	<p>concerning bullying.</p> <ul style="list-style-type: none"> Publish Safe School Climate Plan on the school district's Internet web site and ensure that such plan is included in the school district's publication of the rules, procedures and standards of conduct for schools and in all student handbooks. 	Safe School Climate District Coordinator	By July 1, 2012 and annually
Reporting Procedures	<ul style="list-style-type: none"> Orally notify the Safe School Climate Specialist or school Administrator after being witness to acts of bullying or receiving reports of bullying File a written report with the Safe School Climate Specialist after being witness to acts of bullying or receiving reports of bullying Any student who believes s/he has been victim of bullying/cyberbullying may report the matter to any school employee, either in writing or anonymously. Parent(s)/guardians(s) may file written reports of Suspected bullying/cyberbulling. 	All School employees All School employees All Students All Parents	Within one school day after witnessing or receiving report Within two school days of oral notification Ongoing Ongoing
Investigation	<ul style="list-style-type: none"> Develop and disseminate investigation procedures that align with PA 11-232 and comply with FERPA Investigate all reports of bullying & ensure that the investigation is completed in accordance with PA 11-232. Determine whether the alleged conduct occurred & whether such conduct constitutes bullying as defined in the district policy. 	Safe School Climate Specialist Safe School Climate Specialist Safe School Climate Specialist	By July 1, 2012 Upon receipt of report Upon completion of investigation

Component	Actions	Person's Responsible	Timeline
Response to Verified Acts of Bullying	<ul style="list-style-type: none"> • Take prompt corrective action that is reasonably calculated to stop the bullying and prevent any recurrence of such behavior, if it is determined that bullying has occurred. • Notify the parents or guardians of students who commit any verified acts of bullying and the parents or guardians of students against whom such acts were directed not later than forty-eight hours after the completion of the investigation. This notification shall include a description of the response of school employees to such acts and any consequences that may result from the commission of further acts of bullying. • Invite the parent(s)/guardians of students who engage in any verified acts of bullying after the completion of the investigation to a meeting at which the following will be shared: <ol style="list-style-type: none"> 1. A description of the verified act(s). 2. A description of the school's interventions in response to the act(s). 3. Any consequences that may result from the commission of any further acts of bullying. • Invite the parent(s)/guardians of student against whom an act of bullying was verified after the completion of the investigation to a meeting at which the following will be shared: <ol style="list-style-type: none"> 1. A description of the verified act(s). 2. A description of the school's interventions in response to the act(s). 3. Any consequences that may result from the commission of any further acts of bullying. plan. 	Safe School Climate Specialist Safe School Climate Specialist Safe School Climate Specialist Safe School Climate Specialist	Upon determination that bullying has occurred 48 hours after the completion of the investigation Upon determination that bullying has occurred. Upon determination that bullying has occurred

Component	Actions	Person's Responsible	Timeline
	<p><i>Except in rare circumstances, such meetings with parents and guardians should be held separately.</i></p> <ul style="list-style-type: none"> • Develop a student safety support plan for any student against whom an act of bullying was directed. The plan shall address safety measures the school will take to protect such students against further acts of bullying. • Develop case-by-case interventions to address repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual that may include both counseling and discipline. • Notify the appropriate local law enforcement agency when principal, or designee, believes that any acts of bullying constitute criminal conduct. 	Safe School Climate Specialist Safe School Climate Specialist Principal or designee	Upon determination that bullying has occurred Upon determination that bullying has occurred As appropriate
Prevention and Intervention Strategy	<ul style="list-style-type: none"> • Identify effective evidence-based prevention and intervention strategies approved by CSDE. Strategies may include, but are not limited to the following: <ul style="list-style-type: none"> ○ Students will participate in an evidence-based approach, program or process approved by the State Department of Education that is designed to ensure a positive school climate & prevent bullying. ○ Students will be made aware school rules prohibiting bullying and harassment. ○ Adequate adult supervision of outdoor areas, hallways, the lunchroom and other specific areas where bullying is likely to occur; 	Safe School Climate District Coordinator, Specialists and Safe School Climate Committee(s)	By July 1, 2012

Component	Actions	Person(s) Responsible	Timeline
	<ul style="list-style-type: none"> ○ Inclusion of grade-appropriate bullying education and prevention curricula in kindergarten through high school; ○ Individual interventions with the bully, parents and school employees, and interventions with the bullied child, parents and school employees; ○ School-wide training related to safe school climate; ○ Student peer training, education and support; ○ Promotion of parent involvement in bullying prevention through individual or team participation in meetings, trainings and individual interventions. ● Implement the prevention and intervention strategies identified by the Safe School Climate Committee ● Provide students with access to evidence-based prevention and intervention strategies 	All School Employees All School Employees	Ongoing Ongoing
Assessment of School Climate	<ul style="list-style-type: none"> ● Complete an assessment using the school climate assessment instruments, including surveys, approved and disseminated by the State Department of Education for each school ● Submit assessment results for each school in the district to the State Department of Education ● Review data obtained from climate surveys to make necessary modifications to the district plan and ongoing practices. 	Safe School Climate Committee Safe School Climate District Coordinator Safe School Climate Committee	By July 1, 2012, and biennially thereafter By July 1, 2912 and according to CSDE guidelines Annually

Component	Actions	Person(s) Responsible	Timeline
Training	<ul style="list-style-type: none"> • Provide all certified school employees training on the prevention, identification and response to bullying and the prevention of and response to youth suicide. The training will be provided to teachers, administrators and pupil personnel who hold the initial educator certificate via in-service training. • Provide all other school employees training provided by the State Department of Education. 	Safe School Climate District Coordinator and Specialists CSDE	By July 1, 2012, and annually thereafter Annually
Documentation and Record Keeping	<ul style="list-style-type: none"> • Establish a procedure for each school to <ul style="list-style-type: none"> ◦ Document and maintains records relating to reports and investigations of bullying in the school ◦ Maintain a list of the number of verified acts of bullying in the school and make such list available for public inspection. This public list must not contain any personally identifiable information about any student or information that might reasonably lead to the identification of any student. • Report the number of verified acts of bullying in the district's schools to the Department of Education in such manner as prescribed by the Commissioner of Education. 	Safe School Climate District Coordinator and Specialist Safe School Climate District Coordinator	By July 1, 2012 Annually based on timeline established by CSDE

Personal Technology

It is the policy of the Tolland Board of Education to permit access by students and employees using privately owned electronic devices to the District's computers, District issued personal data devices (including smartphones, blackberries, PDAs, smartphones, other mobile or handheld devices) and instructional technologies; communications and data management systems; informational technologies and the internet; and a variety of other technology resources (collectively the "District technology resources") in order to promote educational excellence. While the District intends to permit such broad access, the District's technology resources have not been established as a public access service or as a public forum. Additionally, it is the expectation of the Board of Education that students and employees who access these resources while using personal electronic devices will act at all times in responsible and ethical ways that are fully in accord with the computer use policy and other applicable policies and with all local, state, and federal laws.

The District will work together with the parents or guardians of students to educate students about the District's expectation that all students will act responsibly and ethically when accessing and using district technology resources, including times when access is achieved through the use of personal technology. Since students are able to access the District's technology resources not only from district computers, but also from privately-owned electronic devices, it is important for each student to have the opportunity to learn about his/her rights, responsibilities, and duties when using personal electronic devices to access District technology resources. Through various means, including the dissemination of the student handbook, the distribution of the computer use policy and its regulations, and/or through curricular efforts, the district will inform students of the applicable expectations regarding access to the District's technology resources when using personal electronic devices on or near school property, at home, in school vehicles and busses, or at school-sponsored activities.

The District's technology resources shall only be used to access educational information and to promote learning activities both at home and at school. The District considers access to its technology resources to be a privilege and not a right. Staff and students are expected to make responsible and ethical decisions at all times when using the District's technology resources. Failure to do so will result in the consequences fully outlined in the applicable technology and discipline policies.

Definitions

District Technology Resources:

For the purposes of this policy, "District technology resources" refers to District's computers, District issued personal data devices (including smartphones, blackberries, PDAs, other mobile or handheld devices) and instructional technologies; communications and data management systems; informational technologies and the internet; and a variety of other technology resources in order to promote educational excellence.

Employee:

For the purposes of this policy, the term "employee" shall be deemed to include contractors, volunteers, Board of Education members, third parties and other non-student members of the school community.

Personal Technology:

For the purposes of this policy, “personal technology” refers to privately owned wireless and/or portable electronic hand-held equipment that can be used for word processing, wireless internet access, image capture and recording, sound recording, information transmitting and/or receiving, storing, etc. These devices may include, but are not limited to, personal laptops, smartphones, network access devices, and other electronic signaling devices.

Personal Technology Security:

Responsibility for keeping personal technology secure rests with the individual owner. If personal technology is stolen, lost, or damaged, it will be handled through the Administrative office similar to how other stolen or damaged personal artifacts are handled. Staff, students, and parents should be aware that the District is not liable for any personal technology that is stolen, lost, or damaged. Students should not share their personal technology with other students at any time.

District Technology Resources/Damages:

Virtual or physical vandalism shall not be tolerated. Any intentional act by a user of the District’s technology resources that damages, or interferes with the performance of District hardware, software, operating systems, or communication and data management systems will be considered vandalism and will be subject to discipline and/or appropriate criminal or civil action.

Protocols For Using Personal Technology:

Students and employees must abide by all specific protocols outlined in this policy and all other technology policies and applicable regulations. Students and employees will be given specific information for log-on and access procedures using school accounts. No user may deviate from these log-on/access procedures.

Students and employees are advised that the District’s network administrators have the capability to identify users and to monitor all personal technology while they are logged on to the network. Users must understand that the district has reserved the right to conduct monitoring of District technology resources and can do so despite the assignment to individual users of passwords for system security. Any password systems implemented by the district are designed solely to provide system security from unauthorized users, not to provide privacy to the individual system user. The system’s security aspects, message delete function and personal passwords can be bypassed for monitoring purposes. Therefore, users must be aware that they should not have any expectation of personal privacy in the use of personal technology to access District technology resources. This provision applies to any and all uses of the District’s technology resources and District or personal electronic devices that access same.

Disciplinary Action:

Misuse of the District’s technology resources and/or the use of personal technology to access or utilize the District’s technology resources in an inappropriate manner will not be tolerated and will result in disciplinary action.

For staff members, such misuse may result in disciplinary action up to and including termination of employment. As no two situations are identical, the Board reserves the right to determine the appropriate discipline for any particular set of circumstances.

For students, misuse may result in loss of access privileges, a prohibition on the use and/or possession of personal technology on school property, and/or suspension or expulsion in accordance with the Board's policies related to student discipline.

For other members of the school community, misuse may result in loss of access privileges, a prohibition on the use and/or possession of personal technology on school property, referral to the local police, or other appropriate consequences as befit the specific situation.

Student Discipline

I. Definitions

- A. **Dangerous instrument** includes but is not limited to any instrument, article or substance which, under the circumstances in which it is used or attempted or threatened to be used, is capable of causing death or serious physical injury, and includes a "vehicle" or a dog that has been commanded to attack.
- B. **Deadly weapon** includes but is not limited to any weapon, whether loaded or unloaded, from which a shot may be discharged, or a switchblade knife, gravity knife, billy, blackjack, bludgeon or metal knuckles. A weapon such as a pellet gun and/or air soft pistol may constitute a deadly weapon if such weapon is designed for violence and which is capable of inflicting death or serious bodily harm. In making such determination, the following factors should be considered: design of weapon; how weapon is typically used (e.g. hunting); type of projectile; force and velocity of discharge; method of discharge (i.e. spring v. CO₂ cartridge) and potential for serious bodily harm or death.
- B. **Electronic defense weapon** includes but is not limited to a weapon which by electronic impulse or current is capable of immobilizing a person temporarily, but is not capable of inflicting death or serious physical injury including a stun gun or other conductive energy device.
- C. **Emergency** means a situation in which the continued presence of the student in school poses such a danger to persons or property or such a disruption of the educational process that a hearing may be delayed until a time as soon after the exclusion of such student as possible.
- D. **Exclusion** means any denial of public school privileges to a student for disciplinary purposes.
- F. **Expulsion** means the exclusion of a student from school privileges for more than ten (10) consecutive school days. The expulsion period may not extend beyond one (1) calendar year.
- G. **Firearm**, as defined in 18 U.S.C §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 firearm muffler or silencer, or (d) any destructive device. The term firearm does not include an antiques firearm. As used in this definition, a "destructive device" includes any explosive, incendiary, or poisonous gas device, including a bomb, a grenade, a rocket having a propellant charge of more than four ounces, a missile having an explosive or incendiary charge of more than one-quarter ounce, a mine, or any other similar device; or any weapon (other than a shotgun or shotgun shell particular suited for sporting purposes) that will, or may be readily converted to, expel a projectile by explosive or other propellant, and which has a barrel with a bore of more than $\frac{1}{2}$ " in diameter. The term "destructive device" also includes any combination or parts either designed or intended for use in converting any device into any destructive device or any device from which a destructive device may be readily assembled. A "destructive device" does not include: an antiques firearm; a rifle intended to be used by the owner solely for sporting,

recreational, or cultural purposes; or any device which is sporting, recreational, or cultural purposes; or any device which is neither designed nor redesigned for use as a weapon.

- H. **In-School Suspension** means an exclusion from regular classroom activity for no more than ten (10) consecutive school days, but not exclusion from school, provided such exclusion shall not extend beyond the end of the school year in which such in-school suspension was imposed. No student shall be placed on in-school suspension more than fifteen (15) times or a total of fifty (50) days in one (1) school year, whichever results in fewer days of exclusion.
- I. **Martial arts weapon** includes but is not limited to a nunchaku, kama, kasari-fundo, octagon sai, tonfa or chinese star.
- J. **Removal** is the exclusion of a student from a classroom for a class period, provided such exclusion shall not exceed beyond (90) ninety minutes.
- K. **School Days** shall mean days when school is in session for students.
- L. **School-Sponsored Activity** means any activity sponsored, recognized or authorized by the Board and includes activities conducted on or off school property.
- M. **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.
- N. **Suspension** means the exclusion of a student from school 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.
- O. **Weapon** includes but is not limited to 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 devise by which a blade is released from the handle having a blade of over one and one-half inches in length, any stiletto, any knife the edged portion of the blade of which is four inches and over in length, any martial arts weapon or electronic instrument, unless permitted by law under section 29-38 of the Connecticut General Statutes.
- P. 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

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

Students may be disciplined for conduct on school grounds or at any school-sponsored activity that endangers persons or property, is seriously disruptive of the educational process, or that violates a publicized policy of the Board.

B. **Conduct off School Grounds:**

- 1. Students may be suspended or expelled for conduct off school grounds if such conduct is

seriously disruptive of the educational process and violative of a publicized policy of the Board. 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 Conn. Gen. Stat. § 29-38, and whether any injuries occurred; and (4) whether the conduct involved the use of alcohol.

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.

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

Conduct which may lead to disciplinary action (including, but not limited to, removal from class, suspension and/or expulsion) includes conduct on school grounds or at a school-sponsored activity (including on a school bus), 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, the possession and/or display of obscenity or pornographic images or the unauthorized possession and/or display of images, pictures or photographs depicting nudity.
4. Violation of smoking, dress, transportation regulations, or other regulations and/or policies governing student conduct.
5. Refusal to obey a member of the school staff, or law enforcement authorities, or school volunteers, or disruptive classroom behavior.
6. Any act of harassment based on an individual's sex, sexual orientation, race, color, religion, disability, national origin or ancestry.
7. Refusal by a student to identify himself/herself to a staff member when asked, misidentification of oneself to such person(s) lying to school officials or otherwise engaging in dishonest behavior.
8. Inappropriate displays of public affection of a sexual nature and/or sexual activity on school grounds or at a school-sponsored activity.
9. A walk-out from or sit-in within a classroom or school building or school grounds.
10. Blackmailing, threatening or intimidating school staff or students (or acting in a manner that could be construed to constitute blackmail, a threat, or intimidation, regardless of whether intended as a joke).
11. Possession of any weapon, weapon facsimile, deadly weapon, pistol, knife, blackjack, bludgeon, box cutter, metal knuckles, pellet gun, air pistol, explosive device, firearm,

whether loaded or unloaded, whether functional or not, or any other dangerous object. The possession and/or use of any object or device that has been converted or modified for use as a weapon.

12. Possession of any ammunition for any weapon described above in paragraph 11.
13. Unauthorized entrance into any school facility or portion of a school facility or aiding or abetting an unauthorized entrance.
14. Possession or ignition of any fireworks, combustible or other explosive materials, or ignition of any material causing a fire. Possession of any materials designed to be used in the ignition of combustible materials, including matches and lighters.
15. Unauthorized possession, sale, distribution, use, consumption, or aiding in the procurement of tobacco, drugs, narcotics or alcoholic beverages (or any facsimile of tobacco, drugs, narcotics or alcoholic beverages, or any item represented to be tobacco, drugs or alcoholic beverages), including being under the influence of any such substances. For the purposes of this Paragraph 15, the term "drugs" shall include, but shall not be limited to, any medicinal preparation (prescription and non-prescription) and any controlled substance whose possession, sale, distribution, use or consumption is illegal under state and/or federal law.
16. Sale, distribution, or consumption of substances contained in household items; including, but not limited to glue, paint, accelerants/propellants for aerosol canisters, and/or items such as the aerators for whipped cream; if sold, distributed or consumed for the purpose of inducing a stimulant, depressant, hallucinogenic or mind-altering effect.
17. Possession of paraphernalia used or designed to be used in the consumption, sale or distribution of drugs, alcohol or tobacco, as described in subparagraph (15) above. For purposes of this policy, drug paraphernalia includes any equipment, products and materials or any kind which are used, intended for use or designed for use in growing, harvesting, manufacturing, producing, preparing, packaging, storing, containing or concealing, or injecting, ingesting, inhaling or otherwise introducing controlled drugs or controlled substances into the human body, including but not limited to items such as "bongs", pipes, "roach clips", vials, tobacco rolling papers, and any object or container used, intended or designed for use in storing, concealing, possessing, distributing or selling controlled drugs or controlled substances.
18. The destruction of real, personal or school property, such as, cutting, defacing or otherwise damaging property in any way.
19. Accumulation of offenses such as school and class tardiness, class or study hall cutting, or failure to attend detention.
20. Trespassing on school grounds while on out-of-school suspension or expulsion.
21. Making false bomb threats or other threats to the safety of students, staff members, and/or other persons.
22. Defiance of school rules and the valid authority of teachers, supervisors, administrators, other staff members and/or law enforcement authorities.

23. Throwing snowballs, rocks, sticks and/or similar objects, except as specifically authorized by school staff.
24. Unauthorized and/or reckless and/or improper operation of a motor vehicle on school grounds or at any school-sponsored activity.
25. Leaving school grounds, school transportation or a school-sponsored activity without authorization.
26. Use of or copying of the academic work of another individual and presenting it as the student's own work, without proper attribution; or any other form of academic dishonesty, cheating or plagiarism.
27. Use of, but not limited to a cellular telephone, radio, walkman, CD Player, Blackberry, Personal Data Assistant, walkie talkie, smartphone, mobile or handheld device, or similar electronic device on school grounds or at a school-sponsored activity in violation of board policy and/or administrative regulations regulating the use of such devices.
28. Use of a beeper or paging device on school grounds or at a school-sponsored activity without the written permission of the principal or his/her designee.
29. 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 inappropriate purposes.
30. Possession and/or use of a laser pointer, unless the student possesses the laser pointer temporarily for an educational purpose while under the direct supervision of a responsible adult.
31. Hazing.
32. Bullying, defined as the repeated use by one or more students of a written, verbal or electronic communication, such as cyberbullying, directed at or referring to another students attending school in the same school district, or a physical act or gesture by one or more students repeatedly directed at another student attending school in the same school district, that:
 - a) causes physical or emotional harm to such student or damage to such student's property;
 - b) places such student in reasonable fear of harm to himself or herself, or of damage to his or her property;
 - c) creates a hostile environment at school for such student;
 - d) infringes on the rights of such student at school; or
 - e) substantially disrupts the education process or the orderly operation of a school.

Bullying shall include, but not limited to, a written, verbal or electronic communication or physical act or gesture based on any actual or perceived differentiating characteristics,

- such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, socioeconomic status, academic status, physical appearance, or mental, physical, developmental or sensory disability, or by association with an individual or group who has or is perceived to have one or more of such characteristics.
33. Cyberbullying, defined as any act of bullying through the use of the internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any electronic communications.
 34. Acting in any manner that creates a health and/or safety hazard for staff members, students, or the public, regardless of whether the conduct is intended as a joke.
 35. Engaging in a plan to stage or create a violent situation for the purposes recording it by electronic means; or recording by electronic means acts of violence for purposes of later publication.
 36. Engaging in a plan to stage sexual activity for the purposes recording it by electronic means; or recording by electronic means sexual acts for the purposes of later publication.
 37. Using computer systems, including, but not limited to email, instant messaging, text messaging, blogging or the use of social networking websites, or other forms of electronic communications, to engage in any conduct prohibited by this policy.
 38. Use of a privately owned electronic or technological device in violation of school rules, including the unauthorized recording (photographic or audio) of another individual without permission of the individual or a school staff member.
 39. Any action prohibited by a federal or state law.
 40. Any other violation of school rules or regulations or a series of violations which makes the presence of the student in school seriously disruptive of the educational process and/or a danger to persons or property.

IV. DISCRETIONARY AND MANDATORY EXPULSIONS

- A. A principal may consider recommendation of expulsion of a student in a case where he/she has reason to believe the student has engaged in conduct described at sections II.A. and II.B., above.
- B. A principal must recommend expulsion proceedings in all cases against any student whom the administration has reason to believe:
 1. was in possession on school grounds or at a school-sponsored activity of a deadly weapon, dangerous instrument, martial arts weapon, or firearm as defined in 18 U.S.C. §921 as amended from time to time; or
 2. off school grounds, possessed a firearm as defined in 18 U.S.C. §921, in violation of Conn. Gen. Stat. §29-35, or possessed and used a firearm as defined in 18 U.S.C. §921, a deadly weapon, a dangerous instrument or a martial arts weapon in the commission of a crime under Chapter 952 of the Connecticut General Statutes; or

3. was engaged on or off school grounds in offering for sale or distribution a controlled substance (as defined in Conn. Gen. Stat. §21a-240(9)), whose manufacturing, distribution, sale, prescription, dispensing, transporting, or possessing with intent to sell or dispense, offering or administering is subject to criminal penalties under Conn. Gen. Stat. §§21a-277 and 21a-278.

The terms ‘dangerous instrument,’ ‘deadly weapon,’ ‘electronic defense weapon,’ ‘firearm,’ and ‘martial arts weapon,’ are defined above in section I.

- 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. In keeping with Conn. Gen. Stat. § 10-233d and the Gun-free Schools Act, it shall be the policy to expel a student for one (1) full calendar year for: conduct described in section IV (b) (1), (2) and (3) of this policy. For mandatory expulsion offense, the board may modify the term of expulsion on a case-by-case basis.

V. Procedures Governing Removal from Class

- A. A student may be removed from class by a teacher or administrator if 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.
- B. A student may not be removed from a class more than six (6) 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.
- C. The parents or guardian of any minor student removed from class shall be given notice of such disciplinary action by the principal or his/her designee within twenty-four (24) hours of the time of the institution of such removal from class.

VI. Procedures Governing Suspension

- A. The principal of a school, or designee on the administrative staff of the school, shall have the right to suspend any student for breach of conduct as noted in Section II of this policy for not more than ten (10) consecutive school days. In cases where suspension is contemplated, the following procedures shall be followed.
 1. 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 charges and given an opportunity to respond. In the event of an emergency, the informal hearing shall be held as soon after the suspension as possible.
 2. If suspended, such suspension shall be an in-school suspension unless, during the informal hearing, the principal or designee determines that the student: (a) poses such a

danger to persons or property or such a disruption of the educational process that he or she should be excluded from school during the period of suspension; or (b) the administration determines that an out-of-school suspension is appropriate based on evidence of (i) the student's previous disciplinary problems that have led to suspensions or expulsion of such student, and (ii) previous efforts by the administration to address the student's disciplinary problems through means other than out-of-school suspension or expulsion, including positive behavioral support strategies.

3. Evidence of past disciplinary problems that have led to removal from a classroom, suspension, or expulsion of a student who is the subject of an informal hearing may be received by the principal or designee, but only considered in the determination of the length of suspensions.
4. By telephone, the principal or designee shall make reasonable attempts to immediately notify the parent or guardian of a minor student following the suspension and to state the cause(s) leading to the suspension.
5. Whether or not telephone contact is made with the parent or guardian of such minor student, 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. In all cases, the parent or guardian of any minor student who has been suspended shall be given notice of such suspension within twenty four (24) hours of the time of the institution of the suspension.
7. Not later than twenty-four (24) hours after the commencement of the suspension, the principal or designee shall also notify the superintendent or his/her designee of the name of the student being suspended and the reason for the suspension.
8. The student shall be allowed to complete any classwork, including examinations, without penalty, which he or she missed while under suspension.
9. The school administration may, in its discretion, shorten or waive the suspension period for a student who has not previously been suspended or expelled, if the student completes an administration-specified program and meets any other conditions required by the administration. Such administration-specified program shall not require the student and/or the student's parents to pay for participation in the program.
10. Notice of the suspension shall be recorded in the student's cumulative educational record. Such notice shall be expunged from the cumulative educational record if the student graduates from high school. In cases where the student's period of suspension is shortened or waived in accordance with section VI.A(9), above, the administration may choose to expunge the suspension notice from the cumulative record at the time the student completes the administration-specified program and meets any other conditions required by the administration.
11. If the student has not previously been suspended or expelled, and the administration chooses to expunge the suspension notice from the student's cumulative record prior to graduation, the administration may refer to the existence of the of the expunged disciplinary notice, notwithstanding the fact that such notice may have been expunged

from the student's cumulative file, for the limited purpose of determining whether any subsequent suspensions or expulsions by the student would constitute the student's first such offense,

12. The decision of the principal or designee with regard to disciplinary actions up to and including suspensions shall be final.
 13. During the period of suspension, the student shall not be permitted to be on school property and shall not be permitted to attend or participate in any school-sponsored activities unless the principal specifically authorizes the student to enter school property for a specified purpose or to participate in a particular school-sponsored activity.
- B. In cases where a student's suspension will result in the student being suspended, more than ten (10) times or for a total of fifty (50) days in a school year, whichever results in fewer days of exclusion, the student shall, prior to the pending suspension, be granted a formal hearing before the Board of Education. The principal or designee shall report the student to the Superintendent or designee and request a formal Board hearing. If an emergency situation exists, such hearing shall be held as soon after the suspension as possible.

VII. Procedures Governing In-School Suspension

- A. The principal or designee may impose in-school suspension in cases where a student's conduct endangers persons or property, violates school policy, seriously disrupts the educational process or in other appropriate circumstances as determined by the principal or designee.
- B. In-school suspension may not be imposed on a student without an informal hearing by the building principal or designee.
- C. In-school suspension may be served in the school that the student regularly attends or in any other school building within the jurisdiction of the Board.
- D. No student shall be placed on in-school suspension more than fifteen (15) times or for a total of fifty (50) days in one school year, whichever results in fewer days of exclusion.
- E. The parents or guardian of any minor student placed on in-school suspension shall be given notice of such suspension within twenty-four (24) hours of the time of the institution of the period of the in-school suspension.

VIII. Procedures Governing Expulsion Hearing

A. Emergency Exception:

Except in an emergency situation, the Board of Education shall, prior to expelling any student, conduct a hearing to be governed by the procedures outlined herein and consistent with the requirements of Conn. Gen. Stat. §10-233d and the applicable provisions of the Uniform Administrative Procedures Act, Conn. Gen. Stat §§4-176e TO 4-180a, and §4-181a. Whenever an emergency exists, the hearing provided for herein shall be held as soon as possible after the expulsion.

B. Hearing Panel:

1. Expulsion hearings conducted by the Board will be heard by any three or more Board members. A decision to expel a student must be supported by a majority of the Board members present, provided that no less than three (3) affirmative votes to expel are cast.
2. Alternatively, the Board may appoint an impartial hearing board composed of one (1) or more persons to hear and decide the expulsion matter, provided that no member of the Board may serve on such panel.

C. Hearing Notice:

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) within a reasonable time prior to the time of the hearing.
2. A copy of this board policy on student discipline shall also be given to the student, and if the student is a minor, to his/her parent(s) or guardian(s) at the time the notice is sent that an expulsion hearing will be convened.
3. The written notice of the expulsion hearing shall inform the student of the following:
 - a. The date, time, place and nature of the hearing.
 - b. The legal authority and jurisdiction under which the hearing is to be held, including a reference to the particular sections of the legal statutes involved.
 - c. A short, plain description of the conduct alleged by the administration.
 - d. The student may present as evidence, relevant testimony and documents concerning the conduct alleged and the appropriate length and conditions of expulsion, and that the expulsion hearing may be the student's sole opportunity to present such evidence.
 - e. The student may cross-examine witnesses called by the administration.
 - f. The student may be represented by any third party of his/her choice, including an attorney, at his/her expense or at the expense of his/her parents.
 - g. A student is entitled to the services of a translator or interpreter, to be provided by the Board of Education, whenever the student or his/her parent(s) or guardian(s) requires the services of an interpreter because he/she/they do(es) not speak the English language or is disabled.
 - h. The conditions under which the Board is not legally required to give the student an alternative educational opportunity (if applicable).
 - i. Information about free or reduced-rate legal services and how to access such services.

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. A record of the hearing will be maintained, including the verbatim record, all written notices and documents relating to the case and all evidence received or considered at hearing.
3. 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 (2) 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, by the presiding officer 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 concerning the charges. If so, the witnesses will be sworn, will testify, and will be subject to cross examination and to questioning by the presiding officer and/or 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 presiding officer and/or 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 student has denied the allegation, the Board must determine whether the student 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 relevant 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 board may not review notices of prior expulsions or suspensions which have been expunged from the student's cumulative record, except as so provided in Section VI A (8), (9), (10), above, and Section X below. The Board may ask the Superintendent for 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.

12. 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.
13. 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. While the hearing itself is conducted in executive session, the vote regarding expulsion must be made in open session and in a manner that preserves the confidentiality of the student's name and other personally identifiable information.
14. The board may, in its discretion, shorten or waive the expulsion period for a student who has not previously been suspended or expelled, if the student completes Board-specified program and meets any other conditions required by the board. The Board-specified program shall not require the student and/or the student's parents to pay for participation in the program.
15. 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. The parents or guardian or any minor student who has been expelled shall be given notice of such disciplinary action within twenty-four (24) hours of the time of the institution of the period of the expulsion.

E. Presence on School Grounds and Participation in School sponsored Activities During Expulsion:

During the period of expulsion, the student shall not be permitted to be on school property and shall not be permitted to attend or participate in any school-sponsored activities, except for the student's participation in any alternative educational program provided by the district in accordance with this policy, unless the superintendent specifically authorizes the student to enter school property for a specified purpose or to participate in a particular school-sponsored activity.

E. Stipulated Agreements:

In lieu of the procedures used in this section the administration and the parents (or legal guardians) of a student facing expulsion may choose to enter into a joint stipulation of the facts and a joint recommendation to the board concerning the length and conditions of expulsion. Such joint stipulation and recommendations to the board shall include language indicating that the parents (or legal guardians) understand their right to have an expulsion hearing held pursuant to these procedures, and language indicating that the board, in its discretion, has the right to accept or reject the joint stipulation of facts and recommendation. If the board rejects with the joint stipulation of facts and recommendation, an expulsion hearing shall be held pursuant to the procedures outlined herein. If the student is eighteen years of age or older, the student shall have the authority to enter into a joint stipulation and recommendation on his or her own behalf.

If the parties agree on the facts, but not on the disciplinary recommendation, the administration and the parents (or legal guardians) of a student facing expulsion may also choose to enter into a joint stipulation of the facts and submit only the stipulation of the facts to the board in lieu of holding the first part of the hearing, as described above. Such joint stipulation shall include language indicating that the parents understand their right to accept or reject the joint stipulation of facts. If the board rejects the joint stipulation of facts, a full expulsion hearing shall be held pursuant to the procedures outlined herein.

IX. Alternative Educational Opportunities for Expelled Students:

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

Whenever the Board of Education expels a student under sixteen (16) years of age, it shall offer any such student an alternative educational opportunity.

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

1. The Board of Education shall provide an alternative educational opportunity to a sixteen (16) to eighteen (18) 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 such alternative educational opportunity may include, but shall not be limited to, the placement of a pupil who is at least sixteen years of age in an adult education program. Any pupil participating in an adult education program during a period of expulsion shall not be required to withdraw from school as a condition to his/her participation in the adult education program.
2. The Board of Education is not required to offer an alternative educational opportunity to any student between the ages of sixteen (16) and eighteen (18) who is expelled for the second time, or if it is determined at the hearing that (1) the student possessed a dangerous instrument, deadly weapon, firearm or martial arts weapon on school property or at a school-sponsored activity, or (2) the student offered a controlled substance for sale or distribution on school property or at a school-sponsored activity.
3. The Board of Education shall count the expulsion of a pupil when he/she was under sixteen of age for purposes of determining whether an alternative educational opportunity is required for such pupil when he/she is between the ages of sixteen and eighteen.

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

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

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

Notwithstanding Sections IX A. through C. above, 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 opportunity to such student in accordance with the requirements of IDEA, as it may be amended from time to time.

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

The Board of Education may offer an alternative educational opportunity to a pupil for whom such alternative educational opportunity is not required as described in this policy.

X. Notice of Student Expulsion on Cumulative Record:

Notice of expulsion and the conduct for which the student was expelled shall be included on the student's cumulative educational record. Such notice, except for notice of an expulsion 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 cases where the student's period of expulsion is shortened or waived in accordance with section VIII.D(14), above, the Board may choose to expunge the expulsion notice from the cumulative record at the time the student completes the Board-specified programs and meets any other conditions required by the Board.

If the student has not previously been suspended or expelled, and the administration chooses to expunge the expulsion notice from the student's cumulative record prior to graduation, the administration may refer to the existence of the expunged notice, notwithstanding the fact that such notice may have been expunged from the student's cumulative file, for the limited purpose of determining whether any subsequent suspension or expulsion by the student would constitute the student's first such offense.

XI. Change of Residence During Expulsion Proceedings:

A. *Student moving into the school district:*

1. If a student enrolls in the district while an expulsion hearing is pending in another 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 public school district, the Board may adopt the decision of the student expulsion hearing conducted by such other school district. The student shall be excluded from school pending such hearing. The excluded student shall be offered an alternative educational opportunity in accordance with statutory requirements. The Board shall make its determination based upon a hearing held by the Board, which hearing shall be limited to a determination of whether the conduct which was the basis of the previous public school district's expulsion would also warrant expulsion by the Board.

B. *Student moving out of the school district:*

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

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

A. *Suspension of IDEA students:*

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

1. The administration shall make reasonable attempts to immediately notify the parents of the student of the decision to suspend on the date on which the decision to suspend was made, and a copy of the special education procedural safeguards must either be hand-delivered or sent by mail to the parents on the date that the decision to suspend was made.
2. During the period of suspension, the 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.

B. *Expulsion and Suspensions that Constitute Changes in Placement for IDEA students:*

Notwithstanding any provision to the contrary, if the administration recommends for expulsion an IDEA student who has violated any rule or code of conduct of the 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 recommend for expulsion (or to suspend if a change in placement) 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 recommend for expulsion (or to suspend if a change in placement) was made.
2. The school district shall immediately convene the student’s planning and placement team “PPT”, but in no case later than ten (10) school days after the recommendation for expulsion or the suspension that constitutes a change in placement was made. The student’s PPT shall consider the relationship between the student’s disability and the behavior that led to the recommendation for expulsion or the suspension which constitutes a change in placement, in order to determine whether the student’s behavior was a manifestation of his/her disability.
3. If the student’s PPT team finds that the behavior was a manifestation of the student’s disability, the Administration shall not proceed with the recommendation for expulsion or the suspension that constitutes a change in placement.
4. If the student’s PPT finds that the behavior was not a manifestation of the student’s disability, the Administration may proceed with the recommended expulsion or suspension that constitutes a change in placement.

5. During any period of expulsion, or suspension of greater than ten (10) days per school year, the Administration shall provide the student with an alternative education program in accordance with the provisions of the IDEA.
6. When determining whether to recommend an expulsion or a suspension that constitutes a change in placement, the building administrator (or his designee) should consider the nature of the misconduct and any relevant educational records of the student.

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. Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function.

The following definitions shall be used for this subsection XII. C.,

1. Dangerous weapon – means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2.5 inches in length.
2. Controlled substance – means a drug or other substance identified under Schedules I, II, III, IV, or V in Section 202 (c) of the Controlled Substances Act, 21 U.S.C. 812 (c).
3. Illegal drug – means a controlled substance but does not include a substance that is legally possessed or used under any other authority under the controlled substances act or under any other provision of federal law.
4. Serious bodily injury means a bodily injury which involves: (a) a substantial risk of death; (b) extreme physical pain; (c) protracted and obvious disfigurement; or (d) protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

XIII. Procedures Governing Expulsions for Students Identified as Eligible under Section 504 of the Rehabilitation Act of 1973 ("Section 504"):

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 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. The 504 team will 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 recommended 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 recommended expulsion.

XIV. Procedures Governing Expulsions for Students committed to a Juvenile Detention Center:

- A. Any student who commits an expellable offense and is subsequently committed to a juvenile detention center, the Connecticut Juvenile Training School or any other residential placement for such offense may be expelled by the Board in accordance with the provisions of this section. The period of expulsion shall run concurrently with the period of commitment to a juvenile detention center, the Connecticut Juvenile Training School or any other residential placement.
- B. If a student who committed an expellable offense seeks to return to a school district after having been in a juvenile detention center, the Connecticut Juvenile Training School or any other residential placement, and such student has not been expelled by the Board of Education for such offense under subdivision (a) of this subsection, the board shall allow such student to return and may not expel the student for additional time for such offense.

XV. Early Readmission to School

An expelled student may apply for early readmission to school. The Board delegates the authority to make decisions on readmissions requests to the Superintendent. Students desiring readmission to school shall direct such readmission requests to the Superintendent. The Superintendent has the discretion to approve or deny such readmission requests, and may condition readmission on specified criteria.

XVI. Dissemination of 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

- A. The Board of Education shall report all suspensions and expulsions to the State Department of Education.
- B. 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.

- C. If the Board of Education expels a student for possession of a deadly weapon or firearm, as defined in Conn. Gen. Stat. § 53a-3, the violation shall be reported to the local police.

Sex Discrimination and Sexual Harassment (Students) - Policy

It is the policy of the Board of Education that any form of sex discrimination or sexual harassment is prohibited, whether by students, Board employees or third parties subject to the control of the Board. Students, Board employees and third parties are expected to adhere to a standard of conduct that is respectful of the rights of students. Any student or employee who engages in conduct prohibited by this policy shall be subject to disciplinary action.

The Superintendent of Schools shall develop Administrative Regulations implementing this policy.

Definitions

Sex discrimination occurs when a person, because of his or her gender, is denied participation in or the benefits of any education program.

Sexual harassment: in a school setting, sexual harassment is conduct that

1. is sexual in nature;
2. is unwelcome, and
3. denies or limits a student's ability to participate in or benefit from a school's educational program.
Sexual harassment can be verbal, nonverbal or physical.

Although not an exhaustive list, the following are examples of sexual conduct prohibited by this policy:

1. Statements or other conduct made either explicitly or implicitly, indicating that submission to, such conduct is a term or condition of an individual's grade or academic performance and/or conduct that has the purpose or effect of substantially interfering with an individual's academic performance or creating an intimidating, hostile, or offensive learning environment.
2. Unwelcome attention and/or advances of a sexual nature, including, but not limited to, verbal comments, sexual invitations, and physical touching.
3. Display or circulation, electronically or otherwise, of sexually suggestive or obscene materials including, but not limited to e-mails, text messages, invitations, letters, notes, slurs, jokes, pictures, cartoons, epithets, or gestures.
4. Any behaviors or activities occurring on more than one occasion that collectively instill fear in the victim and/or threaten her/his safety, mental health, and /or physical health. Such behaviors or activities may include, but are not limited to non-consensual communications (face-to-face, telephone, e-mail, threatening or obscene gestures, surveillance, or showing up outside victim's classroom or workplace).
5. Retaliation against a person for filing a complaint, or against witnesses for providing testimony during an investigation.

Procedure

It is the express policy of the Board of Education to encourage victims of sex discrimination or sexual harassment to report such claims. Students are encouraged to promptly report complaints of sex discrimination or sexual harassment to the appropriate personnel, as set forth in the Administrative Regulations implementing this policy. The District will investigate such complaints promptly and will take corrective action where appropriate. The District will maintain confidentiality to the extent possible. The District will not tolerate any reprisals or retaliation that occur as a result of the good faith reporting of charges of sexual harassment or sex discrimination. Any such reprisals or retaliation will result in disciplinary action against the retaliator.

The school District will periodically provide staff development for District administrators and periodically distribute this policy and the implementing Administrative Regulations to staff and students in an effort to maintain an environment free of sexual harassment and sex discrimination.

Sex Discrimination and Sexual Harassment (Students) – Administrative Regulation

It is the policy of the Board of Education that any form of sex discrimination or sexual harassment is forbidden, whether by students, Board employees or third parties subject to the control of the Board. Students, Board employees and third parties are expected to adhere to a standard of conduct that is respectful of the rights of students. Any student or employee who engages in conduct prohibited by the Board's sex discrimination and sexual harassment policy shall be subject to disciplinary action.

Definitions

Sex discrimination occurs when a person, because of his or her sex, is denied participation in or the benefits of any education program receiving federal financial assistance.

Sexual harassment: in a school setting, sexual harassment is conduct that

1. is sexual in nature;
2. is unwelcome; and
3. denies or limits a student's ability to participate in or benefit from a school's education program.
Sexual harassment can be verbal, nonverbal or physical.

Although not an exhaustive list, the following are examples of sexual conduct prohibited by this policy:

1. Statement or other conduct indicating that a student's submission to, or rejection of, sexual overtures will affect the student's grades and/or other academic progress.
2. Unwelcome attention and/or advances of a sexual nature, including verbal comments, sexual invitations, leering and physical touching.
3. Display of sexually suggestive objects, or use of sexually suggestive or obscene remarks, invitation, letters, notes, slurs, jokes, pictures, cartoons, epithets or gestures.
4. Touching of a sexual nature or telling sexual or dirty jokes.
5. Circulating or showing emails or websites of a sexual nature.

Complaint Procedure

1. It is the express policy of the Board of Education to encourage victims of sex discrimination or sexual harassment to promptly report such claims. Timely reporting of complaints facilitates the investigation and resolution of such complaints.
2. As soon as a student feels that he or she has been subjected to sex discrimination or sexual harassment, he/she should make a written complaint to the Principal, or his/her designee. The student will be provided a copy of this policy and regulation and made aware of his or her rights.
3. The complaint should state the:
 - a. Name of the complainant,
 - b. Date of the complaint,
 - c. Date(s) of the alleged harassment/discrimination,
 - d. Names(s) of the harasser(s) or discriminator(s),
 - e. Location where such harassment/discrimination occurred,
 - f. Names of any witness(es) to the harassment/discrimination, and
 - g. Detailed statement of the circumstances constituting the alleged harassment/discrimination.
4. Any student who makes an oral complaint of harassment or sex discrimination to any of the above-mentioned personnel will be provided a copy of this regulation and will be requested to make a written complaint pursuant to the above procedure. In appropriate circumstances, due to the age of the student making the complaint, a parent or school administrator may be permitted to fill out the form on the student's behalf.
5. If the complainant is a minor student, the person to whom the complaint is given should consider whether a child abuse report should be completed.
6. All complaints are to be forwarded immediately to the Principal or designee unless that individual is the subject of the complaint, in which case the complaint should be forwarded directly to the Superintendent of Schools. In addition, a copy of any complaint filed under this policy shall be forwarded to the Title IX Coordinator.
7. Upon receipt of a sexual harassment or sex discrimination complaint, the Title IX Coordinator shall either promptly commence an investigation of the complaint, or shall designate a school administrator to investigate the complaint. The Title IX Coordinator or designee shall consult with all individuals reasonably believed to have relevant information, including the complainant, the alleged harasser/discriminator and any witnesses to the conduct. The investigation shall be carried on discreetly, maintaining confidentiality insofar as possible while still conducting an effective and thorough investigation.
8. The Title IX Coordinator or designee shall make a written report summarizing the results of the investigation and proposed disposition of the matter. Consistent with state and federal law and as deemed appropriate by the Title IX Coordinator or designee, the findings of the investigation shall be shared with persons involved in the investigation.

9. If the student complainant is dissatisfied with the findings of discrimination/harassment of the investigation, he or she may file a written appeal to the Title IX Coordinator, or, if he or she conducted the investigation, to the Superintendent of Schools, who shall review the Title IX Coordinator or designee's written report, the information collected by the Title IX Coordinator or designee together with the recommended disposition of the complaint to determine whether the alleged conduct constitutes sexual harassment or sex discrimination. The Title IX Coordinator or Superintendent of Schools may also investigate the complaint further. After completing this review, the Title IX Coordinator or Superintendent of Schools shall respond to the complainant, in writing, as soon as possible.

If after a thorough investigation, there is reasonable cause to believe that sexual harassment or sex discrimination has occurred, the District shall take appropriate corrective action in an effort to ensure that the harassment/discrimination ceases and will not recur.

Retaliation against any individual who complains pursuant to this policy and procedure is strictly prohibited. The District will take actions necessary to prevent retaliation as a result of filing a complaint.

Copies of this regulation will be distributed to all students.

Title IX Coordinator

The Title IX Coordinator for the Tolland Board of Education is Dr. Kathryn Eidson, whose office is located at Tolland High School and whose telephone number is (860) 870-6818.

Asbestos Notification

Pursuant to the regulations of the Environmental Protection Agency's Asbestos Hazardous Emergency Response Act (AHERA), the Tolland Board of Education is notifying you of the asbestos activities in all of the Tolland Schools.

These activities involve the monitoring of any asbestos-containing materials with a visual inspection every six months, providing custodians in each facility with a two-hour awareness program and alerting them as to any precautions where necessary. In addition, every three years, Tolland will reinspect for asbestos, as required by AHERA, and will update its management plan and send a report to the State Commissioner of Education for his records.

The Asbestos Management Plan is available for public inspection at the following address. Please call (860) 870-6850 to set up an appointment.

**Tolland Board of Education
51 Tolland Green
Tolland, CT 06084 (Location of Management Plan)**

Parental Right to Teacher/Paraprofessional Qualifications

As a parent of a student enrolled in the Tolland Public Schools under the No Child Left Behind Act of 2001, you have a right to request the following information concerning the qualifications of teachers and paraprofessionals who work with your child:

1. Whether your child's teacher has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;
2. Whether your child's teacher is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived.
3. The baccalaureate degree major of your child's teacher and any other graduate certification or degree held by the teacher, and the field of discipline of the certification or degree, and
4. Whether your child is provided services by paraprofessional, and, if so, the paraprofessional's qualifications.

If you wish to obtain this information, please contact the Superintendent's office, at (860) 870-6850.

Free or Low Cost Legal Services

What follows is a list of organizations which can provide you with low cost legal services:

State Office of Protection and Advocacy for Persons with Disabilities

60-B Weston Street
Hartford, CT 06120-1551
(860) 297-4300

Legal Services Organization

Yale Law School
133 Wall Street
New Haven, CT 06520
(203) 432-4800

Center for Children's Advocacy, Inc.

University of Conn. School of Law
65 Elizabeth Street
Hartford, CT 06105
(860) 570-5327

Greater Hartford Legal Assistance

999 Asylum Ave, 3rd Fl.
Hartford, CT 06106
(860) 541-5000

New Haven Legal Assistance Assoc., Inc.

426 State Street
New Haven, CT 06510
(203) 946-4811

Connecticut Legal Services, Inc.

872 Main Street
Willimantic, CT 06226
Phone: (860) 456-1761
Fax: (860) 456-7420

Section 504 of the Rehabilitation Act of 1973

Section 504 is an Act which prohibits discrimination against persons with a disability in any program receiving Federal financial assistance. The Act defines a disability with respect to an individual as:

1. a physical or mental impairment that substantially limits one or more major life activities of such individual; or
2. a record of such an impairment, or
3. being regarded as having such an impairment.

In order to fulfill its obligation under Section 504, the Tolland Public Schools recognize a responsibility to avoid discrimination in policies and practices regarding its personnel, students, parents and members of the public

who participate in school sponsored programs. In this regard, the Tolland Public Schools will not knowingly permit discrimination against any person with a disability in any of the programs operated by the school system. Persons who feel that they may have been discriminated against on the basis of disability should contact the Tolland Public Schools Section 504 Coordinator.

The school District has specific responsibilities under the Act, with respect to providing access to appropriate educational services for students who qualify under section 504. These responsibilities include the obligation to identify, to evaluate, and to afford access to appropriate educational services. If the parent or guardian disagrees with the decisions made by the professional staff of the school District with respect to the identification, evaluation, or educational placement of their child he/she has a right to an impartial hearing. Additional written information about an impartial hearing is available from the Section 504 Coordinator.

Please contact Kathleen Raymond Director of Pupil Services, § 504 Coordinator for the Tolland Public Schools, at phone number (860) 870-6818 with any additional questions or concerns about this policy.

LEGAL REFERENCES:

- 29 U.S.C. § 794
- 34 C.F.R. § 104 ET SEQ
- 42 U.S.C. 12101 Et Seg.
- ADA Amendments of 2008, Public Law 110-325

PROTECTING STUDENTS WITH DISABILITIES, FREQUENTLY ASKED QUESTIONS ABOUT SECTION 504 AND THE EDUCATION OF CHILDREN WITH DISABILITIES, OFFICE OF CIVIL RIGHTS (MARCH 27, 2009), AVAILABLE AT [HTTP://WWW.ED.GOV/ABOUT/OFFICES/LIST/OCR/504FAQ.HTML](http://www.ed.gov/about/offices/list/ocr/504FAQ.html)

Student Attendance and Truancy - Policy

Regular and punctual student attendance in school is essential to the educational process. Connecticut state law places responsibility for assuring that students attend school with the parent or other person having control of the child. To assist parents and other persons in meeting this responsibility, the Board of Education, through its Superintendent, will adopt and maintain procedures to implement this policy.

Student Attendance and Truancy – Administrative Regulation

A. Definitions:

1. "Absence" - any day during which a student is not considered "in attendance" at his/her assigned school, or on a school sponsored activity (e.g. field trip), for at least one half of the school day.
2. "Educational Evaluation" - for purposes of this policy, an educational evaluation is an assessment of a student's educational development, which, based upon the student's presenting characteristics, would assess (as appropriate) the following areas: health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status and motor abilities.
3. "Excused Absence" - an absence from a regularly scheduled school day for at least one-half of the school day; for which absence, the school has received written documentation describing the reason for the absence within ten days of the student's return to school, or the child has been excluded from school in accordance with Section 12-210 of the Connecticut General Statutes, and meets the following criteria:
 - A. Any absence before the student's tenth absence, is considered excused when the student's parent/guardian approves such absence and submits appropriate written documentation; and

- B. For the student's tenth absence and all absences thereafter, a student's absences from school are considered excused only for the following reasons
- a. student illness (verified by an appropriately licensed medical professional);
 - b. Religious holidays;
 - c. mandated court appearances (documentation required);
 - d. Funeral or death in the family or other emergency beyond the control of the student's family;
 - e. extraordinary educational opportunities pre-approved by the district administrators and in accordance with Connecticut State Department of Education Guidance;
 - f. lack of transportation that is normally provided by a district other than the one the student attends.
4. "In Attendance" - any day during which a student not considered to be absent from his/her assigned school, or from an activity sponsored by the school (e.g. field trip), for at least one-half of the school day.
 5. "Student" - a student enrolled in the Tolland Public Schools.
 6. "Truant" - any student five (5) to eighteen (18) years of age, inclusive, who has four (4) unexcused absences from school in any one month or ten (10) unexcused absences from school in any school year.
 7. "Unexcused Absence" - any absence from a regularly scheduled school day for at least one half of the school day, unless the absence is an excused absence as defined above or the absence is a disciplinary absence.

The determination of whether an absence is excused will be made by the building Principal or his/her designee. Parents or other persons having control of the child may appeal that decision to the Superintendent or his/her designee, whose decision shall be final.

8. "Written Documentation" – includes a signed note from the student's parent/guardian, a signed note from a school official that spoke in person with the parent/guardian regarding the absence, or a note confirming the absence by the school nurse or by a licensed medical professional, as appropriate, that explains the nature of and the reason for the absence as well as the length of the absence.

B. Truancy exceptions:

1. A student five (5) or six (6) years of age shall not be considered truant if the parent or person having control over such student has appeared personally at the school district office and exercised the option of not sending the child to school at five (5) or six (6) years of age.
2. A student seventeen (17) years of age shall not be considered truant if the parent or person having control over such student consents to such student's withdrawal from school. Such parent or person shall personally appear at the school district office and sign a withdrawal form indicating such consent. Such withdrawal form must include an attestation from a guidance counselor or school administrator

from the school that the district provided the parent (or person having control of the child) with information on the educational options available in the school system and community.

3. If a parent or guardian of an expelled student chooses not to enroll the student in an alternative program, the student shall not be considered to be "truant."

C. Readmission to School Following Voluntary Withdrawal

1. Except as noted in paragraph 2 below, if a student voluntarily withdraws from school (in accordance with Section B.2, above) and subsequently seeks readmission, the Board may deny school accommodations to the student for up to ninety (90) school days from the date of the student's withdrawal from school.
2. If a student who has voluntarily withdrawn from school (in accordance with Section B.2, above) seeks readmission within ten (10) school days of his/her withdrawal, the Board shall provide school accommodations to the student not later than three (3) school days after the student requests readmission.

D. Determinations of whether a student is "in attendance":

1. A student serving an out of school suspension or expulsion shall be reported as absent unless he or she receives an alternative educational program for at least one half of the regular school day.
2. On early dismissal days and days shortened due to inclement weather, the regular school day for attendance purposes is considered to be the amount of instructional time offered to students on that day. For example, if school is open for four hours on a shortened day scheduled, a student must be present for a minimum of two hours in order to be considered "in attendance."
3. Students placed on homebound instruction due to illness or injury in accordance with applicable regulations and requirements are counted as being "in attendance" for every day that they receive instruction from an appropriately certified teacher for an amount of time deemed adequate by the administration so as to ensure that the student is able to successfully return to the regular classroom setting.

E. Procedures for students in grades K-8*

1. Notification
 - a. Annually at the beginning of the school year and upon the enrollment of any child during the school year, the administration shall notify the parent or other person having control of the student enrolled in grades K – 8 in writing of the obligations pursuant to Conn. Gen. Stat. §10-184 to assure that such a student attends school regularly or to show that the child is elsewhere receiving equivalent instruction in the studies taught in the Tolland Public Schools.
 - b. Annually at the beginning of the school year and upon the enrollment of any child during the school year, the administration shall obtain from the parent or other person having control of the student in grades K- 8 a telephone number or other means of contacting such parent or other person during the school day.

2. Monitoring

Each school shall implement a system of monitoring individual unexcused absences of students in grades K- 8. Whenever such a student fails to report to school on a regularly scheduled school day, school personnel under the direction of the building Principal, shall make a reasonable effort to notify the parent or other person having control of such student by telephone and by mail of the student's absence, unless school personnel have received an indication that the parent or other person is aware of the student's absence. Mailed notice of the student's absence shall include a warning that two unexcused absences from school in a month or five unexcused absences in a school year may result in a complaint filed with the superior court pursuant to section 46b-149 alleging the belief that the acts or omissions of the child are such that the child's family is a family with service needs. Any person who, in good faith, gives or fails to give such notice shall be immune from liability, civil or criminal, which might otherwise be incurred or imposed and shall have the same immunity with respect to any judicial proceeding which results from such notice or failure to give notice.

F. Procedures Applicable to Students Ages Five (5) to Eighteen (18)

1. Intervention

- a. When a student is truant, the building principal or his/her designee shall schedule a meeting with the parent (or other person having control of such student) and appropriate school personnel to review and evaluate the reasons for the student's truancy. This meeting shall be held no later than ten (10) days after the student becomes truant. The district shall document the meeting, and if parent or other person declines to attend the meeting, or is otherwise non responsive, that fact shall also be documented and the meeting shall proceed with school personnel in attendance.
- b. When a student is truant, the Superintendent or his/her designee shall coordinate services with and referrals of students to community agencies providing child and family services, as appropriate. The district shall document efforts to contact and include families and to provide early intervention in truancy matters.
- c. If the parent or other person having control of a student who is truant fails to attend the meeting held pursuant to Subsection A., above, or otherwise fails to cooperate with the school in attempting to solve the truancy problem, the Superintendent shall file, within fifteen calendar days of such failure to attend the meeting or other failure to cooperate with the school in attempting to solve the truancy problem, for such truant a written complaint with the Superior Court pursuant to Conn. Gen. Stat. § 46b - 149 alleging the belief that the acts or omissions of the truant are such that his/her family is a family with service needs.
- d. In addition to the procedures specified in subsections A through C above, a regular education student who is experiencing attendance problems should be referred to the building Child Study Team, or other appropriate school based team to consider the need for additional interventions and/or assistance. The team will also consider whether the student should be referred to a Planning and Placement Team ("PPT") meeting to review the student's need and eligibility for Special Education. A special education student who is experiencing attendance problems should be referred to a PPT meeting for program review.

- e. If a FWSN petition is filed and the court orders an educational evaluation of the student, the district shall conduct an appropriate educational evaluation if no such evaluation has been performed within the preceding year.
 - i) for a regular education student, the educational evaluation will be conducted or arranged for by appropriate school personnel and coordinated through the Child Study Team, or other appropriate school based team. Upon completion of the evaluation of a regular education student, the child study team, or other appropriate school based team shall review the evaluations and make appropriate recommendations for alternative procedures, programs or interventions. Such recommendations may include a referral of the student for further evaluation and/or consideration for special education eligibility.
 - ii) In the case of a student who requires or may require special education and related services, the District shall convene a PPT to determine what evaluations may be appropriate to assess any specific areas of concern. The PPT shall reconvene to review the evaluations and make appropriate recommendations regarding the student's need for special education services and the need, if any, to revise the student's Individualized Education Program ("IEP").

G. Reports to the State Regarding Truancy Data:

Annually, each local and regional Board of Education shall include information regarding truancy in the strategic school profile report for each school under its jurisdiction and for the school district as a whole submitted to the commissioner of education. Measures of truancy include the type of data that is required to be collected by the Department of Education regarding attendance and unexcused absences in order for the department to comply with federal reporting requirements and the actions taken by the board of education to reduce truancy in the school district.

Sample Notification Regarding Student Attendance

Regular and punctual student attendance is essential to the educational process. Connecticut General Statutes Section 10-184 provides that "each parent or other person having control of a child five years of age and over and under eighteen years of age shall cause such child to attend a public day school regularly during the hours and terms the public school in the District wherein such child resides is in session, unless such child is a high school graduate or the parent or person having control of such child is able to show that the child is elsewhere receiving equivalent instruction in the studies taught in the public schools. The parent or person having control of a child seventeen years of age may consent, as provided in this section, to such child's withdrawal from school. Such parent or person shall personally appear at the school district office and sign a withdrawal form. The school District shall provide such parent or person with information on the educational options available in the school system and in the community, and shall include an attestation on the withdrawal form from a guidance counselor or school administrator from the school that the district provided the parent (or person having control of the child) with information on the educational options available in the school system and community. The parent or person having control 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 and the parent or person having control of a child six years of age shall have the option of not sending the child to school until the child is seven years of age. The parent or person shall exercise such option by personally appearing at the school District office and signing an option form. The school district shall provide the parent or person with information on the educational opportunities available in the school system."

In order to assist parents and other persons in meeting this responsibility, the Tolland Board of Education monitors unexcused student absences and makes reasonable efforts to notify parents or other persons by contacting them when a student fails to report to school. State law provides that any person who, in good faith, gives or fails to give such notice shall be immune from any liability, civil or criminal, which might otherwise be incurred or imposed and shall have the same immunity with respect to any judicial proceeding which results from such notice or failure to give such notice. The Board, therefore, must obtain a telephone number or other means of contacting parents or other persons during the school day.

Please provide the following information and return the completed form, signed and dated to:

Student's Name: _____

Address: _____

School/Grade: _____ / _____

Father's Daytime Telephone Number*: _____

Mother's Daytime Telephone Number*: _____

Daytime Telephone Number* of
other Person Having Control

of Student: _____ Relationship to Student: _____

*If no daytime telephone number is available, please specify other means by which school personnel may contact you during the school day. _____

Signature: _____

Date: _____

*Note: state law mandates notification only with regard to students in grades k-8. Boards of education are free, however, to extend the notification to parents of students at all grade levels.

Food Allergy Management Plan and Guidelines

The Tolland Public Schools recognize that food allergies may be life threatening. For this reason, the District is committed to developing strategies and practices to minimize the risk of accidental exposure to life threatening food allergens and to ensure prompt and effective medical response should a child suffer an allergic reaction while at school. The District further recognizes the importance of collaborating with parents and appropriate medical staff in developing such practices and encourages strategies to enable the student to become

increasingly proactive in the care and management of his/her food allergy, as developmentally appropriate. To this end, the Tolland Public Schools adopt the following guidelines related to the management of life threatening food allergies for students enrolled in District schools.

I. Identifying Students with Life-Threatening Food Allergies

Early identification of students with life-threatening food allergies is important. The District therefore encourages parents/guardians of children with a life-threatening food allergy to notify the school of the allergy, providing as much information about the extent and nature of the food allergy as is known, as well as any known effective treatment for the allergy.

II. Individualized Health Care Plans and Emergency Care Plans

1. If the District determines that a child has a life-threatening food allergy, the District shall develop an individualized health care plan (IHCP) for the child. Each IHCP should contain information relevant to the child's participation in school activities, and should attempt to strike a balance between individual, school and community needs, while fostering normal development of the child.
2. The IHCP should be developed by a group of individuals, which shall include the parents, and appropriate school personnel. Such personnel may include, but are not limited to, the school nurse, school or food service administrator(s); classroom teacher(s); and the student, if appropriate. The school may also consult with the school's medical advisor, as needed.
3. IHCPs are developed for students with special health needs or whose health needs require daily interventions. The IHCP describes how to meet the child's health and safety needs within the school environment and should address the student's needs across school settings. Information to be contained in an IHCP should include a description of the functional health issues (diagnoses); student objectives for promoting self-care and age appropriate independence; and the responsibilities of parents, school nurse and other school personnel. The IHCP may also include strategies to minimize the student's risk for exposure, such as considerations regarding:
 - a. Classroom environment, including allergy free considerations;
 - b. Cafeteria safety;
 - c. Participation in school nutrition programs;
 - d. Snacks, birthdays and other celebrations;
 - e. Alternatives to food rewards or incentives;
 - f. Hand-washing;
 - g. Location of emergency medication;
 - h. Risk management during lunch and recess times;
 - i. Special events;
 - j. Field trips;
 - k. Extracurricular activities;
 - l. School transportation;
 - m. Staff notification;
 - n. Transitions to new classrooms, grades and/or buildings; and
 - o. Label reading.
4. The IHCP should be reviewed annually, or whenever there is a change in the student's emergency care plan, changes in self-monitoring and self-care abilities of the student, or

following an emergency event requiring the administration of medication or the implementation of other emergency protocols.

5. In addition to the IHCP, the District shall also develop an emergency care plan (ECP) for each child identified as having a life threatening food allergy. The ECP is part of the IHCP and describes the specific directions about what to do in a medical emergency. The ECP should include the following information:
 - a. The child's name and other identifying information, such as date of birth, grade and photo;
 - b. The child's specific allergy;
 - c. The child's signs and symptoms of an allergic reaction;
 - d. The medication, if any, or other treatment to be administered in the event of exposure;
 - e. The location and storage of the medication;
 - f. Who will administer the medication (including self-administration options, as appropriate);
 - g. Other emergency procedures, such as calling 911, contacting the school nurse, and/or calling the parents or physician;
 - h. Recommendations for what to do if the child continues to experience symptoms after the administration of medication; and
 - i. Emergency contact information for the parents/family and medical provider.
6. In developing the ECP, the school nurse should obtain current health information from the parents/family and the student's health care provider, including the student's emergency plan and all medication orders. If needed, the school nurse or other appropriate school personnel, should obtain consent to consult directly with the child's health care providers to clarify medical needs, emergency medical protocol and medication orders.
7. A student identified as having a life-threatening food allergy is entitled to an IHCP and an ECP, regardless of his/her status as a child with a disability, as that term is understood under 504, or the IDEA.
8. The District shall ensure that the information contained in the IHCP and ECP is distributed to any school personnel responsible for implementing any provisions of the IHCP and/or ECP.
9. Whenever appropriate, a student with a life-threatening food allergy should be referred to a Section 504 team for consideration if/when there is reason to believe that the student has a disability that substantially limits a major life activity, as defined by Section 504. Whenever appropriate, students with life-threatening food allergies should be referred to a PPT for consideration of eligibility for special education and related services if there is reason to suspect that the student has a qualifying disability and requires specialized instruction.
10. When making eligibility determinations under Section 504 and/or the IDEA, schools must consider the student's needs on an individualized, case-by-case basis.

III. Training/Education

1. The District shall provide appropriate education and training for school personnel regarding the management of students with life-threatening food allergies. Such training shall include, as appropriate for each school (and depending on the specific needs of the individual students at the school) training in the administration of medication with cartridge injectors (i.e. epi-pens) and/or preventative strategies to minimize a child's risk of exposure to life-threatening allergens.

School personnel will be also be educated on how to recognize symptoms of allergic reactions, and what to do in the event of an emergency. Staff training and education will be coordinated by the nursing coordinator. Any such training regarding the administration of medication shall be done accordance with state law and Board policy.

2. Each school within the District shall also provide age-appropriate information to students about food allergies, how to recognize symptoms of an allergic reaction and the importance of adhering to the school's policies regarding food and/snacks.

IV. Prevention

Each school within the District will develop appropriate practices to minimize the risk of exposure to life threatening allergens. Practices which may be considered may include, but are not limited to:

1. Encouraging handwashing;
2. Discouraging students from swapping food at lunch or other snack/meal times;
3. Encouraging the use of non-food items as incentives, rewards or in connection with celebrations.

V. Communication

1. As described above, the school nurse shall be responsible for coordinating the communication between parents, a student's individual health care provider and the school regarding a student's life threatening allergic condition. School staff responsible for implementing a student's IHCP will be notified of their responsibilities and provided with appropriate information as to how to minimize risk of exposure and how to respond in the event of an emergency.
2. Each school will ensure that there are appropriate communication systems available within each school (i.e. telephones, cell phones, walkie-talkies) and for off-site activities (i.e. field trips) to ensure that school personnel are able to effectively respond in case of emergency.
3. The District shall develop standard letters to be sent home to parents, whenever appropriate, to alert them to food restrictions within their child's classroom or school.
4. All District staff are expected to follow District Policy and/or federal and state law regarding the confidentiality of student information, including medical information about the student.
5. The District shall make the food allergy management plan and guidelines available on the Board's website.
6. The District shall provide annual notice to parents and guardians regarding the food allergy management plan and guidelines. Such notice shall be provided in conjunction with the annual written statement provided to parents and guardians regarding pesticide applications in the schools.

VI. Monitoring the District's Plan and Procedures

The District should conduct periodic assessments of its food allergy management plan and procedures. Such assessments should occur at least annually and after each emergency event involving the administration of medication to determine the effectiveness of the process, why the incident occurred, what worked and what did not work.

The Superintendent shall annually attest to the Department of Education that the District is implementing the food allergy management plan and guidelines.

CONNECTICUT STATE DEPARTMENT OF EDUCATION
Complaint Resolution Procedure
Elementary and Secondary Education Act
34 code of Federal Regulations (CFR) Part 299(10)(a)

I. Filing of Complaint

A. Violation of Law

A written complaint may be filed by an organization or individual with the Connecticut Commissioner of Education alleging that the state educational agency (SEA) or an agency or consortium of agencies is violating a federal statute or regulation that applies to the following applicable programs:

1. Part A of Title I (improving Basic Programs Operated by Local Educational Agencies).
2. Part B, Subpart 1 of Title I (Reading First).
3. Part B, Subpart 3 of Title I (Even Start Family Literacy Programs).
4. Part D of Title I (Children and Youth Who are Neglected, Delinquent, or At Risk of Dropping Out).
5. Part A of Title II (Teacher and Principal Training and Recruiting Fund).
6. Part D of Title II (Enhancing Education Through Technology).
7. Part A of Title III (English Language Acquisition, Language Enhancement, and Academic Achievement Act).
8. Part B, Subpart 4 of Title III (Emergency Immigrant Education Program).
9. Part A of Title IV (Safe and Drug-Free Schools and Communities).
10. Part A of Title V (Innovative Programs).

B. Review of an Appeal

A written complaint may be filed by an individual with the Connecticut Commissioner of Education appealing the decision of an agency or consortium of agencies based on prior written complaint presented by an individual to such agency or consortium of agencies.

C. Content of Complaint

The complaint shall be in writing, signed by the complainant and contain the following:

1. A statement that SEA or an agency or consortium of agencies has violated a requirement of federal statutes or regulation regarding the applicable program, or in the case of an appeal, a statement of aggrievement with the decision rendered by the agency or consortium of agencies based on a prior written complaint.
2. A clear and concise description of the facts on which the statement is based on the specific alleged violation or aggrievement.

3. A description of prior efforts to resolve the complaint, including information demonstrating that the SEA, agency or consortium of agencies has taken action within a reasonable period of time.
4. Complainant's and respondent's name, address and telephone number.
5. Other material or documents containing information which support or clarify the statement.

II. Review of Complaint

A. Analysis

Within three business days of the receipt of the complaint, the Commissioner shall assign a review official. Within five business days of the assignment, the review official shall determine whether the complaint has been properly filed in accordance with Section I. If necessary, the review official shall interview the complainant.

B. Dismissal on Complaint

The review official may dismiss the complaint in writing stating an explanation for such action. The grounds for dismissal shall include, but not limited to, the following:

1. Failure to file a proper complaint pursuant to Section I.
2. The allegations fail to state a bona fide violation of federal statute or regulations by the SEA or an agency or consortium of agencies.
3. The allegations fail to state a bona fide aggrievement with the decision by an agency or consortium of agencies based on prior written complaint.
4. The allegations were not caused by the actions or failure to act by the SEA, agency or consortium of agencies.

III. Notification of Complaint and Investigation

If a complaint is not dismissed, the review official shall forward the complaint to the respondent immediately along with a copy of the Complaint Resolution Procedures.

IV. Response to Complaint

Within 10 business days of the receipt of the complaint from the review official, the respondent shall file with the Commissioner a written response to the complaint.

A. Content of Response

The response shall address each and every allegation of the complaint and shall list the respondent's name, address and telephone number.

B. Interview

The review official or the respondent may request an interview to discuss the response and to resolve the dispute informally.

V. Complaint Investigation

Upon completion of Section IV or the failure of the respondent to file a response, the review official shall conduct an investigation. All parties may be duly notified that an investigation has begun. At any time during the investigation, the review official shall attempt to resolve the dispute informally.

Within 60 calendar days of the receipt of the complaint, an investigation of the complaint shall be completed and a written report shall be mailed to both parties. Information shall be gathered in a timely manner, while minimizing any inconvenience or disruption to the complainant or respondent.

Concerning a review of an appeal of the decision of an agency or consortium of agencies, the review official may elect to disregard the procedures contained in this section using in lieu thereof the following abbreviated procedure:

1. Review all of the appropriate records and determine whether the decision of the agency or consortium of agencies shall be affirmed, reversed or modified.
2. Draft a letter of review of an appeal addressing, but not limited to, the issue in dispute, the facts found, the affirmation, reversal or modification of the lower decision and recommendation for improved practices, policies or procedures.

A. Data Collection

The complainant and respondent shall provide the review official with copies of all relevant records requested in writing. Telephone interviews of the complainant, respondent and others with knowledge of the allegations may be conducted.

Pursuant to 34 CFR 99-35(a) the review official, acting on behalf of the SEA, is authorized to have access to education records in connection with an evaluation of federal or state-supported education programs or for the enforcement of or compliance with federal legal requirements which relate to those programs.

B. Independent On-Site Investigation

The review official may conduct an on-site visit to investigate the complaint if the official deems it necessary.

Any on-site visit shall be coordinated with the respondent.

C. Complaint Investigation Report

The Complaint Investigation Report shall be completed by the review official and mailed to the parties within 60 calendar days of the receipt of the complaint by SEA. The Commissioner may grant an extension for the completion of the report on written request of the review official or respondent if exceptional circumstances exist with respect to the particular complaint. Such extension shall be in writing and shall be mailed to the parties.

The report shall contain the following contents:

1. Summary of all investigation activities including, but not limited to, date of receipt of complaint, allegations, parties interviewed, documents received and dates of on-site visits.

2. Specific allegation of the complaint, the findings of fact, conclusions and final decisions rendered regarding each allegation, including citation to applicable federal statute or regulation.
3. Specific corrective action plan that resolves the complaint or ensures future compliance of the respondent regarding the violation of federal statute or regulation.
4. Recommendations for improved practices, policies or procedures shall be offered when no violation of Federal statute or regulation is found.

D. Corrective Action Plan

If the Complaint Investigation Report finds that the respondent is violating federal statute or regulations, the respondent shall be requested to submit a corrective action plan within a specified period of time as determined by the review official.

Respondent may request technical assistance from the SEA in order to prepare a plan to achieve compliance.

VI. Review of Final Decision

The complainant may file a written request with the Secretary of the U.S. Department of Education to review the final decision of the SEA.