

**BRANFORD BOARD OF EDUCATION  
POLICY COMMITTEE**

<b>WEDNESDAY</b> <b>7:15 PM*</b> <b>August 9, 2023</b>	<b>Walsh Intermediate School Cafeteria</b> <b>185 Damascus Road</b> <b>Branford, CT 06405</b>
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**\*Please Note: Time Change**

[Chair: Marie Watson; Meredith Gaffney, Tim Raynor & Laura Troidle

To locate agendas and to access/view meetings please go to [www.branfordschools.org](http://www.branfordschools.org)

**Branford Public Schools Mission and Vision Statement**

Nurturing students and citizens who develop a deep commitment to learning today and leading tomorrow is the central goal of Branford Public Schools.

**A G E N D A**

- I. **Call to Order**
- II. **Public Comments**
- III. **Approve Minutes**
- IV. **Discussion/Action Items**
  - A. **Review 5000 Policy Series Revisions**
    - a. **5000 Non-Discrimination (Students)**
    - b. **5300 Administration of Medication**
    - c. **5350 Attendance, Truancy, and Chronic Absenteeism**
    - d. **5400 Food Allergies and/or Glycogen Storage Disease**
    - e. **5450 Drug and Alcohol Use by Students**
    - f. **5475 Chemical Health for Student Athletes**
    - g. **5800 Student Discipline**
  - B. **Review 6000 Policy Series Revisions**
    - a. **6150 Weighted Grading for Honors Classes**
- V. **Adjourn**

**TO PARTICIPATE IN PUBLIC COMMENTS REMOTELY PLEASE CALL:  
(646) 558-8656 Meeting ID: 815 6405 4671 Passcode: 812124**

*When participating by telephone please mute your phone when joining the meeting and unmute your phone when you are ready to speak. This can be done by pressing \*6 on your phone's keypad.*

**Rules Governing Public Comments:**

- Three minutes will be allotted to each speaker. The Board may modify this limitation at the beginning of a meeting if the number of persons wishing to speak makes it advisable to do so. (Board Bylaw 9325)
- Conduct intended primarily to disrupt the Board of Education meeting shall not be permitted. Any speaker who engages in such conduct will be warned and allowed to correct such conduct. If the speaker continues to engage in the disruptive conduct such

will be grounds for termination of the speaker's privilege to participate in public comment and may be deemed grounds for removal from the meeting site.

- All speakers must identify themselves by name and address.



**Students**

**5000P**

## **NON-DISCRIMINATION (STUDENTS)**

The Board of Education (the “Board”) complies with all laws prohibiting the exclusion of any person from any of its educational programs or activities, or the denial to any person of the benefits of any of its educational programs or activities, including all academic, extra-curricular, and school-sponsored activities, on the basis of any protected characteristic (or protected class) including race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, ancestry, disability, pregnancy, gender identity or expression, veteran status, status as a victim of domestic violence, or any other basis prohibited by state or federal law (“Protected Class”), subject to the conditions and limitations established by law.

It is the policy of the Board that any form of discrimination or harassment on the basis of an individual’s actual or perceived membership in a Protected Class, whether by students, Board employees, Board members or third parties subject to the control of the Board, is prohibited in the Branford Public Schools (the “District”). The Board’s prohibition of discrimination or harassment in its educational programs or activities expressly extends to academic, nonacademic and extracurricular activities, including athletics.

The Board further prohibits reprisal or retaliation against any individual who reports incidents in good faith that may be a violation of this policy, or who participates in the investigation of such reports.

Discrimination and/or harassment against any individual on the basis of that individual’s association with someone in a Protected Class may also be considered a form of Protected Class discrimination and/or harassment, and is therefore prohibited by this policy.

### **I. Definitions:**

The following definitions apply for purposes of this policy:

#### **A. Discrimination:**

With respect to students, unlawful discrimination occurs when a student is denied participation in, or the benefits of, a program or activity of the Board because of such student’s actual or perceived membership in a Protected Class.

#### **B. Harassment:**

Harassment is a form of Protected Class discrimination that is prohibited by law and by this policy. Harassment constitutes unlawful discrimination when it creates a hostile environment, which occurs when the harassment is sufficiently severe, pervasive, or persistent so as to interfere with or limit a student's ability to participate in or benefit from the services, activities, or opportunities offered by the District.

Although not an exhaustive list, the following are examples of the types of conduct that may be considered Protected Class harassment and can lead to a hostile environment, and are therefore prohibited by this policy:

- objectively offensive racial, ethnic, or religious epithets (or epithets commonly associated with any Protected Class membership);
- other words or phrases commonly considered demeaning or degrading on the basis of Protected Class membership;
- display of images or symbols commonly associated with discrimination against individuals on the basis of their membership in a Protected Class;
- graphic, written or electronic communications that are harmful, or humiliating based on Protected Class membership;
- bigoted conduct or communications; or
- physical, written, electronic or verbal threats based on Protected Class membership.

Harassment does not have to include intent to harm, be directed at a specific target, or involve repeated incidents.

*[In response to requests from many of our clients, Shipman has developed the language below to in order to address incidents of biased conduct and/or communications by students. Please note that bias in this context is not currently defined by law, except when such bias raises to the level of unlawful discrimination and/or harassment. That said, it is commonly acknowledged that incidents of bias may be precursors to discriminatory and/or harassing conduct. Boards that wish to explicitly include reference to bias in this policy may utilize the language below in order to acknowledge the concerns presented regarding bias:]*

*OPTIONAL: The Board recognizes that certain student conduct or communications may be indicative of bias towards individuals who are members of a Protected Class, even when such conduct or communications do not rise to the level of discrimination and/or harassment. The Board directs the District administration to address any such biased conduct or communications in a manner consistent with the Board's legal obligations under state and federal law and Board policy, including free speech considerations, in order to promote a safe environment that is welcoming and safe for all individuals.]*

Sexual harassment is a form of harassment that is prohibited by law and Board *Policy 5250, Policy Regarding Title IX of the Education Amendments of 1972 Prohibition of Sex Discrimination and Sexual Harassment (Students)*. For more information regarding harassment based on sex, sexual orientation, pregnancy, or gender identity or expression, contact the District's Title IX Coordinator at:

Assistant Superintendent  
185 Damascus Road  
Branford, CT 06405  
[bpstitle9@branfordschools.org](mailto:bpstitle9@branfordschools.org)  
(203) 315-1786

C. Veteran:

A “veteran” is any person honorably discharged from, released under honorable conditions from or released with an other than honorable discharge based on a qualifying condition from active service in, the United States Army, Navy, Marine Corps, Coast Guard and Air Force and any reserve component thereof, including the Connecticut National Guard. “Qualifying condition” means (A) a diagnosis of post-traumatic stress disorder or traumatic brain injury made by an individual licensed to provide health care services at a United States Department of Veterans Affairs facility, (B) an experience of military sexual trauma disclosed to an individual licensed to provide health care services at a United States Department of Veterans Affairs facility, or (C) a determination that sexual orientation, gender identity or gender expression was more likely than not the primary reason for an other than honorable discharge, as determined in accordance with Conn. Gen. Stat. §§ 27-103(c), (d).

D. Gender identity or expression:

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

E. Race:

The term “race” is inclusive of ethnic traits historically associated with race, including but not limited to, hair texture and protective hairstyles. “Protective hairstyles” includes, but is not limited to, wigs, headwraps and

hairstyles such as individual braids, cornrows, locs, twists, Bantu knots, afros and afro puffs.

F. Domestic Violence:

The term domestic violence means (1) a continuous threat of present physical pain or physical injury against a family or household member, as defined in Conn. Gen. Stat. § 46b-38a; (2) stalking, including but not limited to, stalking as described in Conn. Gen. Stat. § 53a-181d, of such family or household member; (3) a pattern of threatening, including but not limited to, a pattern of threatening as described in Conn. Gen. Stat. § 53a-62, of such family or household member or a third party that intimidates such family or household member; or (4) coercive control of such family or household member, which is a pattern of behavior that in purpose or effect unreasonably interferes with a person's free will and personal liberty. “Coercive control” includes, but is not limited to, unreasonably engaging in any of the following: (a) isolating the family or household member from friends, relatives or other sources of support; (b) depriving the family or household member of basic necessities; (c) controlling, regulating or monitoring the family or household member's movements, communications, daily behavior, finances, economic resources or access to services; (d) compelling the family or household member by force, threat or intimidation, including, but not limited to, threats based on actual or suspected immigration status, to (i) engage in conduct from which such family or household member has a right to abstain, or (ii) abstain from conduct that such family or household member has a right to pursue; (e) committing or threatening to commit cruelty to animals that intimidates the family or household member; or (f) forced sex acts, or threats of a sexual nature, including, but not limited to, threatened acts of sexual conduct, threats based on a person's sexuality or threats to release sexual images.

I. Reporting:

It is the policy of the Board to provide for the prompt and equitable resolution of complaints alleging Protected Class discrimination or harassment.

Any student, staff member and/or parent/guardian who believes a student has experienced Protected Class discrimination or harassment or an act of retaliation or reprisal in violation of this policy should report such concern in writing to the Building Principal or designee in accordance with the Board’s complaint procedures included in the Board’s Administrative Regulations Regarding Non-Discrimination/Students which accompany this policy and are available online at [www.branfordschools.org](http://www.branfordschools.org) or upon request from the main office of any District school. Students are encouraged to immediately report concerns about Protected Class discrimination, harassment, or retaliation.

If a complaint involves allegations of discrimination or harassment based on reasons such as gender/sex, gender identity, sexual orientation, disability, or pregnancy, such complaints will be handled under other appropriate policies (e.g., Policy 5250 Title IX Sex Discrimination and Sexual Harassment (Students) Policy 5125 Section 504/ADA (Students))

Any student and/or parent/guardian also may file a complaint with the Office for Civil Rights, U.S. Department of Education (“OCR”):

Office for Civil Rights, Boston Office  
U.S. Department of Education  
8th Floor  
5 Post Office Square  
Boston, MA 02109 3921  
(617-289-0111)  
<http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>

Any student and/or parent/guardian may also file a complaint with the Connecticut Commission on Human Rights and Opportunities:

Connecticut Commission on Human Rights and Opportunities  
450 Columbus Blvd.  
Hartford, CT 061031835  
(860-541-3400 or Connecticut Toll Free Number 800-477-5737)

Anyone who has questions or concerns about this policy, and/or who may wish to request or discuss accommodations based on religion, and/or who would like a copy of the Board’s complaint procedures or complaint forms related to claims of discrimination or harassment, may contact:

Assistant Superintendent  
Branford Public Schools  
185 Damascus Road  
Branford, CT 06405  
(203) 3157806  
[HR@branfordschools.org](mailto:HR@branfordschools.org)

Anyone who has questions or concerns about the Board’s policies regarding discrimination or harassment on the basis of gender/sex, gender identity, or sexual orientation may contact the Board’s Title IX Coordinator:

Assistant Superintendent  
Branford Public Schools  
185 Damascus Road  
Branford, CT 06405  
(203) 3157811

[BPStitle9@branfordschools.org](mailto:BPStitle9@branfordschools.org)

Anyone who has questions or concerns about the Board's policies regarding discrimination or harassment on the basis of disability, and/or who may wish to request or discuss accommodations for a disability, may contact the Board's Section 504/ADA Coordinator:

Director of Student Services  
Department of Student Services  
12 Melrose Avenue  
Branford, CT 06405  
[504-ADA@branfordschools.org](mailto:504-ADA@branfordschools.org)

Legal References:

Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681, et seq.  
Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, et seq.  
Americans with Disabilities Act, 42 U.S.C. § 12101, et seq.  
Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, et seq.  
Connecticut General Statutes § 11-11, "Gender Identity or Expression"  
defined  
Connecticut General Statutes § 16c  
Connecticut General Statutes § 203  
Connecticut General Statutes § 45a, Definitions  
Connecticut General Statutes § 45a, Deprivation of rights  
Connecticut General Statutes § 48a, et seq.  
Public Act No. 21-79, "An Act Redefining 'Veteran' and Establishing a  
Qualifying Review Board"

ADOPTED: 10-19-2022

REVISED: TBD

5/2/2023



## ADMINISTRATIVE REGULATIONS REGARDING DISCRIMINATION COMPLAINTS (STUDENTS)

It is the policy of the Branford Board of Education (the “Board”) that any form of discrimination or harassment on the basis of protected characteristics such as race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage ancestry, disability, pregnancy, gender identity or expression, or veteran status 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 all members of the school community.

It is also the policy of the Board to provide for the prompt and equitable resolution of complaints alleging any discrimination or harassment on the basis of protected characteristics such as race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, ancestry, disability, pregnancy, gender identity or expression, or veteran status.

Any student and/or parent/guardian wishing to file a complaint regarding discrimination or harassment may obtain a copy of the Board’s complaint procedures and complaint form which are included in the Board’s Administrative Regulations Regarding-Non Discrimination/Students. These regulations accompany Board Policy 5000 Non Discrimination (Students) and are available online at [www.branfordschools.org](http://www.branfordschools.org) or upon request from the main office of any district school.

If a complaint involves allegations of discrimination or harassment based on reasons such as gender/sex, gender identity, sexual orientation, disability, or pregnancy, such complaints will be handled under other appropriate policies, (e.g., Policy 5250 Title IX Sex Discrimination and Sexual Harassment (Students) or Policy 5125 Section 504/ADA (Students)).

All other complaints by a student or parents/guardians alleging discrimination or harassment against a student on the basis of the protected characteristics listed herein should file a written complaint with:

Assistant Superintendent  
Branford Public Schools  
185 Damascus Road  
Branford, CT 06405  
(203) 3157811

Preferably, complaints should be filed within thirty (30) days of the alleged occurrence. Timely reporting of complaints facilitates the investigation and resolution of such

complaints. The district will investigate such complaints promptly and equitably, and will take corrective action when allegations are verified.

The district will not tolerate any reprisals or retaliation that occur as a result of the good faith reporting of charges of harassment or discrimination on the basis of race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, ancestry, disability, pregnancy, gender identity or expression, or veteran status. Any such reprisals or retaliation will result in disciplinary action against the retaliator, and other corrective actions as appropriate.

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 harassment and discrimination.

### Complaint Procedure

As soon as a student feels that he or she has been subjected to discrimination or harassment on the basis of race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, ancestry, disability, pregnancy, gender identity or expression, or veteran status, he/she should make a written complaint to Assistant Superintendent, Branford Public Schools, 185 Damascus Road ,Branford, CT 06405 or to the building principal, or designee.

If the complaint being filed is against the Superintendent, the complaint should be filed with the Board Chair, who will take appropriate steps, such as retaining an independent investigator, to cause the matter to be investigated in a manner consistent with the Board's non-discrimination policy and regulation. If either the Superintendent or any other party to the complaint is not satisfied with the findings and conclusions of the investigation, within (30) calendar days of receiving the findings, such party may present the complaint and written outcome to the Board Chair, who will take appropriate steps, such as retaining an independent investigator different from the investigator who investigated the complaint, to cause the matter to be reviewed in a manner consistent with the Board's non-discrimination policy and regulation.

The student will be provided a copy of the Board's policy and regulation and made aware of the student's rights under this policy and regulation. In the event the building principal receives a complaint alleging discrimination or harassment based on gender/sex, gender identity, sexual orientation, disability or pregnancy, the building principal shall follow the procedures identified in the appropriate Board policies (e.g., Policy 5250P Title IX Sex Discrimination and Sexual Harassment (Students), Policy 5125P Section 504/ADA (Students)) where applicable, rather than the complaint procedures provided in this policy.

The complaint should state the:

- A. Name of the complainant,
- B. Date of the complaint,
- C. Date(s) of the alleged harassment/discrimination,
- D. Name(s) of the harasser(s) or discriminator(s),
- E. Location where such harassment/discrimination occurred,
- F. Names of any witness(es) to the harassment/discrimination,
- G. Detailed statement of the circumstances constituting the alleged harassment/discrimination; and
- H. Proposed remedy.

Any student who makes an oral complaint of harassment or 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. If a student (or individual acting on behalf of the student) is unable to make a written complaint, the administrator receiving the oral complaint will either reduce the complaint to writing or assist the student (individual acting on behalf of the student) in completing the written complaint form.

All complaints are to be forwarded immediately to the Superintendent or designee. Upon receipt of a complaint alleging harassment or discrimination under this complaint procedure, the Superintendent shall designate a district or school administrator to promptly investigate the complaint. During the course of the investigation, the investigator shall interview or consult with all individuals reasonably believed to have relevant information, including the complainant, the alleged harasser/discriminator and any witnesses to the conduct. Complaints will be investigated promptly within the timeframes identified below. Timeframes may be extended as needed given the complexity of the investigation, availability of individuals with relevant information and/or other extenuating circumstances. Confidentiality will be maintained by all persons involved in the investigation to the extent possible, as determined by the investigator.

Upon receipt of a written complaint of discrimination or harassment, the investigator should:

1. Offer to meet with the complainant (and respondent, if applicable) within ten (10) business days (provided that such timeframe may be reasonably extended based on the availability of necessary witnesses and/or participants, the complexity of the investigation, and/or other extenuating circumstances) to discuss the nature of the complaint, identify individuals the complainant

believes has relevant information, and obtain any relevant documents the complainant may have;

2. Provide the complainant (and respondent, if applicable) with a copy of the Board's non-discrimination policy and accompanying regulations;
3. Investigate the factual basis of the complaint, including, as applicable, conducting interviews with individuals deemed relevant to the complaint;
4. Conduct an investigation that is adequate, reliable, and impartial. Investigate the factual basis for the complaint, including conducting interviews with individuals with information and review of documents relevant to the complaint;
5. Maintain confidentiality to the extent practicable throughout the investigative process, in accordance with state and federal law;
6. Communicate the outcome of the investigation in writing to the complainant (and respondent, if applicable) (to the extent permitted by state and federal confidentiality requirements), within thirty (30) business days (provided that such timeframe may be reasonably extended based on the availability of necessary witnesses and/or participants, the complexity of the investigation, and/or other extenuating circumstances) from the date the complaint was received by the Superintendent's office. The complainant (and respondent, if applicable) shall be notified of any extension of the investigation timeline. The written notice shall include a finding whether the complaint was substantiated and if so, shall identify, to the extent possible, how the district will remedy the discrimination or harassment, adhering to the requirements of state and federal law;
7. If a complaint is made during summer recess, the complaint will be reviewed and addressed as quickly as possible given the availability of staff and/or other individuals who may have information relevant to the complaint. If fixed timeframes cannot be met, the complainant (and respondent, if applicable) will receive notice and interim measures may be implemented as necessary (see sub-paragraph 6);
8. Whenever allegations are verified, ensure that appropriate corrective action is taken (including, but not limited to, disciplinary action) aimed at preventing the recurrence of the discrimination or harassment. Corrective action should include steps to avoid continuing discrimination or harassment;
9. If the complainant (and/or respondent, if applicable) is not satisfied with the findings and conclusions of the investigation, the complainant (and/or respondent, if applicable) may present the complaint and written outcome to the Superintendent within thirty (30) calendar days of receiving the findings.

Upon review of a written request from the complainant (and/or respondent, if applicable), the Superintendent shall review the investigative results of the investigator and determine if further action and/or investigation is warranted. Such action may include consultation with the investigator and complainant (and/or respondent, if applicable), a meeting with appropriate individuals to attempt to resolve the complaint, or a decision affirming or overruling the investigator's conclusions or findings. The Superintendent shall provide written notice to the complainant (and respondent, if applicable) of the proposed actions within fifteen (15) business days (provided that such timeframe may be reasonably extended based on the availability of necessary witnesses and/or participants, the complexity of the investigation, and/or other extenuating circumstances) following the receipt of the written request for review.

Any student and/or parent/guardian also may file a complaint with the Office for Civil Rights, U.S. Department of Education ("OCR"):

Office for Civil Rights, Boston Office  
U.S. Department of Education  
8th Floor  
5 Post Office Square  
Boston, MA 02109-3921  
(617-289-0111)  
<http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>

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450 Columbus Blvd.  
Hartford, CT 06103-1835  
(860-541-3400 or Connecticut Toll Free Number 1-800-477-5737)

Anyone who has questions or concerns about these regulations, and/or who may wish to request or discuss accommodations based on religion, may contact:

Director of Student Services  
Department of Student Services  
12 Melrose Avenue  
Branford, CT 06405  
[504-ADA@branfordschools.org](mailto:504-ADA@branfordschools.org)

Anyone who has questions or concerns about the Board's policies regarding discrimination or harassment on the basis of gender/sex, gender identity, or sexual orientation may contact the Board's Title IX Coordinator:

Assistant Superintendent  
Branford Public Schools  
185 Damascus Road  
Branford, CT 06405  
(203) 315-7811

Anyone who has questions or concerns about the Board's policies regarding discrimination or harassment on the basis of disability, and/or who may wish to request or discuss accommodations for a disability, may contact the Board's Section 504/ADA Coordinator:

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5/2/2023



**DISCRIMINATION/HARASSMENT COMPLAINT FORM**  
(For complaints based on race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, ancestry, disability, pregnancy, gender identity or expression, or veteran status)

Name of the complainant

\_\_\_\_\_

Date of the complaint

\_\_\_\_\_

Date of the alleged discrimination/harassment

\_\_\_\_\_

Name or names of the discriminator(s) or harasser(s)

\_\_\_\_\_

\_\_\_\_\_

Location where such discrimination/harassment occurred

\_\_\_\_\_

\_\_\_\_\_

Name(s) of any witness(es) to the discrimination/harassment \_\_\_\_\_

\_\_\_\_\_

Detailed statement of the circumstances constituting the alleged discrimination or harassment \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

5/2/2023





Students

5000P

### NON-DISCRIMINATION (STUDENTS)

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It is the policy of the Board that any form of discrimination or harassment on the basis of ~~race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, ancestry, disability, pregnancy, gender identity or expression, or veteran status, or any other basis prohibited by state or federal law is prohibited~~ an individual’s actual or perceived membership in a Protected Class, whether by students, Board employees, Board members or third parties subject to the control of the Board, is prohibited in the Branford Public Schools (the “District”). The Board’s prohibition of discrimination or harassment in its educational programs or activities expressly extends to academic, nonacademic and extracurricular activities, including athletics. ~~It is also the policy of the Board to provide for the prompt and equitable resolution of complaints alleging any discrimination or harassment on the basis of protected characteristics such as race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, ancestry, disability, pregnancy, gender identity or expression, or veteran status.~~

The Board further prohibits reprisal or retaliation against any individual who reports incidents in good faith that may be a violation of this policy, or who participates in the investigation of such reports.

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Harassment is a form of Protected Class discrimination that is prohibited by law and by this policy. Harassment constitutes unlawful discrimination when it creates a hostile environment, which occurs when the harassment is sufficiently severe, pervasive, or persistent so as to interfere with or limit a student's ability to participate in or benefit from the services, activities, or opportunities offered by the District.

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- objectively offensive racial, ethnic, or religious epithets (or epithets commonly associated with any Protected Class membership);
- other words or phrases commonly considered demeaning or degrading on the basis of Protected Class membership;
- display of images or symbols commonly associated with discrimination against individuals on the basis of their membership in a Protected Class;
- graphic, written or electronic communications that are harmful, or humiliating based on Protected Class membership;
- bigoted conduct or communications; or
- physical, written, electronic or verbal threats based on Protected Class membership.

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Assistant Superintendent  
185 Damascus Road  
Branford, CT 06405  
bpstitle9@branfordschools.org  
(203) 315-1786

#### C. Veteran:

For the purposes of this policy, A "veteran" means is any person honorably discharged from, released under honorable conditions from or released with an other than honorable discharge based on a qualifying condition from active service in, the United States Army, Navy, Marine Corps, Coast Guard and Air Force and any reserve component thereof, including the Connecticut National Guard. "Qualifying condition" means (A) a diagnosis of post-traumatic stress disorder or traumatic brain injury made by an individual licensed to provide health care services at a United States Department of Veterans Affairs facility, (B) an experience of military sexual trauma disclosed to an individual licensed to provide health care services at a United States Department of Veterans Affairs facility, or (C) a determination that sexual orientation, gender identity or gender expression was more likely than not the primary reason for an other than honorable discharge, as determined in accordance with Conn. Gen. Stat. §§ 27-103(c), (d).

#### D. Gender identity or expression:

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

E. Race:

~~— E. For the purposes of this policy, The term “race” is inclusive of ethnic traits historically associated with race, including but not limited to, hair texture and protective hairstyles. “Protective hairstyles” includes, but is not limited to, wigs, headwraps and hairstyles such as individual braids, cornrows, locs, twists, Bantu knots, afros and afro puffs.~~

F. — F. Domestic Violence:

~~The term domestic violence means (1) a continuous threat of present physical pain or physical injury against a family or household member, as defined in Conn. Gen. Stat. § 46b-38a; (2) stalking, including but not limited to, stalking as described in Conn. Gen. Stat. § 53a-181d, of such family or household member; (3) a pattern of threatening, including but not limited to, a pattern of threatening as described in Conn. Gen. Stat. § 53a-62, of such family or household member or a third party that intimidates such family or household member; or (4) coercive control of such family or household member, which is a pattern of behavior that in purpose or effect unreasonably interferes with a person's free will and personal liberty. “Coercive control” includes, but is not limited to, unreasonably engaging in any of the following: (a) isolating the family or household member from friends, relatives or other sources of support; (b) depriving the family or household member of basic necessities; (c) controlling, regulating or monitoring the family or household member's movements, communications, daily behavior, finances, economic resources or access to services; (d) compelling the family or household member by force, threat or intimidation, including, but not limited to, threats based on actual or suspected immigration status, to (i) engage in conduct from which such family or household member has a right to abstain, or (ii) abstain from conduct that such family or household member has a right to pursue; (e) committing or threatening to commit cruelty to animals that intimidates the family or household member; or (f) forced sex acts, or threats of a sexual nature, including, but not limited to, threatened acts of sexual conduct, threats based on a person's sexuality or threats to release sexual images.~~

I. Reporting:

~~It is the policy of the Board to provide for the prompt and equitable resolution of complaints alleging Protected Class discrimination or harassment.~~

~~Any student, staff member and/or parent/guardian wishing to file a complaint regarding who believes a student has experienced Protected Class discrimination or harassment may obtain a copy of or an act of retaliation or reprisal in violation of this policy should report such concern in writing to the Building Principal or designee in accordance with the Board's complaint procedures and complaint form, which are included in~~

the Board's Administrative Regulations Regarding Non-Discrimination/Students. ~~These regulations which accompany this policy Board Policy 5000 Non-Discrimination (Students) and are available online at www.branfordschools.org upon request from the main office of any District school. Students are encouraged to immediately report concerns about Protected Class discrimination, harassment, or retaliation.~~

If a complaint involves allegations of discrimination or harassment based on reasons such as gender/sex, gender identity, sexual orientation, disability, or pregnancy, such complaints will be handled under other appropriate policies (e.g., Policy 5250 Title IX Sex Discrimination and Sexual Harassment (Students), Policy 5125 Section 504/ADA (Students)).

Any student and/or parent/guardian also may file a complaint with the Office for Civil Rights, U.S. Department of Education ("OCR"):

Office for Civil Rights, Boston Office  
U.S. Department of Education  
8th Floor  
5 Post Office Square  
Boston, MA 02109-3921  
(617-289-0111)  
<http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>

Any student and/or parent/guardian may also file a complaint with the Connecticut Commission on Human Rights and Opportunities:

Connecticut Commission on Human Rights and Opportunities  
450 Columbus Blvd.  
Hartford, CT 06103-1835  
(860-541-3400 or Connecticut Toll Free Number 1-800-477-5737)

Anyone who has questions or concerns about this policy, and/or who may wish to request or discuss accommodations based on religion, and/or who would like a copy of the Board's complaint procedures or complaint forms related to claims of discrimination or harassment, may contact:

Assistant Superintendent  
Branford Public Schools  
185 Damascus Road  
Branford, CT 06405  
(203) 315-7806  
[HR@branfordschools.org](mailto:HR@branfordschools.org)

Anyone who has questions or concerns about the Board's policies regarding discrimination or harassment on the basis of gender/sex, gender identity, or sexual orientation may contact the Board's Title IX Coordinator:

Assistant Superintendent  
Branford Public Schools  
185 Damascus Road  
Branford, CT 06405  
(203) 315-7811  
[BPStitle9@branfordschools.org](mailto:BPStitle9@branfordschools.org)

Anyone who has questions or concerns about the Board's policies regarding discrimination or harassment on the basis of disability, and/or who may wish to request or discuss accommodations for a disability, may contact the Board's Section 504/ADA Coordinator:

Director of Student Services  
Department of Student Services  
12 Melrose Avenue  
Branford, CT 06405  
[504-ADA@branfordschools.org](mailto:504-ADA@branfordschools.org)

Legal References:

Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681, et seq.  
Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, et seq.  
Americans with Disabilities Act, 42 U.S.C. § 12101, et seq.  
Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, et seq.  
Connecticut General Statutes § 1-1n, "Gender Identity or Expression"  
defined  
Connecticut General Statutes § 10-15c  
Connecticut General Statutes § 27-103  
Connecticut General Statutes § 46a-51, Definitions  
Connecticut General Statutes § 46a-58, Deprivation of rights  
Connecticut General Statutes § 46a-81a, et seq.  
Public Act No. 21-79, "An Act Redefining 'Veteran' and Establishing a  
Qualifying Review Board"

ADOPTED: 10-19-2022

REVISED:

6/28/2021

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

It is the policy of the Branford Board of Education (the “Board”) that any form of discrimination or harassment on the basis of protected characteristics such as race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, ancestry, disability, pregnancy, gender identity or expression, or veteran status 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 all members of the school community.

It is also the policy of the Board to provide for the prompt and equitable resolution of complaints alleging any discrimination or harassment on the basis of protected characteristics such as race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, ancestry, disability, pregnancy, gender identity or expression, or veteran status.

Any student and/or parent/guardian wishing to file a complaint regarding discrimination or harassment may obtain a copy of the Board’s complaint procedures and complaint form which are included in the Board’s Administrative Regulations Regarding Non-Discrimination/Students. These regulations accompany Board Policy *5000 Non-Discrimination (Students)* and are available online at [www.branfordschools.org](http://www.branfordschools.org) or upon request from the main office of any district school.

If a complaint involves allegations of discrimination or harassment based on reasons such as gender/sex, gender identity, sexual orientation, disability, or pregnancy, such complaints will be handled under other appropriate policies, (e.g., Policy *5250 Title IX Sex Discrimination and Sexual Harassment (Students)*, Policy *5125 Section 504/ADA (Students)*).

All other complaints by a student or parents/guardians alleging discrimination or harassment against a student on the basis of the protected characteristics listed herein should file a written complaint with:

Assistant Superintendent  
Branford Public Schools  
185 Damascus Road  
Branford, CT 06405  
(203) 315-7811

Preferably, complaints should be filed within thirty (30) days of the alleged occurrence. Timely reporting of complaints facilitates the investigation and resolution of such

complaints. The district will investigate such complaints promptly and equitably, and will take corrective action when allegations are verified.

The district will not tolerate any reprisals or retaliation that occur as a result of the good faith reporting of charges of harassment or discrimination on the basis of race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, ancestry, disability, pregnancy, gender identity or expression, or veteran status. Any such reprisals or retaliation will result in disciplinary action against the retaliator, and other corrective actions as appropriate.

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 harassment and discrimination.

#### Complaint Procedure

As soon as a student feels that he or she has been subjected to discrimination or harassment on the basis of race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, ancestry, disability, pregnancy, gender identity or expression, or veteran status, he/she should make a written complaint to Assistant Superintendent, Branford Public Schools, 185 Damascus Road ,Branford, CT 06405 or to the building principal, or designee.

If the complaint being filed is against the Superintendent, the complaint should be filed with the Board Chair, who will take appropriate steps, such as retaining an independent investigator, to cause the matter to be investigated in a manner consistent with the Board's non-discrimination policy and regulation. If either the Superintendent or any other party to the complaint is not satisfied with the findings and conclusions of the investigation, within (30) calendar days of receiving the findings, such party may present the complaint and written outcome to the Board Chair, who will take appropriate steps, such as retaining an independent investigator different from the investigator who investigated the complaint, to cause the matter to be reviewed in a manner consistent with the Board's non-discrimination policy and regulation.

The student will be provided a copy of the Board's policy and regulation and made aware of the student's rights under this policy and regulation. In the event the building principal receives a complaint alleging discrimination or harassment based on gender/sex, gender identity, sexual orientation, disability or pregnancy, the building principal shall follow the procedures identified in the appropriate Board policies (e.g., Policy 5250P Title IX Sex Discrimination and Sexual Harassment (Students), Policy 5125P Secion 504/ADA (Students)) where applicable, rather than the complaint procedures provided in this policy.

The complaint should state the:



- A. Name of the complainant,
- B. Date of the complaint,
- C. Date(s) of the alleged harassment/discrimination,
- D. Name(s) of the harasser(s) or discriminator(s),
- E. Location where such harassment/discrimination occurred,
- F. Names of any witness(es) to the harassment/discrimination,
- G. Detailed statement of the circumstances constituting the alleged harassment/discrimination; and
- H. Proposed remedy.

Any student who makes an oral complaint of harassment or 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. If a student (or individual acting on behalf of the student) is unable to make a written complaint, the administrator receiving the oral complaint will either reduce the complaint to writing or assist the student (individual acting on behalf of the student) in completing the written complaint form.

All complaints are to be forwarded immediately to the Superintendent or designee. Upon receipt of a complaint alleging harassment or discrimination under this complaint procedure, the Superintendent shall designate a district or school administrator to promptly investigate the complaint. During the course of the investigation, the investigator shall interview or consult with all individuals reasonably believed to have relevant information, including the complainant, the alleged harasser/discriminator and any witnesses to the conduct. Complaints will be investigated promptly within the timeframes identified below. Timeframes may be extended as needed given the complexity of the investigation, availability of individuals with relevant information and/or other extenuating circumstances. Confidentiality will be maintained by all persons involved in the investigation to the extent possible, as determined by the investigator.

Upon receipt of a written complaint of discrimination or harassment, the investigator should:

1. Offer to meet with the complainant (and respondent, if applicable) within ten (10) business days (provided that such timeframe may be reasonably extended based on the availability of necessary witnesses and/or participants, the complexity of the investigation, and/or other extenuating circumstances) to discuss the nature of the complaint, identify individuals the complainant

believes has relevant information, and obtain any relevant documents the complainant may have;

2. Provide the complainant (and respondent, if applicable) with a copy of the Board's non-discrimination policy and accompanying regulations;
3. Investigate the factual basis of the complaint, including, as applicable, conducting interviews with individuals deemed relevant to the complaint;
4. Conduct an investigation that is adequate, reliable, and impartial. Investigate the factual basis for the complaint, including conducting interviews with individuals with information and review of documents relevant to the complaint;
5. Maintain confidentiality to the extent practicable throughout the investigative process, in accordance with state and federal law;
6. Communicate the outcome of the investigation in writing to the complainant (and respondent, if applicable) (to the extent permitted by state and federal confidentiality requirements), within thirty (30) business days (provided that such timeframe may be reasonably extended based on the availability of necessary witnesses and/or participants, the complexity of the investigation, and/or other extenuating circumstances) from the date the complaint was received by the Superintendent's office. The complainant (and respondent, if applicable) shall be notified of any extension of the investigation timeline. The written notice shall include a finding whether the complaint was substantiated and if so, shall identify, to the extent possible, how the district will remedy the discrimination or harassment, adhering to the requirements of state and federal law;
7. If a complaint is made during summer recess, the complaint will be reviewed and addressed as quickly as possible given the availability of staff and/or other individuals who may have information relevant to the complaint. If fixed timeframes cannot be met, the complainant (and respondent, if applicable) will receive notice and interim measures may be implemented as necessary (see sub-paragraph 6);
8. Whenever allegations are verified, ensure that appropriate corrective action is taken (including, but not limited to, disciplinary action) aimed at preventing the recurrence of the discrimination or harassment. Corrective action should include steps to avoid continuing discrimination or harassment;
9. If the complainant (and/or respondent, if applicable) is not satisfied with the findings and conclusions of the investigation, the complainant (and/or respondent, if applicable) may present the complaint and written outcome to the Superintendent within thirty (30) calendar days of receiving the findings.

Upon review of a written request from the complainant (and/or respondent, if applicable), the Superintendent shall review the investigative results of the investigator and determine if further action and/or investigation is warranted. Such action may include consultation with the investigator and complainant (and/or respondent, if applicable), a meeting with appropriate individuals to attempt to resolve the complaint, or a decision affirming or overruling the investigator's conclusions or findings. The Superintendent shall provide written notice to the complainant (and respondent, if applicable) of the proposed actions within fifteen (15) business days (provided that such timeframe may be reasonably extended based on the availability of necessary witnesses and/or participants, the complexity of the investigation, and/or other extenuating circumstances) following the receipt of the written request for review.

Any student and/or parent/guardian also may file a complaint with the Office for Civil Rights, U.S. Department of Education ("OCR"):

Office for Civil Rights, Boston Office  
U.S. Department of Education  
8th Floor  
5 Post Office Square  
Boston, MA 02109-3921  
(617-289-0111)  
<http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>

Any student and/or parent/guardian may also file a complaint with the Connecticut Commission on Human Rights and Opportunities:

Connecticut Commission on Human Rights and Opportunities  
450 Columbus Blvd.  
Hartford, CT 06103-1835  
(860-541-3400 or Connecticut Toll Free Number 1-800-477-5737)

Anyone who has questions or concerns about these regulations, and/or who may wish to request or discuss accommodations based on religion, may contact:

Director of Student Services  
Department of Student Services  
12 Melrose Avenue  
Branford, CT 06405  
[504-ADA@branfordschools.org](mailto:504-ADA@branfordschools.org)

Anyone who has questions or concerns about the Board's policies regarding discrimination or harassment on the basis of gender/sex, gender identity, or sexual orientation may contact the Board's Title IX Coordinator:

Assistant Superintendent  
Branford Public Schools  
185 Damascus Road  
Branford, CT 06405  
(203) 315-7811

Anyone who has questions or concerns about the Board's policies regarding discrimination or harassment on the basis of disability, and/or who may wish to request or discuss accommodations for a disability, may contact the Board's Section 504/ADA Coordinator:

Director of Student Services  
Department of Student Services  
12 Melrose Avenue  
Branford, CT 06405  
[504-ADA@branfordschools.org](mailto:504-ADA@branfordschools.org)

6/28/202



**DISCRIMINATION/HARASSMENT COMPLAINT FORM**  
**(For complaints based on race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, ancestry, disability, pregnancy, gender identity or expression, or veteran status)**

Name of the complainant

\_\_\_\_\_

Date of the complaint

\_\_\_\_\_

Date of the alleged discrimination/harassment

\_\_\_\_\_

Name or names of the discriminator(s) or harasser(s)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Location where such discrimination/harassment occurred

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Name(s) of any witness(es) to the discrimination/harassment \_\_\_\_\_

\_\_\_\_\_

Detailed statement of the circumstances constituting the alleged discrimination or harassment \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

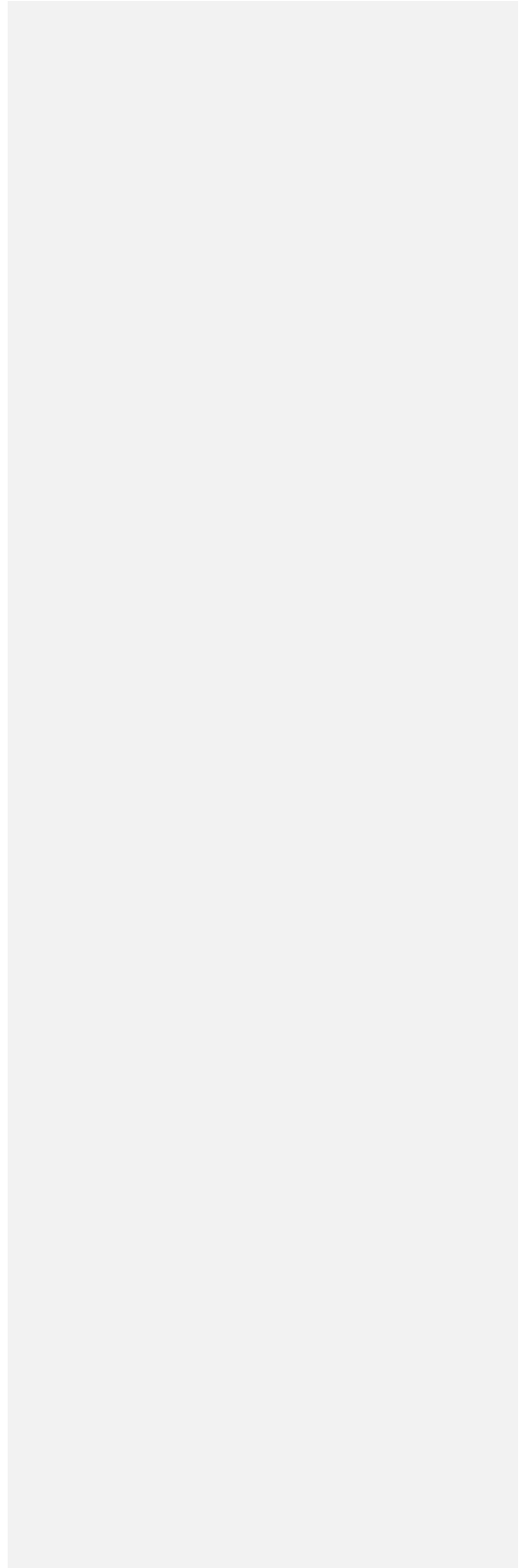
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\_\_\_\_\_

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

6/28/2021





## ADMINISTRATION OF STUDENT MEDICATIONS IN THE SCHOOLS

### A. Definitions

Administration of medication means any one of the following activities: handling, storing, preparing or pouring of medication; conveying it to the student according to the medication order; observing the student inhale, apply, swallow, or self-inject the medication, when applicable; documenting that the medication was administered; and counting remaining doses to verify proper administration and use of the medication.

Authorized prescriber means a physician, dentist, optometrist, advanced practice registered nurse or physician assistant, and, for interscholastic and intramural athletic events only, a podiatrist.

Before or after school program means any child care program operated and administered by the Branford Board of Education (the “Board”) and exempt from licensure by the Office of Early Childhood pursuant to subdivision (1) of subsection (b) of Section 19a-77 of the Connecticut General Statutes. Such programs do not include public or private entities licensed by the Office of Early Childhood or Board enhancement programs and extra-curricular activities.

Cartridge injector means an automatic prefilled cartridge injector or similar automatic injectable equipment used to deliver epinephrine in a standard dose for emergency first aid response to allergic reactions.

Coach means any person holding a coaching permit who is hired by the Board to coach for a sport season.

Controlled drugs means those drugs as defined in Conn. Gen. Stat. Section 21a-240.

Cumulative health record means the cumulative health record of a pupil mandated by Conn. Gen. Stat. Section 10-206.

Director means the person responsible for the day-to-day operations of any school readiness program or before-or-after school program.

Eligible student means a student who has reached the age of eighteen or is an emancipated minor.

Error means:

- (1) the failure to do any of the following as ordered:
  - (a) administer a medication to a student;
  - (b) administer medication within the time designated by the prescribing physician;
  - (c) administer the specific medication prescribed for a student;
  - (d) administer the correct dosage of medication;
  - (e) administer medication by the proper route;
  - (f) administer the medication according to generally accepted standards of practice; or
  - (g) failure to document after a medication is given
- (2) the administration of medication to a student which is not ordered, or which is not authorized in writing by the parent or guardian of such student, except for the administration of epinephrine or naloxone for the purpose of emergency first aid as set forth in Sections D and E below.

Guardian means one who has the authority and obligations of guardianship of the person of a minor, and includes: (1) the obligation of care and control; and (2) the authority to make major decisions affecting the minor's welfare, including, but not limited to, consent determinations regarding marriage, enlistment in the armed forces and major medical, psychiatric or surgical treatment.

Intramural athletic events means tryouts, competition, practice, drills, and transportation to and from events that are within the bounds of a school district for the purpose of providing an opportunity for students to participate in physical activities and athletic contests that extend beyond the scope of the physical education program.

Interscholastic athletic events means events between or among schools for the purpose of providing an opportunity for students to participate in competitive contests that are highly organized and extend beyond the scope of intramural programs and includes tryouts, competition, practice, drills and transportation to and from such events.

Investigational drug means any medication with an approved investigational new drug (IND) application on file with the Food and Drug Administration (FDA), which is being scientifically tested and clinically evaluated to determine its efficacy, safety and side effects and which has not yet received FDA approval.

Licensed athletic trainer means a licensed athletic trainer employed by the school district pursuant to Chapter 375a of the Connecticut General Statutes.



Medication means any medicinal preparation, both prescription and non-prescription, over-the-counter medication, including controlled drugs, as defined in Conn. Gen. Stat. Section 21a-240. This definition includes Aspirin, Ibuprofen or Aspirin substitutes containing Acetaminophen.

Medication emergency means a life-threatening reaction of a student to a medication.

Medication plan means a documented plan established by the school nurse in conjunction with the parent and student regarding the administration of medication in school. Such plan may be a stand-alone plan, part of an individualized health care plan, an emergency care plan or a medication administration form.

Medication order means the authorization by an authorized prescriber for the administration of medication to a student which shall include the name of the student, the name and generic name of the medication, the dosage of the medication, the route of administration, the time of administration, the frequency of administration, the indications for medication, any potential side effects including overdose or missed dose of the medication, the start and termination dates not to exceed a 12-month period, and the written signature of the prescriber.

Nurse means an advanced practice registered nurse, a registered nurse or a practical nurse licensed in Connecticut in accordance with Chapter 378, Conn. Gen. Stat.

Occupational therapist means an occupational therapist employed full time by the Board and licensed in Connecticut pursuant to Chapter 376a of the Connecticut General Statutes.

Optometrist means an optometrist licensed to provide optometry pursuant to Chapter 380 of the Connecticut General Statutes.

Paraprofessional means a health care aide or assistant or an instructional aide or assistant employed by the Board who meets the requirements of the Board for employment as a health care aide or assistant or instructional aide or assistant.

Physical therapist means a physical therapist employed full time by the Board and licensed in Connecticut pursuant to Chapter 376 of the Connecticut General Statutes.

Physician means a doctor of medicine or osteopathy licensed to practice medicine in Connecticut pursuant to Chapter 370 of the Connecticut General Statutes, or licensed to practice medicine in another state.

Podiatrist means an individual licensed to practice podiatry in Connecticut pursuant to Chapter 375 of the Connecticut General Statutes.

Principal means the administrator in the school.

Research or study medications means FDA-approved medications being administered according to an approved study protocol. A copy of the study protocol shall be provided to the school nurse along with the name of the medication to be administered and the acceptable range of dose of such medication to be administered.

School means any educational facility or program which is under the jurisdiction of the Board excluding extracurricular activities.

School nurse means a nurse appointed in accordance with Conn. Gen. Stat. Section 10-212.

School nurse supervisor means the nurse designated by the Board as the supervisor or, if no designation has been made by the Board, the lead or coordinating nurse assigned by the Board.

School readiness program means a program that receives funds from the State Department of Education for a school readiness program pursuant to subsection (b) of Section 10-16p of the Connecticut General Statutes and exempt from licensure by the Office of Early Childhood pursuant to subdivision (1) of subsection (b) of Section 19a-77 of the Connecticut General Statutes.

Self-administration of medication means the control of the medication by the student at all times and is self-managed by the student according to the individual medication plan.

Teacher means a person employed full time by the Board who has met the minimum standards as established by the Board for performance as a teacher and has been approved by the school medical advisor and school nurse to be designated to administer medications pursuant to the Regulations of Connecticut State Agencies Sections 10-212a-1 through 10-212a-7.

B. General Policies on Administration of Medications

- (1) Except as provided below in Sections D and E, no medication, including non-prescription drugs, may be administered by any school personnel without:
  - (a) the written medication order of an authorized prescriber;
  - (b) the written authorization of the student's parent

- or guardian or eligible student; and
    - (c) the written permission of a parent for the exchange of information between the prescriber and the school nurse necessary to ensure safe administration of such medication.
  - (2) Prescribed medications shall be administered to and taken by only the person for whom the prescription has been written.
  - (3) Except as provided in Sections D and E, medications may be administered only by a licensed nurse or, in the absence of a licensed nurse, by:
    - (a) a full-time principal, a full-time teacher, or a full-time licensed physical or occupational therapist employed by the school district. A full-time principal, teacher, licensed physical or occupational therapist employed by the school district may administer oral, topical, intranasal or inhalant medications after proper training on medication administration. Such individuals may administer injectable medications only to a student with a medically diagnosed allergic condition that may require prompt treatment to protect the student against serious harm or death.
    - (b) students with chronic medical conditions who are able to possess, self-administer, or possess and self-administer medication, provided all of the following conditions are met:
      - (i) an authorized prescriber provides a written medication order, including the recommendation for possession, self-administration, or possession and self-administration;
      - (ii) there is a written authorization for possession, self-administration, or possession and self-administration from the student's parent or guardian or eligible student;
      - (iii) the school nurse has developed a plan for possession, self-administration, or possession and self-administration, and general supervision, and has documented the plan in the student's cumulative health record;
      - (iv) the school nurse has assessed the student's competency for self-administration and deemed it safe and appropriate, including that the student: is capable of identifying and selecting the appropriate medication by size, color, amount or other label identification; knows the frequency and time of day for which the medication is ordered; can identify the presenting symptoms that require medication;

administers the medication appropriately; maintains safe control of the medication at all times; seeks adult supervision whenever warranted; and cooperates with the established medication plan;

- (v) the principal, appropriate teachers, coaches and other appropriate school personnel are informed the student is possessing, self-administering, or possessing and self-administering prescribed medication;
  - (vi) such medication is transported to school and maintained under the student's control in accordance with this policy; and
  - (vii) controlled drugs, as defined in this policy, may not be possessed or self-administered by students, except in extraordinary situations, such as international field trips, with approval of the school nurse supervisor and the school medical advisor in advance and development of an appropriate plan.
- (c) a student diagnosed with asthma who is able to self-administer medication shall be permitted to retain possession of an asthmatic inhaler at all times while attending school, in order to provide for prompt treatment to protect such child against serious harm or death, provided all of the following conditions are met:
- (i) an authorized prescriber provides a written order requiring the possession of an inhaler by the student at all times in order to provide for prompt treatment in order to protect the child against serious harm or death and authorizing the student's self-administration of medication, and such written order is provided to the school nurse;
  - (ii) there is a written authorization from the student's parent or guardian regarding the possession of an inhaler by the student at all times in order to protect the child against serious harm or death and authorizing the student's self-administration of medication, and such written authorization is provided to the school nurse;
  - (iii) the conditions set forth in subsection (b) above have been met, except that the school nurse's review of a student's competency to self-administer an inhaler for asthma in the school setting shall not be used to prevent a student from retaining and self-administering an inhaler for asthma.

Students may self-administer medication with only the written authorization of an authorized prescriber and written authorization from the student's parent or guardian or eligible student; and

- (iv) the conditions for self-administration meet any regulations as may be imposed by the State Board of Education in consultation with the Commissioner of Public Health.
- (d) a student diagnosed with an allergic condition who is able to self-administer medication shall be permitted to retain possession of a cartridge injector at all times while attending school, in order to provide for prompt treatment to protect such child against serious harm or death, provided all of the following conditions are met:
- (i) an authorized prescriber provides a written order requiring the possession of a cartridge injector by the student at all times in order to provide for prompt treatment in order to protect the child against serious harm or death and authorizing the student's possession, self-administration, or possession and self-administration of medication, and such written order is provided to the school nurse;
  - (ii) there is a written authorization from the student's parent or guardian regarding the possession of a cartridge injector by the student at all times in order to protect the child against serious harm or death and authorizing the student's possession, self-administration, or possession and self-administration of medication, and such written authorization is provided to the school nurse;
  - (iii) the conditions set forth in subsection (b) above have been met, except that the school nurse's review of a student's competency to self-administer cartridge injectors for medically-diagnosed allergies in the school setting shall not be used to prevent a student from retaining and self-administering a cartridge injector for medically-diagnosed allergies. Students may self-administer medication with only the written authorization of an authorized prescriber and written authorization from the student's parent or guardian or eligible student; and
  - (iv) the conditions for self-administration meet any regulations as may be imposed by the State Board of Education in consultation with the Commissioner of Public Health.

- (e) a student with a medically diagnosed life-threatening allergic condition may possess, self-administer, or possess and self-administer medication, including but not limited to medication administered with a cartridge injector, to protect the student against serious harm or death, provided the following conditions are met:
  - (i) the parent or guardian of the student has provided written authorization for the student to possess, self-administer, or possess and self-administer such medication; and
  - (ii) a qualified medical professional has provided a written order for the possession, self-administration, or possession and self-administration.
  
- (f) a coach of intramural or interscholastic athletic events or licensed athletic trainer who has been trained in the administration of medication, during intramural or interscholastic athletic events, may administer inhalant medications prescribed to treat respiratory conditions and/or medication administered with a cartridge injector for students with medically diagnosed allergic conditions which may require prompt treatment to protect the student against serious harm or death, provided all of the following conditions are met:
  - (i) the school nurse has determined that a self-administration plan is not viable;
  - (ii) the school nurse has provided to the coach a copy of the authorized prescriber's order and parental permission form;
  - (iii) the parent/guardian has provided the coach or licensed athletic trainer with the medication in accordance with Section K of this policy, and such medication is separate from the medication stored in the school health office for use during the school day; and
  - (iv) the coach or licensed athletic trainer agrees to the administration of emergency medication and implements the emergency care plan, identified in Section H of this policy, when appropriate.
  
- (g) an identified school paraprofessional who has been trained in the administration of medication, provided medication is administered only to a specific student in order to protect that student from

harm or death due to a medically diagnosed allergic condition, and the following additional conditions are met:

- (i) there is written authorization from the student's parents/guardian to administer the medication in school;
  - (ii) medication is administered pursuant to the written order of (A) a physician licensed under chapter 370 of the Connecticut General Statutes, (B) an optometrist licensed to practice optometry under chapter 380 of the Connecticut General Statutes, (C) an advanced practice registered nurse licensed to prescribe in accordance with section 20-94a of the Connecticut General Statutes, or (D) a physician assistant licensed to prescribe in accordance with section 20-12d of the Connecticut General Statutes;
  - (iii) medication is administered only with approval by the school nurse and school medical advisor, if any, in conjunction with the school nurse supervisor and under the supervision of the school nurse;
  - (iv) the medication to be administered is limited to medications necessary for prompt treatment of an allergic reaction, including, but not limited to, a cartridge injector; and
  - (v) the paraprofessional shall have received proper training and supervision from the school nurse in accordance with this policy and state regulations.
- (h) a principal, teacher, licensed athletic trainer, licensed physical or occupational therapist employed by the Board, coach or school paraprofessional, provided medication is antiepileptic medication, including by rectal syringe, administered only to a specific student with a medically diagnosed epileptic condition that requires prompt treatment in accordance with the student's individual seizure action plan, and the following additional conditions are met:
- (i) there is written authorization from the student's parents/guardians to administer the medication;
  - (ii) a written order for such administration has been received from the student's physician licensed under Chapter 370 of the Connecticut General Statutes;

- (iii) the principal, teacher, licensed athletic trainer, licensed physical or occupational therapist employed by the Board, coach or school paraprofessional is selected by the school nurse and school medical advisor, if any, and voluntarily agrees to administer the medication;
  - (iv) the principal, teacher, licensed athletic trainer, licensed physical or occupational therapist employed by the Board, coach or school paraprofessional annually completes the training program established by the Connecticut State Department of Education and the Association of School Nurses of Connecticut, and the school nurse and medical advisor, if any, have attested, in writing, that such training has been completed; and
  - (v) the principal, teacher, licensed athletic trainer, licensed physical or occupational therapist employed by the Board, coach or school paraprofessional receives monthly reviews by the school nurse to confirm competency to administer antiepileptic medication.
- (i) a director of a school readiness program or a before or after school program, or the director's designee, provided that the medication is administered:
- (i) only to a child enrolled in such program; and
  - (ii) in accordance with Section L of this policy.
- (j) a licensed practical nurse, after the school nurse has established the medication plan, provided that the licensed practical nurse may not train or delegate the administration of medication to another individual, and provided that the licensed practical nurse can demonstrate one of the following:
- (i) training in administration of medications as part of their basic nursing program;
  - (ii) successful completion of a pharmacology course and subsequent supervised experience; or
  - (iii) supervised experience in the administration of medication while employed in a health care facility.
- (4) Medications may also be administered by a parent or guardian to the parent or guardian's own child on school grounds.



- (5) Investigational drugs or research or study medications may be administered only by a licensed nurse. For FDA-approved medications being administered according to a study protocol, a copy of the study protocol shall be provided to the school nurse along with the name of the medication to be administered and the acceptable range of dose of such medication to be administered.

C. Students with Diabetes

- (1) The Branford permits blood glucose testing by students who have a written order from a physician or an advanced practice registered nurse stating the need and capability of such student to conduct self-testing, or the use of continuous blood glucose monitors (CGM) by children diagnosed with Type 1 diabetes, who have a written order from a physician or an advanced practice registered nurse.
- (2) The Board will not restrict the time or location of blood glucose testing by a student with diabetes on school grounds who has written authorization from a parent or guardian and a written order from a physician or an advanced practice registered nurse stating that such child is capable of conducting self-testing on school grounds.
- (3) The Board will not require a student using a continuous glucose monitor approved by the Food and Drug Administration for use without finger stick verification to undergo finger stick verification of blood glucose readings from a continuous glucose monitor on a routine basis. Finger stick testing of a child using a continuous glucose monitor so approved by the Food and Drug Administration shall only be conducted:
  - (1) as ordered by the student's physician or advanced practice provider;
  - (2) if it appears that the continuous glucose monitor is malfunctioning; or
  - (3) in an urgent medical situation.
- (4) The Board shall purchase or use existing equipment owned by the Board to monitor blood glucose alerts transmitted from continuous glucose monitors of students with Type 1 diabetes to dedicated receivers, smartphone/tablet applications, or other appropriate technology on such equipment.
- (5) In the absence or unavailability of the school nurse, select school employees may administer medication with injectable equipment used to administer glucagon to a student with diabetes that may require prompt treatment in order to protect the student against serious harm or death, under the following conditions:

- (a) The student's parent or guardian has provided written authorization;
- (b) A written order for such administration has been received from the student's physician licensed under Chapter 370 of the Connecticut General Statutes;
- (c) The school employee is selected by either the school nurse or principal and is a principal, teacher, licensed athletic trainer, licensed physical or occupational therapist employed by a school district, coach or school paraprofessional;
- (d) The school nurse shall provide general supervision to the selected school employee;
- (e) The selected school employee annually completes any training required by the school nurse and school medical advisor in the administration of medication with injectable equipment used to administer glucagon;
- (f) The school nurse and school medical advisor have attested in writing that the selected school employee completed the required training; and
- (g) The selected school employee voluntarily agrees to serve as one who may administer medication with injectable equipment used to administer glucagon to a student with diabetes that may require prompt treatment in order to protect the student against serious harm or death.

D. Epinephrine for Purposes of Emergency First Aid Without Prior Authorization

- (1) For purposes of this Section D, "regular school hours" means the posted hours during which students are required to be in attendance at the individual school on any given day.
- (2) The school nurse shall maintain epinephrine in cartridge injectors for the purpose of emergency first aid to students who experience allergic reactions and do not have prior written authorization of a parent or guardian or a prior written order of a qualified medical professional for the administration of epinephrine.
  - (a) The school nurse, in consultation with the school nurse supervisor, shall determine the supply of epinephrine in cartridge injectors that shall be available in the individual school.

- (b) In determining the appropriate supply of epinephrine in cartridge injectors, the nurse may consider, among other things, the number of students regularly in the school building during the regular school day and the size of the physical building.
- (3) The school nurse or school principal shall select principal(s), teacher(s), licensed athletic trainer(s), licensed physical or occupational therapist(s) employed by the Board, coach(es) and/or school paraprofessional(s) to maintain and administer the epinephrine in cartridge injectors for the purpose of emergency first aid as described in Paragraph (2) above, in the absence of the school nurse.
- (a) More than one individual must be selected by the school nurse or school principal for such maintenance and administration in the absence of the school nurse.
  - (b) The selected personnel, before conducting such administration, must annually complete the training made available by the Department of Education for the administration of epinephrine in cartridge injectors for the purpose of emergency first aid.
  - (c) The selected personnel must voluntarily agree to complete the training and administer epinephrine in cartridge injectors for the purpose of emergency first aid.
- (4) Either the school nurse or, in the absence of the school nurse, at least one of the selected and trained personnel as described in Paragraph (3) above shall be on the grounds of each school during regular school hours.
- (a) The school principal, in consultation with the school nurse supervisor, shall determine the level of nursing services and number of selected and trained personnel necessary to ensure that a nurse or selected and trained personnel is present on the grounds of each school during regular school hours.
  - (b) If the school nurse, or a substitute school nurse, is absent or must leave school grounds during regular school hours, the school nurse, school administrator or designee shall use an effective and reasonable means of communication to notify one or more qualified school employees and other staff in the school that the selected and trained personnel identified in Paragraph (3) above shall be responsible for the emergency administration of epinephrine.

- (5) The administration of epinephrine pursuant to this section must be done in accordance with this policy, including but not limited to the requirements for documentation and record keeping, errors in medication, emergency medical procedures, and the handling, storage and disposal of medication, and the Regulations adopted by the Department of Education.
- (6) The parent or guardian of any student may submit, in writing, to the school nurse or school medical advisor, if any, that epinephrine shall not be administered to such student pursuant to this section.
  - (a) The school nurse shall notify selected and trained personnel of the students whose parents or guardians have refused emergency administration of epinephrine.
  - (b) The Board shall annually notify parents or guardians of the need to provide such written notice.
- (7) Following the emergency administration of epinephrine by selected and trained personnel as identified in this section:
  - (a) Such emergency administration shall be reported immediately to:
    - (i) The school nurse or school medical advisor, if any, by the personnel who administered the epinephrine; and
    - (ii) The student's parent or guardian, by the school nurse or personnel who administered the epinephrine.
  - (b) A medication administration record shall be:
    - (i) Submitted to the school nurse by the personnel who administered the epinephrine as soon as possible, but no later than the next school day; and
    - (ii) Filed in or summarized on the student's cumulative health record, in accordance with the Document and Record Keeping section of this policy.

E. Opioid Antagonists for Purposes of Emergency First Aid Without Prior Authorization

- (1) For purposes of this Section E, "regular school hours" means the posted hours during which students are required to be in attendance at the individual school on any given day. "Regular school hours" does not

include after-school events such as athletics or extracurricular activities that take place outside the posted hours.

(2) For purposes of this section, an “opioid antagonist” means naloxone hydrochloride (e.g., Narcan) or any other similarly acting and equally safe drug that the FDA has approved for the treatment of a drug overdose.

(3) In accordance with Connecticut law and this policy, a school nurse may maintain opioid antagonists for the purpose of administering emergency first aid to students who experience a known or suspected opioid overdose and do not have a prior written authorization of a parent or guardian or a prior written order of a qualified medical professional for the administration of such opioid antagonist.

(a) The school nurse, in consultation with the Board’s medical advisor, shall determine the supply of opioid antagonists that shall be maintained in the individual school.

(b) In determining the appropriate supply of opioid antagonists, the nurse may consider, among other things, the number of students regularly in the school building during the regular school day and the size of the physical building.

(c) The school nurse shall be responsible for the safe storage of opioid antagonists maintained in a school and shall ensure any supply of opioid antagonists maintained is stored in a secure manner, in accordance with the manufacturer’s instructions, and in a location where it can be obtained in a timely manner if administration is necessary.

(d) The school nurse shall be responsible for maintaining an inventory of opioid antagonists maintained in the school, tracking the date(s) of expiration of the supply of opioid antagonists maintained in a school, and, as appropriate, refreshing the supply of opioid antagonists maintained in the school.

(4) The school nurse, in consultation with the Superintendent and the building principal, shall provide notice to parents and guardians of the Board’s policies and procedures regarding the emergency administration of opioid antagonists in the event of a known or suspected opioid overdose.

(5) A school nurse shall be approved to administer opioid antagonists for the purpose of emergency first aid, as described in Paragraph (3) above, in the event of a known or suspected opioid overdose, in

accordance with this policy and provided that such nurse has completed a training program in the distribution and administration of an opioid antagonist (1) developed by the State Department of Education, Department of Consumer Protection, and Department of Public Health, or (2) under a local agreement, entered into by the Board on July 1, 2022 or thereafter, with a prescriber or pharmacist for the administration of opioid antagonists for the purpose of emergency first aid, which training shall also address the Board's opioid antagonist storage, handling, labeling, recalls, and record keeping.

(6) The school nurse or school principal shall select principal(s), teacher(s), licensed athletic trainer(s), coach(es), school paraprofessional(s), and/or licensed physical or occupational therapist(s) employed by the Board to maintain and administer the opioid antagonists for the purpose of emergency first aid as described in Paragraph (3) above, in the absence of the school nurse.

(a) More than one individual must be selected by the school nurse or school principal for such maintenance and administration in the absence of the school nurse.

(b) The selected personnel, before administering an opioid antagonist pursuant to this section, must complete a training program in the distribution and administration of an opioid antagonist (1) developed by the State Department of Education, Department of Consumer Protection, and Department of Public Health, or (2) under a local agreement, entered into by the Board on July 1, 2022 or thereafter, with a prescriber or pharmacist for the administration of opioid antagonists for the purpose of emergency first aid, which training shall also address the Board's opioid antagonist storage, handling, labeling, recalls, and record keeping.

(c) All school personnel shall be notified of the identity of qualified school employees authorized to administer an opioid antagonist in the absence of the school nurse.

(7) Either the school nurse or, in the absence of the school nurse, at least one of the selected and trained personnel as described in Paragraph (6) above, shall be on the grounds of each school during regular school hours.

(a) The school principal, in consultation with the school nurse supervisor, shall determine the level of nursing services and number of selected and trained personnel necessary to ensure that

a nurse or selected and trained personnel is present on the grounds of each school during regular school hours.

(b) If the school nurse, or a substitute school nurse, is absent or must leave school grounds during regular school hours, the school nurse, school administrator or designee shall use an effective and reasonable means of communication to notify one or more qualified school employees and other staff in the school that the selected and trained personnel identified in Paragraph (6) above shall be responsible for the emergency administration of opioid antagonists.

(c) If a Board employee becomes aware of a student experiencing a known or suspected opioid overdose on school grounds but outside of regular school hours and opioid antagonists and/or the school nurse or other qualified school employee is not available to administer opioid antagonists for the purpose of emergency first aid, the Board employee will call 9-1-1.

(8) The administration of opioid antagonists pursuant to this policy must be effected in accordance with this policy and procedures regarding the acquisition, maintenance, and administration established by the Superintendent in consultation with the Board's medical advisor.

(9) The parent or guardian of any student may submit, in writing, to the school nurse or school medical advisor, if any, that opioid antagonists shall not be administered to such student pursuant to this section.

(a) The school nurse shall notify selected and trained personnel of the students whose parents or guardians have refused emergency administration of opioid antagonists.

(b) The Board shall annually notify parents or guardians of the need to provide such written notice of refusal.

(10) Following the emergency administration of an opioid antagonist by a school nurse or selected and trained personnel as identified in this section:

(a) Immediately following the emergency administration of an opioid antagonist by a school nurse or selected and trained personnel as

identified in this section, the person administering the opioid antagonist must call 9-1-1.

(b) Such emergency administration shall be reported immediately to:

- (i) The school nurse or school medical advisor, if any, by the personnel who administered the opioid antagonist;
- (ii) The Superintendent of Schools; and
- (iii) The student's parent or guardian.

(c) A medication administration record shall be:

- (i) Created by the school nurse or submitted to the school nurse by the personnel who administered the opioid antagonist, as soon as possible, but no later than the next school day; and
- (ii) filed in or summarized on the student's cumulative health record, in accordance with Section F of this policy.

(11) In the event that any provisions of this Section E conflict with regulations adopted by the Connecticut State Department of Education concerning the use, storage and administration of opioid antagonists in schools, the Department's regulations shall control.

F. Documentation and Record Keeping

(1) Each school or before-and-after school program and school readiness program where medications are administered shall maintain an individual medication administration record for each student who receives medication during school or program hours. This record shall include the following information:

- (a) the name of the student;
- (b) the student's state-assigned student identifier (SASID);
- (c) the name of the medication;
- (d) the dosage of the medication;
- (e) the route of the administration, (e.g., oral, topical, inhalant, etc.);
- (f) the frequency of administration;
- (g) the name of the authorized prescriber;
- (h) the dates for initiating and terminating the administration of medication, including extended-year programs;
- (i) the quantity received at school and verification by the adult delivering the medication of the quantity received;



- (j) the date the medication is to be reordered (if any);
  - (k) any student allergies to food and/or medication(s);
  - (l) the date and time of each administration or omission, including the reason for any omission;
  - (m) the dose or amount of each medication administered;
  - (n) the full written or electronic legal signature of the nurse or other authorized school personnel administering the medication; and
  - (o) for controlled medications, a medication count which should be conducted and documented at least once a week and co-signed by the assigned nurse and a witness.
- (2) All records are either to be made in ink and shall not be altered, or recorded electronically in a record that cannot be altered.
- (3) Written orders of authorized prescribers, written authorizations of a parent or guardian, the written parental permission for the exchange of information by the prescriber and school nurse to ensure safe administration of such medication, and the completed medication administration record for each student shall be filed in the student's cumulative health record or, for before or after school programs and school readiness programs, in the child's program record.
- (4) Authorized prescribers may make verbal orders, including telephone orders, for a *change* medication order. Such verbal orders may be received only by a school nurse and must be followed by a written order, which may be faxed, and must be received within three (3) school days.
- (5) Medication administration records will be made available to the Department of Education for review until destroyed pursuant to Section 11-8a and Section 12a(b) of the Connecticut General Statutes.
- (a) The completed medication administration record for non controlled medications may, at the discretion of the school district, be destroyed in accordance with Section 8 of the Connecticut Record Retention Schedules for Municipalities upon receipt of a signed approval form (R075) from the Office of the Public Records Administrator, so long as such record is superseded by a summary on the student health record.
  - (b) The completed medication administration record for controlled medications shall be maintained in the same manner as the non controlled medications. In addition, a separate medication administration record needs to be maintained in the school for three (3) years pursuant to Section 202a(b) of the Connecticut General Statutes.

- (6) Documentation of any administration of medication by a coach or licensed athletic trainer shall be completed on forms provided by the school and the following procedures shall be followed:
  - (a) a medication administration record for each student shall be maintained in the athletic offices;
  - (b) administration of a cartridge injector medication shall be reported to the school nurse at the earliest possible time, but no later than the next school day;
  - (c) all instances of medication administration, except for the administration of cartridge injector medication, shall be reported to the school nurse at least monthly, or as frequently as required by the individual student plan; and
  - (d) the administration of medication record must be submitted to the school nurse at the end of each sport season and filed in the student's cumulative health record.

G. Errors in Medication Administration

- (1) Whenever any error in medication administration occurs, the following procedures shall apply:
  - (a) the person making the error in medication administration shall immediately implement the medication emergency procedures in this policy if necessary;
  - (b) the person making the error in medication administration shall in all cases immediately notify the school nurse, principal, school nurse supervisor, and authorized prescriber. The person making the error, in conjunction with the principal, shall also immediately notify the parent or guardian, advising of the nature of the error and all steps taken or being taken to rectify the error, including contact with the authorized prescriber and/or any other medical action(s); and
  - (c) the principal shall notify the Superintendent or the Superintendent's designee.
- (2) The school nurse, along with the person making the error, shall complete a report using the authorized medication error report form. The report shall include any corrective action taken.

- (3) Any error in the administration of medication shall be documented in the student's cumulative health record or, for before or after school programs and school readiness programs, in the child's program record.
- (4) These same procedures shall apply to coaches and licensed athletic trainers during intramural and interscholastic events, except that if the school nurse is not available, a report must be submitted by the coach or licensed athletic trainer to the school nurse the next school day.

#### H. Medication Emergency Procedures

- (1) Whenever a student has a life-threatening reaction to administration of a medication, resolution of the reaction to protect the student's health and safety shall be the foremost priority. The school nurse and the authorized prescriber shall be notified immediately, or as soon as possible in light of any emergency medical care that must be given to the student.
- (2) Emergency medical care to resolve a medication emergency includes but is not limited to the following, as appropriate under the circumstances:
  - (a) use of the 911 emergency response system;
  - (b) application by properly trained and/or certified personnel of appropriate emergency medical care techniques, such as cardio-pulmonary resuscitation;
  - (c) administration of emergency medication in accordance with this policy;
  - (d) contact with a poison control center; and
  - (e) transporting the student to the nearest available emergency medical care facility that is capable of responding to a medication emergency.
- (3) As soon as possible, in light of the circumstances, the principal shall be notified of the medication emergency. The principal shall immediately thereafter contact the Superintendent or the Superintendent's designee, who shall thereafter notify the parent or guardian, advising of the existence and nature of the medication emergency and all steps taken or being taken to resolve the emergency and protect the health and safety of the student, including contact with the authorized prescriber and/or any other medical action(s) that are being or have been taken.

#### I. Supervision

- (1) The school nurse is responsible for general supervision of administration of medications in the school(s) to which that nurse is assigned.

- (2) The school nurse's duty of general supervision includes, but is not limited to, the following:
- (a) availability on a regularly scheduled basis to:
    - (i) review orders or changes in orders and communicate these to personnel designated to give medication for appropriate follow-up;
    - (ii) set up a plan and schedule to ensure medications are given properly;
    - (iii) provide training to licensed nursing personnel, full-time principals, full-time teachers, full-time licensed physical or occupational therapists employed by the school district, coaches of intramural and interscholastic athletics, licensed athletic trainers and identified paraprofessionals designated in accordance with Section B(3)(g), above, which training shall pertain to the administration of medications to students, and assess the competency of these individuals to administer medication;
    - (iv) support and assist other licensed nursing personnel, full-time principals, full-time teachers, full-time licensed physical or occupational therapists employed by the school district, coaches of intramural and/or interscholastic athletics, licensed athletic trainers and identified paraprofessionals designated in accordance with Section B(3)(g), above, to prepare for and implement their responsibilities related to the administration of specific medications during school hours and during intramural and interscholastic athletics as provided by this policy;
    - (v) provide appropriate follow-up to ensure the administration of medication plan results in desired student outcomes, including providing proper notification to appropriate employees or contractors regarding the contents of such medical plans; and
    - (vi) provide consultation by telephone or other means of telecommunications, which consultation may be provided by an authorized prescriber or other nurse in the absence of the school nurse.
  - (b) In addition, the school nurse shall be responsible for:

- (i) implementing policies and procedures regarding the receipt, storage, and administration of medications;
- (ii) reviewing, on a periodic basis, all documentation pertaining to the administration of medications for students;
- (iii) performing observations of the competency of medication administration by full-time principals, full-time teachers, full-time licensed physical or occupational therapists employed by the school district, coaches of intramural and/or interscholastic athletics and licensed athletic trainers in accordance with Section B(3)(f), above, and identified paraprofessionals designated in accordance with Section B(3)(g), above, who have been newly trained to administer medications; and,
- (iv) conducting periodic reviews, as needed, with licensed nursing personnel, full-time principals, full-time teachers, full-time licensed physical or occupational therapists employed by the school district, coaches of intramural and/or interscholastic athletics and licensed athletic trainers in accordance with Section B(3)(f), above, and identified paraprofessionals designated in accordance with Section B(3)(g), above, regarding the needs of any student receiving medication.

J. Training of School Personnel

- (1) Full-time principals, full-time teachers, full-time licensed physical or occupational therapists employed by the school district, coaches of intramural and/or interscholastic athletics and licensed athletic trainers in accordance with Section B(3)(f), above, and identified paraprofessionals designated in accordance with Section B(3)(g), above, who are designated to administer medications shall at least annually receive training in their safe administration, and only trained full-time principals, full-time teachers, full-time licensed physical or occupational therapists employed by the school district, coaches of intramural and/or interscholastic athletics and licensed athletic trainers in accordance with Section B(3)(f), above, and identified paraprofessionals designated in accordance with Section B(3)(g), above, shall be allowed to administer medications.
- (2) Training for full-time principals, full-time teachers, full-time licensed physical or occupational therapists employed by the school district, coaches of intramural and/or interscholastic athletics and licensed athletic

trainers in accordance with Section B(3)(f), above, and identified paraprofessionals designated in accordance with Section B(3)(g), above, shall include, but is not necessarily limited to, the following:

- (a) the general principles of safe administration of medication;
  - (b) the procedures for administration of medications, including the safe handling and storage of medications, and the required record-keeping; and
  - (c) specific information related to each student's medication plan, including the name and generic name of the medication, indications for medication dosage, routes, time and frequency of administration, therapeutic effects of the medication, potential side effects, overdose or missed doses of the medication, and when to implement emergency interventions.
- (3) The principal(s), teacher(s), licensed athletic trainer(s), licensed physical or occupational therapist(s) employed by the Board, coach(es) and/or school paraprofessional(s) who administer epinephrine as emergency first aid, pursuant to Section D above, shall annually complete the training program developed by the Departments of Education and Public Health and training in cardiopulmonary resuscitation and first aid.
- (4) The principal(s), teacher(s), licensed athletic trainer(s), licensed physical or occupational therapist(s), coach(es) and/or school paraprofessional(s) who administer opioid antagonists as emergency first aid, pursuant to Section E above, shall annually complete a training program in the distribution and administration of an opioid antagonist (1) developed by the State Department of Education, Department of Consumer Protection, and Department of Public Health, or (2) under a local agreement, entered into by the Board on July 1, 2022 or thereafter, with a prescriber or pharmacist for the administration of opioid antagonists for the purpose of emergency first aid, which training shall also address the Board's opioid antagonist storage, handling, labeling, recalls, and record keeping.]
- (5) The Board shall maintain documentation of medication administration training as follows:
- (a) dates of general and student-specific trainings;
  - (b) content of the trainings;

- (c) individuals who have successfully completed general and student-specific administration of medication training for the current school year; and
  - (d) names and credentials of the nurse or school medical advisor, if any, trainer or trainers.
- (5) Licensed practical nurses may not conduct training in the administration of medication to another individual.

K. Handling, Storage and Disposal of Medications

- (1) All medications, except those approved for transporting by students for self-medication, those administered by coaches of intramural or interscholastic athletics or licensed athletic trainers in accordance with Section B(3)(f) above, and epinephrine or naloxone to be used for emergency first aid in accordance with Sections D and E above, must be delivered by the parent, guardian, or other responsible adult to the nurse assigned to the student's school or, in the absence of such nurse, the school principal who has been trained in the appropriate administration of medication. Medications administered by coaches of intramural or interscholastic athletics or licensed athletic trainers must be delivered by the parent or guardian directly to the coach or licensed athletic trainer in accordance with Section B(3)(f) above.
- (2) The nurse shall examine on-site any new medication, medication order and the required authorization to administer form, and, except for epinephrine and naloxone to be used as emergency first aid in accordance with Sections D and E above, shall develop a medication administration plan for the student before any medication is given to the student by any school personnel. No medication shall be stored at a school without a current written order from an authorized prescriber.
- (3) The school nurse shall review all medication refills with the medication order and parent authorization prior to the administration of medication, except for epinephrine and naloxone intended for emergency first aid in accordance with Sections D and E above.
- (4) Emergency Medications
  - (a) Except as otherwise determined by a student's emergency care plan, emergency medications shall be stored in an unlocked, clearly labeled and readily accessible cabinet or container in the health room during school hours under the general supervision of the school nurse or, in the absence of the school nurse, the

principal or the principal's designee who has been trained in the administration of medication.

- (b) Emergency medication shall be locked beyond the regular school day or program hours, except as otherwise determined by a student's emergency care plan.
- (5) All medications, except those approved for keeping by students for self-medication, shall be kept in a designated and locked location used exclusively for the storage of medication. Controlled substances shall be stored separately from other drugs and substances in a separate, secure, substantially constructed, locked metal or wood cabinet.
- (6) Access to stored medications shall be limited to persons authorized to administer medications. Each school or before or after school program and school readiness program shall maintain a current list of such authorized persons.
- (7) All medications, prescription and non-prescription, shall be delivered and stored in their original containers and in such a manner that renders them safe and effective.
- (8) At least two sets of keys for the medication containers or cabinets shall be maintained for each school building or before or after school program and school readiness program. One set of keys shall be maintained under the direct control of the school nurse or nurses and an additional set shall be under the direct control of the principal and, if necessary, the program director or lead teacher who has been trained in the general principles of the administration of medication shall also have a set of keys.
- (9) Medications that must be refrigerated shall be stored in a refrigerator at no less than 36 degrees Fahrenheit and no more than 46 degrees Fahrenheit. The refrigerator must be located in the health office that is maintained for health services with limited access. Non-controlled medications may be stored directly on the refrigerator shelf with no further protection needed. Controlled medication shall be stored in a locked box that is affixed to the refrigerator shelf.
- (10) All unused, discontinued or obsolete medications shall be removed from storage areas and either returned to the parent or guardian or, if the medication cannot be returned to the parent or guardian, the medication shall be destroyed in collaboration with the school nurse:
  - (a) non-controlled drugs shall be destroyed in the presence of at least one witness;



- (b) controlled drugs shall be destroyed in pursuant to Section 21a-262-3 of the Regulations of Connecticut State Agencies; and
  - (c) accidental destruction or loss of controlled drugs must be verified in the presence of a second person, including confirmation of the presence or absence of residue, and jointly documented on the student medication administration record and on a medication error form pursuant to Section 10-212a(b) of the Connecticut General Statutes. If no residue is present, notification must be made to the Department of Consumer Protection pursuant to Section 21a-262-3 of the Regulations of Connecticut State Agencies.
- (11) Medications to be administered by coaches of intramural or interscholastic athletic events or licensed athletic trainers shall be stored:
- (a) in containers for the exclusive use of holding medications;
  - (b) in locations that preserve the integrity of the medication;
  - (c) under the general supervision of the coach or licensed athletic trainer trained in the administration of medication; and
  - (d) in a locked secured cabinet when not under the general supervision of the coach or licensed athletic trainer during intramural or interscholastic athletic events.
- (12) In no event shall a school store more than a three (3) month supply of a medication for a student.

L. School Readiness Programs and Before or After School Programs

- (1) As determined by the school medical advisor, if any, and school nurse supervisor, the following procedures shall apply to the administration of medication during school readiness programs and before or after school programs run by the Board, which are exempt from licensure by the Office of Early Childhood:
- (a) Administration of medication at these programs shall be provided only when it is medically necessary for participants to access the program and maintain their health status while attending the program.
  - (b) Except as provided by Sections D and E above, no medication shall be administered in these programs without:

- (i) the written order of an authorized prescriber; and
  - (ii) the written authorization of a parent or guardian or an eligible student.
- (c) A school nurse shall provide consultation to the program director, lead teacher or school administrator who has been trained in the administration of medication regarding the safe administration of medication within these programs. The school medical advisor and school nurse supervisor shall determine whether, based on the population of the school readiness program and/or before or after school program, additional nursing services are required for these programs.
- (d) Only school nurses, directors or directors' designees, lead teachers or school administrators who have been properly trained may administer medications to students as delegated by the school nurse or other registered nurse. Properly trained directors or directors' designees, lead teachers or school administrators may administer oral, topical, intranasal or inhalant medications. Investigational drugs or research or study medications may not be administered in these programs.
- (e) Students attending these programs may be permitted to self-medicate only in accordance with the provisions of Section B(3) of this policy. In such a case, the school nurse must provide the program director, lead teacher or school administrator running the program with the medication order and parent permission for self-administration.
- (f) In the absence of the school nurse during program administration, the program director, lead teacher or school administrator is responsible for decision-making regarding medication administration.
- (g) Cartridge injector medications may be administered by a director, lead teacher or school administrator only to a student with a medically-diagnosed allergic condition which may require prompt treatment to protect the student against serious harm or death.
- (2) Local poison control center information shall be readily available at these programs.
- (3) Procedures for medication emergencies or medication errors, as outlined in this policy, must be followed, except that in the event of a medication

error a report must be submitted by the program director, lead teacher or school administrator to the school nurse the next school day.

- (4) Training for directors or directors' designees, lead teachers or school administrators in the administration of medication shall be provided in accordance with Section J of this policy.
- (5) All medications must be handled and stored in accordance with Section K of this policy. Where possible, a separate supply of medication shall be stored at the site of the before or after or school readiness program. In the event that it is not possible for the parent or guardian to provide a separate supply of medication, then a plan shall be in place to ensure the timely transfer of the medication from the school to the program and back on a daily basis.
- (6) Documentation of any administration of medication shall be completed on forms provided by the school and the following procedures shall be followed:
  - (a) a medication administration record for each student shall be maintained by the program;
  - (b) administration of a cartridge injector medication shall be reported to the school nurse at the earliest possible time, but no later than the next school day;
  - (c) all instances of medication administration, except for the administration of cartridge injector medication, shall be reported to the school nurse at least monthly, or as frequently as required by the individual student plan; and
  - (d) the administration of medication record must be submitted to the school nurse at the end of each school year and filed in the student's cumulative health record.
- (7) The procedures for the administration of medication at school readiness programs and before or after school programs shall be reviewed annually by the school medical advisor, if any, and school nurse supervisor.

#### M. Review and Revision of Policy

In accordance with the provisions of Conn. Gen. Stat. Section 10-212a(a)(2) and Section 10-212a-2 of the Regulations of Connecticut State Agencies, the Board shall review this policy periodically, and at least biennially, with the advice and approval of the school medical advisor, if any, or other qualified licensed physician. Any proposed

revisions to the policy must be made with the advice and approval of the school medical advisor, Director of Health Services or other qualified licensed physician.

Legal References:

Connecticut General Statutes:

Public Act No. 22-80, “An Act Concerning Childhood Mental and Physical Health Services in Schools”

Section 10-206

Section 10-212

Section 10-212a

Section 10-212c

Section 10-220j

Section 14-276b

Section 19a-900

Section 21a-240

Section 52-557b

Regulations of Conn. State Agencies:

Sections 10-212a-1 through 10-212a-10, inclusive

Memorandum of Decision, In Re: Declaratory Ruling/Delegation by Licensed Nurses to Unlicensed Assistive Personnel, Connecticut State Board of Examiners for Nursing (April 5, 1995)

Storage and Administration of Opioid Antagonists in Schools: Guidelines for Local and Regional Boards of Education, Connecticut State Department of Education (October 1, 2022)

ADOPTED: 10-19-2022

REVISED: TBD

10/20/2022

HAMLET M. HERNANDEZ  
*Superintendent of Schools*

RACHEL M. SEXTON  
*Assistant Superintendent of Schools*

DONALD A. NEEL  
*Chief Operating Officer*



## BRANFORD PUBLIC SCHOOLS

185 Damascus Road, Branford, CT 06405-3717  
203.488.7276 • Fax 203. 315.3505  
[www.branfordschools.org](http://www.branfordschools.org)

### REFUSAL TO PERMIT ADMINISTRATION OF EPINEPHRINE FOR EMERGENCY FIRST AID

Name of Child: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Address of Child: \_\_\_\_\_

Name of Parent(s): \_\_\_\_\_

Address of Parent(s): \_\_\_\_\_  
(if different from child)

Connecticut law requires the school nurse and other qualified school personnel in all public schools to maintain epinephrine in cartridge injectors (EpiPens) for the purpose of administering emergency first aid to students who experience allergic reactions and do not have a prior written authorization of a parent or guardian or a prior written order of a qualified medical professional for the administration of epinephrine. State law permits the parent or guardian of a student to submit a written directive to the school nurse or school medical advisor that epinephrine shall not be administered to such student in emergency situations. This form is provided for those parents who refuse to have epinephrine administered to their child. The refusal is valid for only for the 20\_\_-20\_\_ school year. I, \_\_\_\_\_, the parent/guardian of \_\_\_\_\_,

Print name of parent/guardian \_\_\_\_\_ Print name of student \_\_\_\_\_  
refuse to permit the administration of epinephrine to the above named student for purposes of emergency first aid in the case of an allergic reaction.

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

\_\_\_\_\_  
Date

**Please return the completed original form to your child's school nurse or BPS school medical advisor, Dr. Richard Young at Branford Public Schools, 185 Damascus Road, Branford, CT 06405**

10/2022

REFUSAL TO PERMIT ADMINISTRATION

HAMLET M. HERNANDEZ  
*Superintendent of Schools*

RACHEL M. SEXTON  
*Assistant Superintendent of Schools*

DONALD A. NEEL  
*Chief Operating Officer*



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### OF OPIOID ANTAGONISTS FOR EMERGENCY FIRST AID

Name of Child: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Address of Child: \_\_\_\_\_

Name of Parent(s): \_\_\_\_\_

Address of Parent(s): \_\_\_\_\_  
(if different from child)

Connecticut law authorizes the school nurse and other qualified school personnel in all public schools to maintain opioid antagonists (Narcan) for the purpose of administering emergency first aid to students who experience an opioid-related drug overdose and do not have a prior written authorization of a parent or guardian or a prior written order of a qualified medical professional for the administration of opioid antagonists. State law permits the parent or guardian of a student to submit a written directive to the **school nurse or school medical advisor** that opioid antagonists shall not be administered to such student in emergency situation. **This form is provided for those parents who refuse to have opioid antagonists administered to their child.** The refusal is valid for only for the 20\_\_-20\_\_ school year.

I, \_\_\_\_\_, the parent/guardian of \_\_\_\_\_,  
Print name of parent/guardian Print name of student  
refuse to permit the administration of opioid antagonists to the above named student for purposes of emergency first aid in the case of an opioid-related drug overdose.

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

\_\_\_\_\_  
Date

**Please return the completed original form to your child's school nurse or BPS school medical advisor, Dr. Richard Young at Branford Public Schools, 185 Damascus Road, Branford, CT 06405**

10/2022



Students

5300 P

## ADMINISTRATION OF STUDENT MEDICATIONS IN THE SCHOOLS

### A. Definitions

Administration of medication means any one of the following activities: handling, storing, preparing or pouring of medication; conveying it to the student according to the medication order; observing the student inhale, apply, swallow, or self-inject the medication, when applicable; documenting that the medication was administered; and counting remaining doses to verify proper administration and use of the medication.

Authorized prescriber means a physician, dentist, optometrist, advanced practice registered nurse or physician assistant, and, for interscholastic and intramural athletic events only, a podiatrist.

Before or after school program means any child care program operated and administered by the Branford Board of Education (the "Board") and exempt from licensure by the Office of Early Childhood pursuant to subdivision (1) of subsection (b) of Section 19a-77 of the Connecticut General Statutes. Such programs do not include public or private entities licensed by the Office of Early Childhood or Board enhancement programs and extra-curricular activities.

Cartridge injector means an automatic prefilled cartridge injector or similar automatic injectable equipment used to deliver epinephrine in a standard dose for emergency first aid response to allergic reactions.

Coach means any person holding a coaching permit who is hired by the Board to coach for a sport season.

Controlled drugs means those drugs as defined in Conn. Gen. Stat. Section 21a-240.

Cumulative health record means the cumulative health record of a pupil mandated by Conn. Gen. Stat. Section 10-206.

Director means the person responsible for the day-to-day operations of any school readiness program or before-or-after school program.

Eligible student means a student who has reached the age of eighteen or is an emancipated minor.

Error means:

- (1) the failure to do any of the following as ordered:
  - (a) administer a medication to a student;
  - (b) administer medication within the time designated by the prescribing physician;
  - (c) administer the specific medication prescribed for a student;
  - (d) administer the correct dosage of medication;
  - (e) administer medication by the proper route;
  - (f) administer the medication according to generally accepted standards of practice; or
  - (g) failure to document after a medication is given
- (2) the administration of medication to a student which is not ordered, or which is not authorized in writing by the parent or guardian of such student, except for the administration of epinephrine or naloxone for the purpose of emergency first aid as set forth in Sections D and E below.

Guardian means one who has the authority and obligations of guardianship of the person of a minor, and includes: (1) the obligation of care and control; and (2) the authority to make major decisions affecting the minor's welfare, including, but not limited to, consent determinations regarding marriage, enlistment in the armed forces and major medical, psychiatric or surgical treatment.

Intramural athletic events means tryouts, competition, practice, drills, and transportation to and from events that are within the bounds of a school district for the purpose of providing an opportunity for students to participate in physical activities and athletic contests that extend beyond the scope of the physical education program.

Interscholastic athletic events means events between or among schools for the purpose of providing an opportunity for students to participate in competitive contests that are highly organized and extend beyond the scope of intramural programs and includes tryouts, competition, practice, drills and transportation to and from such events.

Investigational drug means any medication with an approved investigational new drug (IND) application on file with the Food and Drug Administration (FDA), which is being scientifically tested and clinically evaluated to determine its efficacy, safety and side effects and which has not yet received FDA approval.

Licensed athletic trainer means a licensed athletic trainer employed by the school district pursuant to Chapter 375a of the Connecticut General Statutes.



Medication means any medicinal preparation, both prescription and non-prescription, over-the-counter medication, including controlled drugs, as defined in Conn. Gen. Stat. Section 21a-240. This definition includes Aspirin, Ibuprofen or Aspirin substitutes containing Acetaminophen.

Medication emergency means a life-threatening reaction of a student to a medication.

Medication plan means a documented plan established by the school nurse in conjunction with the parent and student regarding the administration of medication in school. Such plan may be a stand-alone plan, part of an individualized health care plan, an emergency care plan or a medication administration form.

Medication order means the authorization by an authorized prescriber for the administration of medication to a student which shall include the name of the student, the name and generic name of the medication, the dosage of the medication, the route of administration, the time of administration, the frequency of administration, the indications for medication, any potential side effects including overdose or missed dose of the medication, the start and termination dates not to exceed a 12-month period, and the written signature of the prescriber.

Nurse means an advanced practice registered nurse, a registered nurse or a practical nurse licensed in Connecticut in accordance with Chapter 378, Conn. Gen. Stat.

Occupational therapist means an occupational therapist employed full time by the Board and licensed in Connecticut pursuant to Chapter 376a of the Connecticut General Statutes.

Optometrist means an optometrist licensed to provide optometry pursuant to Chapter 380 of the Connecticut General Statutes.

Paraprofessional means a health care aide or assistant or an instructional aide or assistant employed by the Board who meets the requirements of the Board for employment as a health care aide or assistant or instructional aide or assistant.

Physical therapist means a physical therapist employed full time by the Board and licensed in Connecticut pursuant to Chapter 376 of the Connecticut General Statutes.

Physician means a doctor of medicine or osteopathy licensed to practice medicine in Connecticut pursuant to Chapter 370 of the Connecticut General Statutes, or licensed to practice medicine in another state.

Podiatrist means an individual licensed to practice podiatry in Connecticut pursuant to Chapter 375 of the Connecticut General Statutes.

Principal means the administrator in the school.

Research or study medications means FDA-approved medications being administered according to an approved study protocol. A copy of the study protocol shall be provided to the school nurse along with the name of the medication to be administered and the acceptable range of dose of such medication to be administered.

School means any educational facility or program which is under the jurisdiction of the Board excluding extracurricular activities.

School nurse means a nurse appointed in accordance with Conn. Gen. Stat. Section 10-212.

School nurse supervisor means the nurse designated by the Board as the supervisor or, if no designation has been made by the Board, the lead or coordinating nurse assigned by the Board.

School readiness program means a program that receives funds from the State Department of Education for a school readiness program pursuant to subsection (b) of Section 10-16p of the Connecticut General Statutes and exempt from licensure by the Office of Early Childhood pursuant to subdivision (1) of subsection (b) of Section 19a-77 of the Connecticut General Statutes.

Self-administration of medication means the control of the medication by the student at all times and is self-managed by the student according to the individual medication plan.

Teacher means a person employed full time by the Board who has met the minimum standards as established by the Board for performance as a teacher and has been approved by the school medical advisor and school nurse to be designated to administer medications pursuant to the Regulations of Connecticut State Agencies Sections 10-212a-1 through 10-212a-7.

B. General Policies on Administration of Medications

- (1) Except as provided below in Sections D and E, no medication, including non-prescription drugs, may be administered by any school personnel without:
  - (a) the written medication order of an authorized prescriber;
  - (b) the written authorization of the student's parent

- or guardian or eligible student; and
  - (c) the written permission of a parent for the exchange of information between the prescriber and the school nurse necessary to ensure safe administration of such medication.
- (2) Prescribed medications shall be administered to and taken by only the person for whom the prescription has been written.
- (3) Except as provided in Sections D and E, medications may be administered only by a licensed nurse or, in the absence of a licensed nurse, by:
  - (a) a full-time principal, a full-time teacher, or a full-time licensed physical or occupational therapist employed by the school district. A full-time principal, teacher, licensed physical or occupational therapist employed by the school district may administer oral, topical, intranasal or inhalant medications after proper training on medication administration. Such individuals may administer injectable medications only to a student with a medically diagnosed allergic condition that may require prompt treatment to protect the student against serious harm or death.
  - (b) students with chronic medical conditions who are able to possess, self-administer, or possess and self-administer medication, provided all of the following conditions are met:
    - (i) an authorized prescriber provides a written medication order, including the recommendation for possession, self-administration, or possession and self-administration;
    - (ii) there is a written authorization for possession, self-administration, or possession and self-administration from the student's parent or guardian or eligible student;
    - (iii) the school nurse has developed a plan for possession, self-administration, or possession and self-administration, and general supervision, and has documented the plan in the student's cumulative health record;
    - (iv) the school nurse has assessed the student's competency for self-administration and deemed it safe and appropriate, including that the student: is capable of identifying and selecting the appropriate medication by size, color, amount or other label identification; knows the frequency and time of day for which the medication is ordered; can identify the presenting symptoms that require medication;

- administers the medication appropriately; maintains safe control of the medication at all times; seeks adult supervision whenever warranted; and cooperates with the established medication plan;
- (v) the principal, appropriate teachers, coaches and other appropriate school personnel are informed the student is possessing, self-administering, or possessing and self-administering prescribed medication;
  - (vi) such medication is transported to school and maintained under the student's control in accordance with this policy; and
  - (vii) controlled drugs, as defined in this policy, may not be possessed or self-administered by students, except in extraordinary situations, such as international field trips, with approval of the school nurse supervisor and the school medical advisor in advance and development of an appropriate plan.
- (c) a student diagnosed with asthma who is able to self-administer medication shall be permitted to retain possession of an asthmatic inhaler at all times while attending school, in order to provide for prompt treatment to protect such child against serious harm or death, provided all of the following conditions are met:
- (i) an authorized prescriber provides a written order requiring the possession of an inhaler by the student at all times in order to provide for prompt treatment in order to protect the child against serious harm or death and authorizing the student's self-administration of medication, and such written order is provided to the school nurse;
  - (ii) there is a written authorization from the student's parent or guardian regarding the possession of an inhaler by the student at all times in order to protect the child against serious harm or death and authorizing the student's self-administration of medication, and such written authorization is provided to the school nurse;
  - (iii) the conditions set forth in subsection (b) above have been met, except that the school nurse's review of a student's competency to self-administer an inhaler for asthma in the school setting shall not be used to prevent a student from retaining and self-administering an inhaler for asthma.

Students may self-administer medication with only the written authorization of an authorized prescriber and written authorization from the student's parent or guardian or eligible student; and

- (iv) the conditions for self-administration meet any regulations as may be imposed by the State Board of Education in consultation with the Commissioner of Public Health.
- (d) a student diagnosed with an allergic condition who is able to self-administer medication shall be permitted to retain possession of a cartridge injector at all times while attending school, in order to provide for prompt treatment to protect such child against serious harm or death, provided all of the following conditions are met:
- (i) an authorized prescriber provides a written order requiring the possession of a cartridge injector by the student at all times in order to provide for prompt treatment in order to protect the child against serious harm or death and authorizing the student's possession, self-administration, or possession and self-administration of medication, and such written order is provided to the school nurse;
  - (ii) there is a written authorization from the student's parent or guardian regarding the possession of a cartridge injector by the student at all times in order to protect the child against serious harm or death and authorizing the student's possession, self-administration, or possession and self-administration of medication, and such written authorization is provided to the school nurse;
  - (iii) the conditions set forth in subsection (b) above have been met, except that the school nurse's review of a student's competency to self-administer cartridge injectors for medically-diagnosed allergies in the school setting shall not be used to prevent a student from retaining and self-administering a cartridge injector for medically-diagnosed allergies. Students may self-administer medication with only the written authorization of an authorized prescriber and written authorization from the student's parent or guardian or eligible student; and
  - (iv) the conditions for self-administration meet any regulations as may be imposed by the State Board of Education in consultation with the Commissioner of Public Health.

- (e) a student with a medically diagnosed life-threatening allergic condition may possess, self-administer, or possess and self-administer medication, including but not limited to medication administered with a cartridge injector, to protect the student against serious harm or death, provided the following conditions are met:
  - (i) the parent or guardian of the student has provided written authorization for the student to possess, self-administer, or possess and self-administer such medication; and
  - (ii) a qualified medical professional has provided a written order for the possession, self-administration, or possession and self-administration.
- (f) a coach of intramural or interscholastic athletic events or licensed athletic trainer who has been trained in the administration of medication, during intramural or interscholastic athletic events, may administer inhalant medications prescribed to treat respiratory conditions and/or medication administered with a cartridge injector for students with medically diagnosed allergic conditions which may require prompt treatment to protect the student against serious harm or death, provided all of the following conditions are met:
  - (i) the school nurse has determined that a self-administration plan is not viable;
  - (ii) the school nurse has provided to the coach a copy of the authorized prescriber's order and parental permission form;
  - (iii) the parent/guardian has provided the coach or licensed athletic trainer with the medication in accordance with Section K of this policy, and such medication is separate from the medication stored in the school health office for use during the school day; and
  - (iv) the coach or licensed athletic trainer agrees to the administration of emergency medication and implements the emergency care plan, identified in Section H of this policy, when appropriate.
- (g) an identified school paraprofessional who has been trained in the administration of medication, provided medication is administered only to a specific student in order to protect that student from

harm or death due to a medically diagnosed allergic condition, and the following additional conditions are met:

- (i) there is written authorization from the student's parents/guardian to administer the medication in school;
  - (ii) medication is administered pursuant to the written order of (A) a physician licensed under chapter 370 of the Connecticut General Statutes, (B) an optometrist licensed to practice optometry under chapter 380 of the Connecticut General Statutes, (C) an advanced practice registered nurse licensed to prescribe in accordance with section 20-94a of the Connecticut General Statutes, or (D) a physician assistant licensed to prescribe in accordance with section 20-12d of the Connecticut General Statutes;
  - (iii) medication is administered only with approval by the school nurse and school medical advisor, if any, in conjunction with the school nurse supervisor and under the supervision of the school nurse;
  - (iv) the medication to be administered is limited to medications necessary for prompt treatment of an allergic reaction, including, but not limited to, a cartridge injector; and
  - (v) the paraprofessional shall have received proper training and supervision from the school nurse in accordance with this policy and state regulations.
- (h) a principal, teacher, licensed athletic trainer, licensed physical or occupational therapist employed by the Board, coach or school paraprofessional, provided medication is antiepileptic medication, including by rectal syringe, administered only to a specific student with a medically diagnosed epileptic condition that requires prompt treatment in accordance with the student's individual seizure action plan, and the following additional conditions are met:
- (i) there is written authorization from the student's parents/guardians to administer the medication;
  - (ii) a written order for such administration has been received from the student's physician licensed under Chapter 370 of the Connecticut General Statutes;

- (iii) the principal, teacher, licensed athletic trainer, licensed physical or occupational therapist employed by the Board, coach or school paraprofessional is selected by the school nurse and school medical advisor, if any, and voluntarily agrees to administer the medication;
  - (iv) the principal, teacher, licensed athletic trainer, licensed physical or occupational therapist employed by the Board, coach or school paraprofessional annually completes the training program established by the Connecticut State Department of Education and the Association of School Nurses of Connecticut, and the school nurse and medical advisor, if any, have attested, in writing, that such training has been completed; and
  - (v) the principal, teacher, licensed athletic trainer, licensed physical or occupational therapist employed by the Board, coach or school paraprofessional receives monthly reviews by the school nurse to confirm competency to administer antiepileptic medication.
- (i) a director of a school readiness program or a before or after school program, or the director's designee, provided that the medication is administered:
    - (i) only to a child enrolled in such program; and
    - (ii) in accordance with Section L of this policy.
  - (j) a licensed practical nurse, after the school nurse has established the medication plan, provided that the licensed practical nurse may not train or delegate the administration of medication to another individual, and provided that the licensed practical nurse can demonstrate one of the following:
    - (i) training in administration of medications as part of their basic nursing program;
    - (ii) successful completion of a pharmacology course and subsequent supervised experience; or
    - (iii) supervised experience in the administration of medication while employed in a health care facility.
- (4) Medications may also be administered by a parent or guardian to the parent or guardian's own child on school grounds.



- (5) Investigational drugs or research or study medications may be administered only by a licensed nurse. For FDA-approved medications being administered according to a study protocol, a copy of the study protocol shall be provided to the school nurse along with the name of the medication to be administered and the acceptable range of dose of such medication to be administered.

C. Students with Diabetes

- (1) The Branford permits blood glucose testing by students who have a written order from a physician or an advanced practice registered nurse stating the need and capability of such student to conduct self-testing, or the use of continuous blood glucose monitors (CGM) by children diagnosed with Type 1 diabetes, who have a written order from a physician or an advanced practice registered nurse.
- (2) The Board will not restrict the time or location of blood glucose testing by a student with diabetes on school grounds who has written authorization from a parent or guardian and a written order from a physician or an advanced practice registered nurse stating that such child is capable of conducting self-testing on school grounds.
- (3) The Board will not require a student using a continuous glucose monitor approved by the Food and Drug Administration for use without finger stick verification to undergo finger stick verification of blood glucose readings from a continuous glucose monitor on a routine basis. Finger stick testing of a child using a continuous glucose monitor so approved by the Food and Drug Administration shall only be conducted:
  - (1) as ordered by the student's physician or advanced practice provider;
  - (2) if it appears that the continuous glucose monitor is malfunctioning; or
  - (3) in an urgent medical situation.

(4) The Board shall purchase or use existing equipment owned by the Board to monitor blood glucose alerts transmitted from continuous glucose monitors of students with Type 1 diabetes to dedicated receivers, smartphone/tablet applications, or other appropriate technology on such equipment.
- (5) In the absence or unavailability of the school nurse, select school employees may administer medication with injectable equipment used to administer glucagon to a student with diabetes that may require prompt treatment in order to protect the student against serious harm or death, under the following conditions:

- (a) The student's parent or guardian has provided written authorization;
- (b) A written order for such administration has been received from the student's physician licensed under Chapter 370 of the Connecticut General Statutes;
- (c) The school employee is selected by either the school nurse or principal and is a principal, teacher, licensed athletic trainer, licensed physical or occupational therapist employed by a school district, coach or school paraprofessional;
- (d) The school nurse shall provide general supervision to the selected school employee;
- (e) The selected school employee annually completes any training required by the school nurse and school medical advisor in the administration of medication with injectable equipment used to administer glucagon;
- (f) The school nurse and school medical advisor have attested in writing that the selected school employee completed the required training; and
- (g) The selected school employee voluntarily agrees to serve as one who may administer medication with injectable equipment used to administer glucagon to a student with diabetes that may require prompt treatment in order to protect the student against serious harm or death.

D. Epinephrine for Purposes of Emergency First Aid Without Prior Authorization

- (1) For purposes of this Section D, "regular school hours" means the posted hours during which students are required to be in attendance at the individual school on any given day.
- (2) The school nurse shall maintain epinephrine in cartridge injectors for the purpose of emergency first aid to students who experience allergic reactions and do not have prior written authorization of a parent or guardian or a prior written order of a qualified medical professional for the administration of epinephrine.
  - (a) The school nurse, in consultation with the school nurse supervisor, shall determine the supply of epinephrine in cartridge injectors that shall be available in the individual school.

- (b) In determining the appropriate supply of epinephrine in cartridge injectors, the nurse may consider, among other things, the number of students regularly in the school building during the regular school day and the size of the physical building.
- (3) The school nurse or school principal shall select principal(s), teacher(s), licensed athletic trainer(s), licensed physical or occupational therapist(s) employed by the Board, coach(es) and/or school paraprofessional(s) to maintain and administer the epinephrine in cartridge injectors for the purpose of emergency first aid as described in Paragraph (2) above, in the absence of the school nurse.
  - (a) More than one individual must be selected by the school nurse or school principal for such maintenance and administration in the absence of the school nurse.
  - (b) The selected personnel, before conducting such administration, must annually complete the training made available by the Department of Education for the administration of epinephrine in cartridge injectors for the purpose of emergency first aid.
  - (c) The selected personnel must voluntarily agree to complete the training and administer epinephrine in cartridge injectors for the purpose of emergency first aid.
- (4) Either the school nurse or, in the absence of the school nurse, at least one of the selected and trained personnel as described in Paragraph (3) above shall be on the grounds of each school during regular school hours.
  - (a) The school principal, in consultation with the school nurse supervisor, shall determine the level of nursing services and number of selected and trained personnel necessary to ensure that a nurse or selected and trained personnel is present on the grounds of each school during regular school hours.
  - (b) If the school nurse, or a substitute school nurse, is absent or must leave school grounds during regular school hours, the school nurse, school administrator or designee shall use an effective and reasonable means of communication to notify one or more qualified school employees and other staff in the school that the selected and trained personnel identified in Paragraph (3) above shall be responsible for the emergency administration of epinephrine.

- (5) The administration of epinephrine pursuant to this section must be done in accordance with this policy, including but not limited to the requirements for documentation and record keeping, errors in medication, emergency medical procedures, and the handling, storage and disposal of medication, and the Regulations adopted by the Department of Education.
- (6) The parent or guardian of any student may submit, in writing, to the school nurse or school medical advisor, if any, that epinephrine shall not be administered to such student pursuant to this section.
  - (a) The school nurse shall notify selected and trained personnel of the students whose parents or guardians have refused emergency administration of epinephrine.
  - (b) The Board shall annually notify parents or guardians of the need to provide such written notice.
- (7) Following the emergency administration of epinephrine by selected and trained personnel as identified in this section:
  - (a) Such emergency administration shall be reported immediately to:
    - (i) The school nurse or school medical advisor, if any, by the personnel who administered the epinephrine; and
    - (ii) The student's parent or guardian, by the school nurse or personnel who administered the epinephrine.
  - (b) A medication administration record shall be:
    - (i) Submitted to the school nurse by the personnel who administered the epinephrine as soon as possible, but no later than the next school day; and
    - (ii) filed in or summarized on the student's cumulative health record, in accordance with the Document and Record Keeping section of this policy.

E. Opioid Antagonists for Purposes of Emergency First Aid Without Prior Authorization

(1) For purposes of this Section E, "regular school hours" means the posted hours during which students are required to be in attendance at the individual school on any given day. "Regular school

hours” does not include after-school events such as athletics or extracurricular activities that take place outside the posted hours.

(2) For purposes of this section, an “opioid antagonist” means naloxone hydrochloride (e.g., Narcan) or any other similarly acting and equally safe drug that the FDA has approved for the treatment of a drug overdose.

(3) In accordance with Connecticut law and this policy, a school nurse may maintain opioid antagonists for the purpose of administering emergency first aid to students who experience a known or suspected opioid overdose and do not have a prior written authorization of a parent or guardian or a prior written order of a qualified medical professional for the administration of such opioid antagonist.

(a) The school nurse, in consultation with the Board’s medical advisor, shall determine the supply of opioid antagonists that shall be maintained in the individual school.

(b) In determining the appropriate supply of opioid antagonists, the nurse may consider, among other things, the number of students regularly in the school building during the regular school day and the size of the physical building.

(c) The school nurse shall be responsible for the safe storage of opioid antagonists maintained in a school and shall ensure any supply of opioid antagonists maintained is stored in a secure manner, in accordance with the manufacturer’s instructions, and in a location where it can be obtained in a timely manner if administration is necessary.

(d) The school nurse shall be responsible for maintaining an inventory of opioid antagonists maintained in the school, tracking the date(s) of expiration of the supply of opioid antagonists maintained in a school, and, as appropriate, refreshing the supply of opioid antagonists maintained in the school.

(4) The school nurse, in consultation with the Superintendent and the building principal, shall provide notice to parents and guardians of the Board’s policies and procedures regarding the emergency administration of opioid antagonists in the event of a known or suspected opioid overdose.

(5) A school nurse shall be approved to administer opioid antagonists for the purpose of emergency first aid, as described in Paragraph (3) above, in the event of a known or suspected opioid overdose, in

accordance with this policy and provided that such nurse has completed a training program in the distribution and administration of an opioid antagonist (1) developed by the State Department of Education, Department of Consumer Protection, and Department of Public Health, or (2) under a local agreement, entered into by the Board on July 1, 2022 or thereafter, with a prescriber or pharmacist for the administration of opioid antagonists for the purpose of emergency first aid, which training shall also address the Board's opioid antagonist storage, handling, labeling, recalls, and record keeping.

(6) The school nurse or school principal shall select principal(s), teacher(s), licensed athletic trainer(s), coach(es), school paraprofessional(s), and/or licensed physical or occupational therapist(s) employed by the Board to maintain and administer the opioid antagonists for the purpose of emergency first aid as described in Paragraph (3) above, in the absence of the school nurse.

(a) More than one individual must be selected by the school nurse or school principal for such maintenance and administration in the absence of the school nurse.

(b) The selected personnel, before administering an opioid antagonist pursuant to this section, must complete a training program in the distribution and administration of an opioid antagonist (1) developed by the State Department of Education, Department of Consumer Protection, and Department of Public Health, or (2) under a local agreement, entered into by the Board on July 1, 2022 or thereafter, with a prescriber or pharmacist for the administration of opioid antagonists for the purpose of emergency first aid, which training shall also address the Board's opioid antagonist storage, handling, labeling, recalls, and record keeping.

(c) All school personnel shall be notified of the identity of qualified school employees authorized to administer an opioid antagonist in the absence of the school nurse.

(7) Either the school nurse or, in the absence of the school nurse, at least one of the selected and trained personnel as described in Paragraph (6) above, shall be on the grounds of each school during regular school hours.

(a) The school principal, in consultation with the school nurse supervisor, shall determine the level of nursing services and number of selected and trained personnel necessary to ensure that

a nurse or selected and trained personnel is present on the grounds of each school during regular school hours.

(b) If the school nurse, or a substitute school nurse, is absent or must leave school grounds during regular school hours, the school nurse, school administrator or designee shall use an effective and reasonable means of communication to notify one or more qualified school employees and other staff in the school that the selected and trained personnel identified in Paragraph (6) above shall be responsible for the emergency administration of opioid antagonists.

(c) If a Board employee becomes aware of a student experiencing a known or suspected opioid overdose on school grounds but outside of regular school hours and opioid antagonists and/or the school nurse or other qualified school employee is not available to administer opioid antagonists for the purpose of emergency first aid, the Board employee will call 9-1-1.

(8) The administration of opioid antagonists pursuant to this policy must be effected in accordance with this policy and procedures regarding the acquisition, maintenance, and administration established by the Superintendent in consultation with the Board's medical advisor.

(9) The parent or guardian of any student may submit, in writing, to the school nurse or school medical advisor, if any, that opioid antagonists shall not be administered to such student pursuant to this section.

(a) The school nurse shall notify selected and trained personnel of the students whose parents or guardians have refused emergency administration of opioid antagonists.

(b) The Board shall annually notify parents or guardians of the need to provide such written notice of refusal.

(10) Following the emergency administration of an opioid antagonist by a school nurse or selected and trained personnel as identified in this section:

(a) Immediately following the emergency administration of an opioid antagonist by a school nurse or selected and trained personnel as

identified in this section, the person administering the opioid antagonist must call 9-1-1.

(b) Such emergency administration shall be reported immediately to:

- (i) The school nurse or school medical advisor, if any, by the personnel who administered the opioid antagonist;
- (ii) The Superintendent of Schools; and
- (iii) The student's parent or guardian.

(c) A medication administration record shall be:

- (i) Created by the school nurse or submitted to the school nurse by the personnel who administered the opioid antagonist, as soon as possible, but no later than the next school day; and
- (ii) filed in or summarized on the student's cumulative health record, in accordance with Section F of this policy.

(11) In the event that any provisions of this Section E conflict with regulations adopted by the Connecticut State Department of Education concerning the use, storage and administration of opioid antagonists in schools, the Department's regulations shall control.

F. Documentation and Record Keeping

(1) Each school or before-and-after school program and school readiness program where medications are administered shall maintain an individual medication administration record for each student who receives medication during school or program hours. This record shall include the following information:

- (a) the name of the student;
- (b) the student's state-assigned student identifier (SASID);
- (c) the name of the medication;
- (d) the dosage of the medication;
- (e) the route of the administration, (e.g., oral, topical, inhalant, etc.);
- (f) the frequency of administration;
- (g) the name of the authorized prescriber;
- (h) the dates for initiating and terminating the administration of medication, including extended-year programs;
- (i) the quantity received at school and verification by the adult delivering the medication of the quantity received;

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- (j) the date the medication is to be reordered (if any);
  - (k) any student allergies to food and/or medication(s);
  - (l) the date and time of each administration or omission, including the reason for any omission;
  - (m) the dose or amount of each medication administered;
  - (n) the full written or electronic legal signature of the nurse or other authorized school personnel administering the medication; and
  - (o) for controlled medications, a medication count which should be conducted and documented at least once a week and co-signed by the assigned nurse and a witness.
- (2) All records are either to be made in ink and shall not be altered, or recorded electronically in a record that cannot be altered.
- (3) Written orders of authorized prescribers, written authorizations of a parent or guardian, the written parental permission for the exchange of information by the prescriber and school nurse to ensure safe administration of such medication, and the completed medication administration record for each student shall be filed in the student's cumulative health record or, for before or after school programs and school readiness programs, in the child's program record.
- (4) Authorized prescribers may make verbal orders, including telephone orders, for a *change* in medication order. Such verbal orders may be received only by a school nurse and must be followed by a written order, which may be faxed, and must be received within three (3) school days.
- (5) Medication administration records will be made available to the Department of Education for review until destroyed pursuant to Section 11-8a and Section 10-212a(b) of the Connecticut General Statutes.
- (a) The completed medication administration record for non-controlled medications may, at the discretion of the school district, be destroyed in accordance with Section M8 of the Connecticut Record Retention Schedules for Municipalities upon receipt of a signed approval form (RC-075) from the Office of the Public Records Administrator, so long as such record is superseded by a summary on the student health record.
  - (b) The completed medication administration record for controlled medications shall be maintained in the same manner as the non-controlled medications. In addition, a separate medication administration record needs to be maintained in the school for three (3) years pursuant to Section 10-212a(b) of the Connecticut General Statutes.

- (6) Documentation of any administration of medication by a coach or licensed athletic trainer shall be completed on forms provided by the school and the following procedures shall be followed:
  - (a) a medication administration record for each student shall be maintained in the athletic offices;
  - (b) administration of a cartridge injector medication shall be reported to the school nurse at the earliest possible time, but no later than the next school day;
  - (c) all instances of medication administration, except for the administration of cartridge injector medication, shall be reported to the school nurse at least monthly, or as frequently as required by the individual student plan; and
  - (d) the administration of medication record must be submitted to the school nurse at the end of each sport season and filed in the student's cumulative health record.

G. Errors in Medication Administration

- (1) Whenever any error in medication administration occurs, the following procedures shall apply:
  - (a) the person making the error in medication administration shall immediately implement the medication emergency procedures in this policy if necessary;
  - (b) the person making the error in medication administration shall in all cases immediately notify the school nurse, principal, school nurse supervisor, and authorized prescriber. The person making the error, in conjunction with the principal, shall also immediately notify the parent or guardian, advising of the nature of the error and all steps taken or being taken to rectify the error, including contact with the authorized prescriber and/or any other medical action(s); and
  - (c) the principal shall notify the Superintendent or the Superintendent's designee.
- (2) The school nurse, along with the person making the error, shall complete a report using the authorized medication error report form. The report shall include any corrective action taken.

- (3) Any error in the administration of medication shall be documented in the student's cumulative health record or, for before or after school programs and school readiness programs, in the child's program record.
- (4) These same procedures shall apply to coaches and licensed athletic trainers during intramural and interscholastic events, except that if the school nurse is not available, a report must be submitted by the coach or licensed athletic trainer to the school nurse the next school day.

#### H. Medication Emergency Procedures

- (1) Whenever a student has a life-threatening reaction to administration of a medication, resolution of the reaction to protect the student's health and safety shall be the foremost priority. The school nurse and the authorized prescriber shall be notified immediately, or as soon as possible in light of any emergency medical care that must be given to the student.
- (2) Emergency medical care to resolve a medication emergency includes but is not limited to the following, as appropriate under the circumstances:
  - (a) use of the 911 emergency response system;
  - (b) application by properly trained and/or certified personnel of appropriate emergency medical care techniques, such as cardio-pulmonary resuscitation;
  - (c) administration of emergency medication in accordance with this policy;
  - (d) contact with a poison control center; and
  - (e) transporting the student to the nearest available emergency medical care facility that is capable of responding to a medication emergency.
- (3) As soon as possible, in light of the circumstances, the principal shall be notified of the medication emergency. The principal shall immediately thereafter contact the Superintendent or the Superintendent's designee, who shall thereafter notify the parent or guardian, advising of the existence and nature of the medication emergency and all steps taken or being taken to resolve the emergency and protect the health and safety of the student, including contact with the authorized prescriber and/or any other medical action(s) that are being or have been taken.

#### I. Supervision

- (1) The school nurse is responsible for general supervision of administration of medications in the school(s) to which that nurse is assigned.

- (2) The school nurse's duty of general supervision includes, but is not limited to, the following:
- (a) availability on a regularly scheduled basis to:
    - (i) review orders or changes in orders and communicate these to personnel designated to give medication for appropriate follow-up;
    - (ii) set up a plan and schedule to ensure medications are given properly;
    - (iii) provide training to licensed nursing personnel, full-time principals, full-time teachers, full-time licensed physical or occupational therapists employed by the school district, coaches of intramural and interscholastic athletics, licensed athletic trainers and identified paraprofessionals designated in accordance with Section B(3)(g), above, which training shall pertain to the administration of medications to students, and assess the competency of these individuals to administer medication;
    - (iv) support and assist other licensed nursing personnel, full-time principals, full-time teachers, full-time licensed physical or occupational therapists employed by the school district, coaches of intramural and/or interscholastic athletics, licensed athletic trainers and identified paraprofessionals designated in accordance with Section B(3)(g), above, to prepare for and implement their responsibilities related to the administration of specific medications during school hours and during intramural and interscholastic athletics as provided by this policy;
    - (v) provide appropriate follow-up to ensure the administration of medication plan results in desired student outcomes, including providing proper notification to appropriate employees or contractors regarding the contents of such medical plans; and
    - (vi) provide consultation by telephone or other means of telecommunications, which consultation may be provided by an authorized prescriber or other nurse in the absence of the school nurse.
  - (b) In addition, the school nurse shall be responsible for:

- (i) implementing policies and procedures regarding the receipt, storage, and administration of medications;
- (ii) reviewing, on a periodic basis, all documentation pertaining to the administration of medications for students;
- (iii) performing observations of the competency of medication administration by full-time principals, full-time teachers, full-time licensed physical or occupational therapists employed by the school district, coaches of intramural and/or interscholastic athletics and licensed athletic trainers in accordance with Section B(3)(f), above, and identified paraprofessionals designated in accordance with Section B(3)(g), above, who have been newly trained to administer medications; and,
- (iv) conducting periodic reviews, as needed, with licensed nursing personnel, full-time principals, full-time teachers, full-time licensed physical or occupational therapists employed by the school district, coaches of intramural and/or interscholastic athletics and licensed athletic trainers in accordance with Section B(3)(f), above, and identified paraprofessionals designated in accordance with Section B(3)(g), above, regarding the needs of any student receiving medication.

J. Training of School Personnel

- (1) Full-time principals, full-time teachers, full-time licensed physical or occupational therapists employed by the school district, coaches of intramural and/or interscholastic athletics and licensed athletic trainers in accordance with Section B(3)(f), above, and identified paraprofessionals designated in accordance with Section B(3)(g), above, who are designated to administer medications shall at least annually receive training in their safe administration, and only trained full-time principals, full-time teachers, full-time licensed physical or occupational therapists employed by the school district, coaches of intramural and/or interscholastic athletics and licensed athletic trainers in accordance with Section B(3)(f), above, and identified paraprofessionals designated in accordance with Section B(3)(g), above, shall be allowed to administer medications.
- (2) Training for full-time principals, full-time teachers, full-time licensed physical or occupational therapists employed by the school district, coaches of intramural and/or interscholastic athletics and licensed athletic

trainers in accordance with Section B(3)(f), above, and identified paraprofessionals designated in accordance with Section B(3)(g), above, shall include, but is not necessarily limited to, the following:

- (a) the general principles of safe administration of medication;
  - (b) the procedures for administration of medications, including the safe handling and storage of medications, and the required record-keeping; and
  - (c) specific information related to each student's medication plan, including the name and generic name of the medication, indications for medication dosage, routes, time and frequency of administration, therapeutic effects of the medication, potential side effects, overdose or missed doses of the medication, and when to implement emergency interventions.
- (3) The principal(s), teacher(s), licensed athletic trainer(s), licensed physical or occupational therapist(s) employed by the Board, coach(es) and/or school paraprofessional(s) who administer epinephrine as emergency first aid, pursuant to Section D above, shall annually complete the training program developed by the Departments of Education and Public Health and training in cardiopulmonary resuscitation and first aid.
- (4) The principal(s), teacher(s), licensed athletic trainer(s), licensed physical or occupational therapist(s), coach(es) and/or school paraprofessional(s) who administer opioid antagonists as emergency first aid, pursuant to Section E above, shall annually complete a training program in the distribution and administration of an opioid antagonist (1) developed by the State Department of Education, Department of Consumer Protection, and Department of Public Health, or (2) under a local agreement, entered into by the Board on July 1, 2022 or thereafter, with a prescriber or pharmacist for the administration of opioid antagonists for the purpose of emergency first aid, which training shall also address the Board's opioid antagonist storage, handling, labeling, recalls, and record keeping.]
- (5) The Board shall maintain documentation of medication administration training as follows:
- (a) dates of general and student-specific trainings;
  - (b) content of the trainings;

- (c) individuals who have successfully completed general and student-specific administration of medication training for the current school year; and
  - (d) names and credentials of the nurse or school medical advisor, if any, trainer or trainers.
- (5) Licensed practical nurses may not conduct training in the administration of medication to another individual.

K. Handling, Storage and Disposal of Medications

- (1) All medications, except those approved for transporting by students for self-medication, those administered by coaches of intramural or interscholastic athletics or licensed athletic trainers in accordance with Section B(3)(f) above, and epinephrine or naloxone to be used for emergency first aid in accordance with Sections D and E above, must be delivered by the parent, guardian, or other responsible adult to the nurse assigned to the student's school or, in the absence of such nurse, the school principal who has been trained in the appropriate administration of medication. Medications administered by coaches of intramural or interscholastic athletics or licensed athletic trainers must be delivered by the parent or guardian directly to the coach or licensed athletic trainer in accordance with Section B(3)(f) above.
- (2) The nurse shall examine on-site any new medication, medication order and the required authorization to administer form, and, except for epinephrine and naloxone to be used as emergency first aid in accordance with Sections D and E above, shall develop a medication administration plan for the student before any medication is given to the student by any school personnel. No medication shall be stored at a school without a current written order from an authorized prescriber.
- (3) The school nurse shall review all medication refills with the medication order and parent authorization prior to the administration of medication, except for epinephrine and naloxone intended for emergency first aid in accordance with Sections D and E above.
- (4) Emergency Medications
  - (a) Except as otherwise determined by a student's emergency care plan, emergency medications shall be stored in an unlocked, clearly labeled and readily accessible cabinet or container in the health room during school hours under the general supervision of the school nurse or, in the absence of the school nurse, the

principal or the principal's designee who has been trained in the administration of medication.

- (b) Emergency medication shall be locked beyond the regular school day or program hours, except as otherwise determined by a student's emergency care plan.
- (5) All medications, except those approved for keeping by students for self-medication, shall be kept in a designated and locked location used exclusively for the storage of medication. Controlled substances shall be stored separately from other drugs and substances in a separate, secure, substantially constructed, locked metal or wood cabinet.
- (6) Access to stored medications shall be limited to persons authorized to administer medications. Each school or before or after school program and school readiness program shall maintain a current list of such authorized persons.
- (7) All medications, prescription and non-prescription, shall be delivered and stored in their original containers and in such a manner that renders them safe and effective.
- (8) At least two sets of keys for the medication containers or cabinets shall be maintained for each school building or before or after school program and school readiness program. One set of keys shall be maintained under the direct control of the school nurse or nurses and an additional set shall be under the direct control of the principal and, if necessary, the program director or lead teacher who has been trained in the general principles of the administration of medication shall also have a set of keys.
- (9) Medications that must be refrigerated shall be stored in a refrigerator at no less than 36 degrees Fahrenheit and no more than 46 degrees Fahrenheit. The refrigerator must be located in the health office that is maintained for health services with limited access. Non-controlled medications may be stored directly on the refrigerator shelf with no further protection needed. Controlled medication shall be stored in a locked box that is affixed to the refrigerator shelf.
- (10) All unused, discontinued or obsolete medications shall be removed from storage areas and either returned to the parent or guardian or, if the medication cannot be returned to the parent or guardian, the medication shall be destroyed in collaboration with the school nurse:
  - (a) non-controlled drugs shall be destroyed in the presence of at least one witness;



- (b) controlled drugs shall be destroyed in pursuant to Section 21a-262-3 of the Regulations of Connecticut State Agencies; and
  - (c) accidental destruction or loss of controlled drugs must be verified in the presence of a second person, including confirmation of the presence or absence of residue, and jointly documented on the student medication administration record and on a medication error form pursuant to Section 10-212a(b) of the Connecticut General Statutes. If no residue is present, notification must be made to the Department of Consumer Protection pursuant to Section 21a-262-3 of the Regulations of Connecticut State Agencies.
- (11) Medications to be administered by coaches of intramural or interscholastic athletic events or licensed athletic trainers shall be stored:
- (a) in containers for the exclusive use of holding medications;
  - (b) in locations that preserve the integrity of the medication;
  - (c) under the general supervision of the coach or licensed athletic trainer trained in the administration of medication; and
  - (d) in a locked secured cabinet when not under the general supervision of the coach or licensed athletic trainer during intramural or interscholastic athletic events.
- (12) In no event shall a school store more than a three (3) month supply of a medication for a student.

L. School Readiness Programs and Before or After School Programs

- (1) As determined by the school medical advisor, if any, and school nurse supervisor, the following procedures shall apply to the administration of medication during school readiness programs and before or after school programs run by the Board, which are exempt from licensure by the Office of Early Childhood:
- (a) Administration of medication at these programs shall be provided only when it is medically necessary for participants to access the program and maintain their health status while attending the program.
  - (b) Except as provided by Sections D and E above, no medication shall be administered in these programs without:

- (i) the written order of an authorized prescriber; and
  - (ii) the written authorization of a parent or guardian or an eligible student.
- (c) A school nurse shall provide consultation to the program director, lead teacher or school administrator who has been trained in the administration of medication regarding the safe administration of medication within these programs. The school medical advisor and school nurse supervisor shall determine whether, based on the population of the school readiness program and/or before or after school program, additional nursing services are required for these programs.
- (d) Only school nurses, directors or directors' designees, lead teachers or school administrators who have been properly trained may administer medications to students as delegated by the school nurse or other registered nurse. Properly trained directors or directors' designees, lead teachers or school administrators may administer oral, topical, intranasal or inhalant medications. Investigational drugs or research or study medications may not be administered in these programs.
- (e) Students attending these programs may be permitted to self-medicate only in accordance with the provisions of Section B(3) of this policy. In such a case, the school nurse must provide the program director, lead teacher or school administrator running the program with the medication order and parent permission for self-administration.
- (f) In the absence of the school nurse during program administration, the program director, lead teacher or school administrator is responsible for decision-making regarding medication administration.
- (g) Cartridge injector medications may be administered by a director, lead teacher or school administrator only to a student with a medically-diagnosed allergic condition which may require prompt treatment to protect the student against serious harm or death.
- (2) Local poison control center information shall be readily available at these programs.
- (3) Procedures for medication emergencies or medication errors, as outlined in this policy, must be followed, except that in the event of a medication

- error a report must be submitted by the program director, lead teacher or school administrator to the school nurse the next school day.
- (4) Training for directors or directors' designees, lead teachers or school administrators in the administration of medication shall be provided in accordance with Section J of this policy.
  - (5) All medications must be handled and stored in accordance with Section K of this policy. Where possible, a separate supply of medication shall be stored at the site of the before or after or school readiness program. In the event that it is not possible for the parent or guardian to provide a separate supply of medication, then a plan shall be in place to ensure the timely transfer of the medication from the school to the program and back on a daily basis.
  - (6) Documentation of any administration of medication shall be completed on forms provided by the school and the following procedures shall be followed:
    - (a) a medication administration record for each student shall be maintained by the program;
    - (b) administration of a cartridge injector medication shall be reported to the school nurse at the earliest possible time, but no later than the next school day;
    - (c) all instances of medication administration, except for the administration of cartridge injector medication, shall be reported to the school nurse at least monthly, or as frequently as required by the individual student plan; and
    - (d) the administration of medication record must be submitted to the school nurse at the end of each school year and filed in the student's cumulative health record.
  - (7) The procedures for the administration of medication at school readiness programs and before or after school programs shall be reviewed annually by the school medical advisor, if any, and school nurse supervisor.

M. Review and Revision of Policy

In accordance with the provisions of Conn. Gen. Stat. Section 10-212a(a)(2) and Section 10-212a-2 of the Regulations of Connecticut State Agencies, the Board shall review this policy periodically, and at least biennially, with the advice and approval of the school medical advisor, if any, or other qualified licensed physician. Any proposed

revisions to the policy must be made with the advice and approval of the school medical advisor, Director of Health Services or other qualified licensed physician.

Legal References:

Connecticut General Statutes:

- Public Act No. 22-80, “An Act Concerning Childhood Mental and Physical Health Services in Schools”
- Section 10-206
- Section 10-212
- Section 10-212a
- Section 10-212c
- Section 10-220j
- Section 14-276b
- Section 19a-900
- Section 21a-240
- Section 52-557b

Regulations of Conn. State Agencies:

Sections 10-212a-1 through 10-212a-10, inclusive

Memorandum of Decision, In Re: Declaratory Ruling/Delegation by Licensed Nurses to Unlicensed Assistive Personnel, Connecticut State Board of Examiners for Nursing (April 5, 1995)

Storage and Administration of Opioid Antagonists in Schools: Guidelines for Local and Regional Boards of Education, Connecticut State Department of Education (October 1, 2022)

ADOPTED: 10-19-2022

REVISED: TBD

08/11/2022

10/20/2022

HAMLET M. HERNANDEZ  
*Superintendent of Schools*

RACHEL M. SEXTON  
*Assistant Superintendent of Schools*

DONALD A. NEEL  
*Chief Operating Officer*



**BRANFORD PUBLIC SCHOOLS**

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[www.branfordschools.org](http://www.branfordschools.org)

**REFUSAL TO PERMIT ADMINISTRATION OF EPINEPHRINE  
FOR EMERGENCY FIRST AID**

Name of Child: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Address of Child: \_\_\_\_\_

Name of Parent(s): \_\_\_\_\_

Address of Parent(s): \_\_\_\_\_  
(if different from child)

Connecticut law requires the school nurse and other qualified school personnel in all public schools to maintain epinephrine in cartridge injectors (EpiPens) for the purpose of administering emergency first aid to students who experience allergic reactions and do not have a prior written authorization of a parent or guardian or a prior written order of a qualified medical professional for the administration of epinephrine. State law permits the parent or guardian of a student to submit a written directive to the **school nurse or school medical advisor** that epinephrine shall not be administered to such student in emergency situations. This form is provided for those parents who refuse to have epinephrine administered to their child. The refusal is valid for only for the 20\_\_-20\_\_ school year. I,

\_\_\_\_\_, the parent/guardian of \_\_\_\_\_,

Print name of parent/guardian

Print name of student

refuse to permit the administration of epinephrine to the above named student for purposes of emergency first aid in the case of an allergic reaction.

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

\_\_\_\_\_  
Date

**Please return the completed original form to your child's school nurse or BPS school medical advisor, Dr. Richard Young at Branford Public Schools, 185 Damascus Road, Branford, CT 06405.**

10/2017

REFUSAL TO PERMIT ADMINISTRATION

HAMLET M. HERNANDEZ  
*Superintendent of Schools*

RACHEL M. SEXTON  
*Assistant Superintendent of Schools*

DONALD A. NEEL  
*Chief Operating Officer*



**BRANFORD PUBLIC SCHOOLS**

185 Damascus Road, Branford, CT 06405-3717

203.488.7276 • Fax 203. 315.3505

[www.branfordschools.org](http://www.branfordschools.org)

**OF OPIOID ANTAGONISTS FOR EMERGENCY FIRST AID**

Name of Child: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Address of Child: \_\_\_\_\_

Name of Parent(s): \_\_\_\_\_

Address of Parent(s): \_\_\_\_\_  
(if different from child)

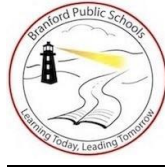
Connecticut law authorizes the school nurse and other qualified school personnel in all public schools to maintain opioid antagonists (Narcan) for the purpose of administering emergency first aid to students who experience an opioid-related drug overdose and do not have a prior written authorization of a parent or guardian or a prior written order of a qualified medical professional for the administration of opioid antagonists. State law permits the parent or guardian of a student to submit a written directive to the **school nurse or school medical advisor** that opioid antagonists shall not be administered to such student in emergency situations. **This form is provided for those parents who refuse to have opioid antagonists administered to their child.** The refusal is valid for only for the 20\_\_-20\_\_ school year.

I, \_\_\_\_\_, the parent/guardian of \_\_\_\_\_,  
Print name of parent/guardian Print name of student  
refuse to permit the administration of opioid antagonists to the above named student for purposes of emergency first aid in the case of an opioid-related drug overdose.

\_\_\_\_\_  
Signature of Parent/Guardian Date

**Please return the completed original form to your child's school nurse or BPS school medical advisor, Dr. Richard Young at Branford Public Schools, 185 Damascus Road, Branford, CT 06405.**

6/2022



**Students**

**5350 P**

## **STUDENT ATTENDANCE, TRUANCY AND CHRONIC ABSENTEEISM**

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 (the “Board”), through its Superintendent, will adopt and maintain procedures to implement this policy.

In addition, the Board takes seriously the issue of chronic absenteeism. To address this issue, the Board, through its Superintendent, will adopt and maintain procedures regarding chronic absenteeism in accordance with state law.

### Legal References:

Public Act No. 22-47

Connecticut General Statutes § 10-220

Connecticut General Statutes § 10-184

Connecticut General Statutes § 10-186

Connecticut General Statutes § 10-198a

Connecticut General Statutes § 10-198b

Connecticut General Statutes § 10-198c

Connecticut General Statutes § 10-198d

Connecticut General Statutes § 10-198e

Connecticut General Statutes § 10-198f

Connecticut State Department of Education, *Guidelines for Reporting Student Attendance in the Public School Information System* (January 2008)

Connecticut State Board of Education Memorandum, *Definitions of Excused and Unexcused Absences* (June 27, 2012)

Connecticut State Department of Education, *Guidelines for Implementation of the Definitions of Excused and Unexcused Absences and Best Practices for Absence Prevention and Intervention* (April 2013)

Connecticut State Department of Education, *Reducing Chronic Absence in Connecticut's Schools: A Prevention and Intervention Guide for Schools and Districts* (April 2017)

Connecticut State Department of Education Memorandum, *Youth Service Bureau Referral for Truancy and Defiance of School Rules* (February 22, 2018)

Connecticut State Department of Education, *Youth Service Bureau Referral Guide* (February 2018)

Connecticut State Department of Education Memorandum, *Mental Health Wellness Days* (January 24, 2022)

Connecticut State Department of Education Memorandum, *Adoption of Definition of Remote Absence* (September 7, 2022)

Connecticut State Board of Education Resolution (September 7, 2022)

ADOPTED: 10-19-2022

REVISED: TBD

11/29/2022



**ADMINISTRATIVE REGULATIONS REGARDING  
ATTENDANCE, TRUANCY AND CHRONIC ABSENTEEISM**

**I. Attendance and Truancy**

A. Definitions for Section I

1. “Absence” - any day during which a student is not considered “in attendance” as defined in these regulations.
2. “Disciplinary absence” - any absence as a result of school or District disciplinary action. Any student serving an out-of-school suspension or expulsion should be considered absent except for each day that the student receives alternative education programming for at least half of the instructional school day. A disciplinary absence is not considered excused or unexcused for attendance and truancy purposes.
3. “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.
4. “Excused absence” - a student is considered excused from school if the school has received written documentation describing the reason for the absence within ten (10) school days of the student’s return to school, or if the student has been excluded from school in accordance with Conn. Gen. Stat. § 10-210 (regarding communicable diseases), and the following criteria are met:
  - a. Any absence before the student’s tenth (10<sup>th</sup>) absence is considered excused when the student’s parent/guardian approves such absence and submits appropriate written documentation in accordance with this regulation.
  - b. For the student’s tenth (10<sup>th</sup>) absence and all absences thereafter, a student’s absences from school are, with appropriate documentation in accordance with this regulation, considered excused only for the following reasons:

- i. student illness (verified by an appropriately licensed medical professional);
  - ii. religious holidays;
  - iii. mandated court appearances (documentation required);
  - iv. funeral or death in the family, or other emergency beyond the control of the student's family;
  - v. extraordinary educational opportunities pre-approved by the District administrators and in accordance with Connecticut State Department of Education guidance and this regulation; or
  - vi. lack of transportation that is normally provided by a District other than the one the student attends.
- c. A student, age five (5) to eighteen (18), inclusive, whose parent or legal guardian is an active duty member of the armed forces who has been called for duty, is on leave from or has immediately returned from deployment to a combat zone or combat support posting, shall be granted ten (10) days of excused absences in any school year, and, in the discretion of the administration, additional excused absences to visit such student's parent or legal guardian with respect to the parent's leave or deployment. In the case of such excused absences, the student and parent or legal guardian are responsible for obtaining assignments from the student's teacher prior to any period of excused absence, and for ensuring that such assignments are completed by the student prior to the student's return to school.

5. "In attendance" - any day during which a student is present at the student's assigned school, and/or participating in an activity sponsored by the school (e.g., field trip), for at least half of the regular school day; and/or participating in statutorily authorized remote learning as determined through a combination of: synchronous virtual classes, synchronous virtual meetings, activities on time-logged electronic systems, and/or the completion

and submission of assignments for at least half of the instructional school day.

6. "Mental health wellness day" - a school day during which a student attends to such student's emotional and psychological well-being in lieu of attending school.
7. "Remote learning" means instruction by means of one or more Internet-based software platforms as part of a remote learning model as may be authorized by the Branford Board of Education (the "Board") in accordance with applicable law.
8. "Student" - a student enrolled in the Branford Public Schools (the "District").
9. "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.
10. "Unexcused absence" - any absence from a regularly scheduled school day for at least one half of the school day, which is not excused or considered a disciplinary absence.

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

B. Mental Health Wellness Days

Any student enrolled in grades kindergarten to twelve, inclusive, shall be permitted to take two mental health wellness days during the school year, during which day such student shall not be required to attend school. No student shall take mental health wellness days during consecutive school days. Mental health wellness days shall be excused when permission by the student's parent/guardian is documented by the student's school, regardless of the number of absences a student has accrued in the school year. Mental health wellness days will not be included in reporting or referrals related to truancy. A mental health wellness day will count as

an “absence” for determining chronic absenteeism, as defined in Section II of this policy.

C. Written Documentation Requirements for Absences

1. Written documentation must be submitted for each incidence of absence within ten (10) school days of the student’s return to school. Consecutive days of absence are considered one incidence of absence.
2. The first nine (9) days of absence will be excused upon receipt of 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.
3. For the student’s tenth (10<sup>th</sup>) absence, and all absences thereafter, documentation of the absence must be submitted in accordance with paragraphs 1 and 2 above, and must also include the reason for the absence and the following additional information:
  - a. student illness:
    - i. a signed note from a medical professional, who may be the school nurse, who has evaluated the student confirming the absence and giving an expected return date; or
    - ii. a signed note from school nurse who has spoken with the student’s medical professional and confirmed the absence, including the date and location of the consultation.
  - b. religious holidays: none.
  - c. mandated court appearances:
    - i. a police summons;
    - ii. a subpoena;
    - iii. a notice to appear;
    - iv. a signed note from a court official; or

- v. any other official, written documentation of the legal requirement to appear in court.
  - d. funeral or death in the family, or other emergency beyond the control of the student's family: a written document explaining the nature of the emergency.
  - e. extraordinary educational opportunity pre-approved by the District administrators and in accordance with Connecticut State Department of Education guidance and this policy: written pre-approval from the administration, in accordance with this regulation.
  - f. lack of transportation that is normally provided by a District other than the one the student attends: none.
4. Neither e-mail nor text message shall serve to satisfy the requirement of written documentation. Under certain circumstances, a building administrator may, in the administrator's own discretion, accept the delivery of written documentation through a scanned copy sent by e-mail.
  5. The District reserves the right to randomly audit written documentation received, through telephone and other methods of communication, to determine its authenticity.
  6. Any absence that is not documented in accordance with this regulation within ten (10) school days after the incidence of absence will be recorded as unexcused. If documentation is provided within ten (10) school days, but is incomplete, the building principal may, at the principal's own discretion, grant up to a five (5) school day extension for provision of the completed documentation.

D. Extraordinary Educational Opportunities

1. To qualify as an extraordinary educational opportunity, the opportunity must:
  - a. be educational in nature and must have a learning objective related to the student's course work or plan of study;
  - b. be an opportunity not ordinarily available to the student;

- c. be grade and developmentally appropriate; and
  - d. include content that is highly relevant to the student; while some opportunities will be relevant to all students, others will contain very specific content that would limit their relevance to a smaller group of students.
2. Family vacations do not qualify as extraordinary educational opportunities.
3. All requests for approval of extraordinary educational opportunities must:
- a. be submitted to the Assistant Superintendent or designee in writing prior to the opportunity, but no later than ten (10) school days prior to the opportunity except in exceptional circumstances at the discretion of the building administrator;
  - b. contain the signatures of both the parent/guardian and the student;
  - c. include an outline of the learning objective of the opportunity and include detail as to how the objective is linked to the student's coursework or plan of study; and
  - d. include additional documentation, where available, about the opportunity.
4. The Assistant Superintendent or designee shall provide a response in writing and include the following:
- a. either approval or denial of the request;
  - b. brief reason for any denial;
  - c. any requirements placed upon the student as a condition of approval;
  - d. the specific days approved as excused absences for the opportunity; and
  - e. the understanding that the Assistant Superintendent or designee may withdraw approval if the opportunity is

canceled or the student fails to meet the agreed-upon requirements of the approval.

5. All decisions of the Assistant Superintendent or designee relating to extraordinary educational opportunities shall be final.
6. Students who are granted excusal from school to participate in extraordinary educational opportunities are expected to share their experiences with other students and/or school staff when they return.
7. Approval for an extraordinary educational opportunity is determined on a case-by-case basis and the analysis of individualized factors. An opportunity approved for one student may not be approved for another.

E. 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 District office and exercised the option of not sending the child to school at five (5) or six (6) years of age.
2. Until June 30, 2023, 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 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. student who is eighteen (18) years of age or older may withdraw from school. Such student shall personally appear in person at the school District office and sign a withdrawal form. Such withdrawal form must include an attestation from a guidance counselor or school administrator from the school that the District provided such student with information on the educational options available in the school system and community.
4. Beginning July 1, 2023, a student seventeen (17) years of age shall not be considered truant if the parent or person having

control over such child withdraws such child from school and enrolls such child in an adult education program pursuant to Conn. Gen. Stat. § 10-69. Such parent or person shall personally appear at the District office and sign an adult education withdrawal and enrollment form. Such adult education withdrawal and enrollment form shall include an attestation (1) from a school counselor or school administrator of the school that the District has provided such parent or person with information on the educational options available in the school system and in the community, and (2) from such parent or person that such child will be enrolled in an adult education program upon such child's withdrawal from school.

5. 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.”

F. 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 E.2 or E.4, 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 E.2 or E.4, above) seeks readmission within ten (10) school days of the student’s withdrawal, the Board shall provide school accommodations to the student not later than three (3) school days after the student requests readmission.

G. 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 the student receives an alternative educational program for at least half of the instructional school day. In any event, the absence is considered a disciplinary absence, and will not be designated as excused or unexcused.
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 in accordance with applicable law.

H. 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 ensure that such a student attends school regularly or to show that the child is elsewhere receiving equivalent instruction in the studies taught in the District.
- 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 or designee 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. Reasonable efforts shall include two (2) attempts to reach the parent or other person at the telephone number provided by the parent or other person. Such attempts shall be recorded using the District's student data system. 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.

I. Procedures applicable to students ages five (5) to eighteen (18)

1. Intervention

- a. When a student is truant, the building principal or 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 is 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 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. When a student is truant, the Superintendent or designee shall provide notice to the student's parent or guardian of the information concerning the existence and availability of the 2-1-1 Infoline program, and other pediatric mental and behavioral health screening services and tools described in Conn. Gen. Stat. § 17a-22r.
- d. Beginning July 1, 2023, when a student is truant, an appropriate school mental health specialist, as determined by the District, shall conduct an evaluation of the student to determine if additional behavioral health interventions are necessary for the well-being of the child. "School mental health specialist" means any person employed by the District to provide mental health services to students, including but not limited to a school social worker, school psychologist, trauma specialist, behavior technician, board certified behavior analyst, school counselor, licensed professional counselor or licensed marriage and family therapist.
- e. If the Commissioner of Education determines that any school under the jurisdiction of the Board has a disproportionately high rate of truancy, the District shall implement in that school a truancy intervention

model identified by the Department of Education pursuant to Conn. Gen. Stat. § 10-198e.

f. 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 appropriate building-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.

g. Where the documented implementation of the procedures specified in subsections (a) through (d) above does not result in improved outcomes despite collaboration with the parent/guardian, the Superintendent or designee may, with written parental consent, refer a student who is truant to a Youth Service Bureau.

## J. Attendance Records

All attendance records developed by the Board shall include the individual student’s state-assigned student identifier (SASID).

## II. Chronic Absenteeism

### A. Definitions for Section II

1. “Chronically absent child” - a child who is enrolled in a school under the jurisdiction of the Board and whose total number of absences at any time during a school year is equal to or greater than ten percent (10%) of the total number of days that such student has been enrolled at such school during such school year.
2. “Absence” - an excused absence, unexcused absence or disciplinary absence, as those terms are defined by the State Board of Education pursuant to Conn. Gen. Stat. § 10-198b and these administrative regulations.
3. “District chronic absenteeism rate” - the total number of chronically absent children under the jurisdiction of the Board in the previous school year divided by the total number of students under the jurisdiction of the Board for such school year.
4. “School chronic absenteeism rate” - the total number of chronically absent students for a school in the previous school

year divided by the total number of students enrolled in such school for such school year.

**B. Establishment of Attendance Review Teams**

If the Board has a district chronic absenteeism rate of ten percent (10%) or higher, it shall establish an attendance review team for the District. If a school under the jurisdiction of the Board has a school chronic absenteeism rate of fifteen percent (15%) or higher, it shall establish an attendance review team for that school.

If the Board has more than one school with a school chronic absenteeism rate of fifteen percent (15%) or higher, it shall establish an attendance review team for the District or at each such school.

If the Board has a district chronic absenteeism rate of ten percent (10%) or higher and one or more schools with a school chronic absenteeism rate of fifteen percent (15%) or higher, it shall establish an attendance review team for the District or at each such school.

**C. Composition and Role of Attendance Review Teams**

Any attendance review team established under these regulations may include school administrators, guidance counselors, school social workers, teachers, representatives from community-based programs who address issues related to student attendance by providing programs and services to truants, as defined under I.A.9, and chronically absent students and their parents or guardians.

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

**D. State Chronic Absenteeism Prevention and Intervention Plan**

The Board and its attendance review teams, if any, will consider any chronic absenteeism prevention and intervention plan developed by the State Department of Education.

**III. Reports to the State Regarding Truancy Data**

Annually, the Board shall include information regarding the number of truants and chronically absent children in the strategic school profile report for each

school under its jurisdiction and for the 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 to reduce truancy in the District.

#### **IV. Evolving State Department of Education and State Board of Education Guidance**

The Board will comply with any and all guidance issued by the State Department of Education and/or State Board of Education regarding attendance requirements, including during periods of remote learning.

#### Legal References:

Public Act No. 22-47

Connecticut General Statutes § 10-220

Connecticut General Statutes § 10-184

Connecticut General Statutes § 10-186

Connecticut General Statutes § 10-198a

Connecticut General Statutes § 10-198b

Connecticut General Statutes § 10-198c

Connecticut General Statutes § 10-198d

Connecticut General Statutes § 10-198e

Connecticut General Statutes § 10-198f

Connecticut State Department of Education, *Guidelines for Reporting Student Attendance in the Public School Information System* (January 2008)

Connecticut State Board of Education Memorandum, *Definitions of Excused and Unexcused Absences* (June 27, 2012)

Connecticut State Department of Education, *Guidelines for Implementation of the Definitions of Excused and Unexcused Absences and Best Practices for Absence Prevention and Intervention* (April 2013)

Connecticut State Department of Education, *Reducing Chronic Absence in Connecticut's Schools: A Prevention and Intervention Guide for Schools and Districts* (April 2017)

Connecticut State Department of Education Memorandum, *Youth Service Bureau Referral for Truancy and Defiance of School Rules* (February 22, 2018)

Connecticut State Department of Education, *Youth Service Bureau Referral Guide* (February 2018)

Connecticut State Department of Education Memorandum, *Mental Health Wellness Days* (January 24, 2022)

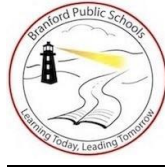
Connecticut State Department of Education Memorandum, *Adoption of Definition of Remote Absence* (September 7, 2022)

Connecticut State Board of Education Resolution (September 7, 2022)

APPROVED: October 19, 2022

REVISED: TBD

11/29/2022



## **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. For the school years commencing July 1, 2011, to July 2022, inclusive, 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. For the school year commencing July 1, 2023, and each school year thereafter, a student who is eighteen years of age or older may withdraw from school. Such parent, person or student shall personally appear at the school district office and sign a withdrawal form. Such withdrawal form shall include an attestation from a guidance counselor, school counselor or school administrator of the school that such school district has provided such parent, person or student with information on the educational options available in the school system and community. The parent or person having control of a child seventeen years of age may withdraw such child from school and enroll such child in an adult education program pursuant to [Connecticut General Statutes Section] 10-69. Such parent or person shall personally appear at the school district office and sign an adult education withdrawal and enrollment form. Such adult education withdrawal and enrollment form shall include an attestation (1) from a school counselor or school administrator of the school that such school district has provided such parent or person with information on the educational options available in the school system and in the community, and (2) from such parent or person that such child will be enrolled in an adult education program upon such child's withdrawal from school. 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 Branford Board of Education (the “Board”) 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: \_\_\_\_\_ / \_\_\_\_\_

Parent/Guardian's Daytime Telephone Number\*: \_\_\_\_\_

Parent/Guardian's Daytime Telephone Number\*: \_\_\_\_\_

Parent/Guardian E-mail Address: \_\_\_\_\_

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: \_\_\_\_\_

9/9/22





**UNEXCUSED ABSENCES  
SAMPLE DOCUMENTATION LOG**

\_\_\_\_\_ Date

\_\_\_\_\_ School

School Staff Member/ Volunteer	Student's Name	Parent or Other Person Having Control of Student	Telephone Number	Outcome*	Excused or Unexcused	Reason Absence is Excused or Unexcused
				Attempt #1 _____ Attempt #2 _____ Written Notice mailed _____ —		
				Attempt #1 _____ Attempt #2 _____ Written Notice mailed _____ —		
				Attempt #1 _____ Attempt #2 _____ Written Notice mailed _____ —		
				Attempt #1 _____ Attempt #2 _____ Written Notice mailed _____ —		

				Attempt #1 <hr/> Attempt #2 <hr/> Written Notice mailed _____ <hr/>		
--	--	--	--	---	--	--

\* No answer = N  
 Left Message = LM  
 Notification made = NM  
 7/26/17

HAMLET M. HERNANDEZ  
*Superintendent of Schools*

RACHEL M. SEXTON  
*Assistant Superintendent of Schools*

DONALD A. NEEL  
*Chief Operating Officer*



## BRANFORD PUBLIC SCHOOLS

185 Damascus Road, Branford, CT 06405-3717  
203.488.7276 • Fax 203. 315.3505

[www.branfordschools.org](http://www.branfordschools.org)

### Extraordinary Educational Opportunities

From time to time, students encounter an exceptional opportunity for an experience of an educational nature. While these events may not be part of their schoolwork, they provide an excellent chance to further their education. Under certain circumstances, the days devoted to these opportunities can count as excused absences for students whose absences already total nine for the school year (for a child with fewer than nine absences, parents may excuse the child's absence via a written note provided within ten days of the absence).

**To qualify as an extraordinary educational opportunity, an experience must meet the following criteria:**

- . The opportunity must be educational in nature. It must have a learning objective related to the student's coursework or plan of study. Not all memorable and/or life experiences would be considered educational and, therefore, would not be available for this exemption.
- A. It must be an opportunity not ordinarily available to the student.
- B. It must be grade and developmentally appropriate.
- C. The content of the experience must be highly relevant to the student. While some opportunities will be relevant to all students, other will contain very specific content that would limit their relevance to a smaller group of students. For example, a trumpet lesson from jazz great Wynton Marsalis would be very relevant to students who play trumpet, but not to other who do not play trumpet.

Note: Criteria C and D above may mean that an exceptional educational opportunity exemption may be approved for one family member but not for another attending the same event/opportunity. **Decisions will be made on a case-by-case basis. Requests may be granted with the requirement that certain conditions be met. Should these conditions fail to be met, approvals may be withdrawn by the district.**

Some examples of extraordinary educational opportunities include:

- The opportunity to attend a master class with Itzhak Perlman; or
- An astronaut-led, behind-the-scenes tour of the Kennedy Space Center.

Some examples of activities that do not qualify as extraordinary educational opportunities include:

- Family vacations; or
- Going to a concert of a favorite music star; or
- Attending a seasonal sport camp.

In addition, the opportunity must be one that cannot be accessed by the student during school vacations or the summer break.

### **Process for submitting a request for an extraordinary educational opportunity**

To request that the district grant permission to a student for an extraordinary educational opportunity, the parent or guardian of the student should submit the accompanying form (see below), with the signature of both the student and parent or guardian, and include additional documentation (where available). Forms must be submitted prior to the opportunity. When more than one child is involved in the request, a copy of the form should be submitted for each child. Forms must be submitted for each school year for which extraordinary educational opportunity permission is requested.

### **Approvals**

All approvals for such opportunities will be provided by the district and will:

- . Be in written form;
- A. Detail any requirements placed upon the student as a condition of approval;
  - PLEASE NOTE: The administration may withdraw its approval if the opportunity is canceled or the student fails to meet the mutually agreed on requirements of the approval.
- B. Include the specific days approved for the opportunities; and
- C. Include a requirement that the participating student share the experience with other students and/or staff upon return or completion of the opportunity for benefit of the larger school community. The expectation is that sharing the experience will not be purely informational but will contribute to the academic or social-emotional learning of classmates.

# Extraordinary Educational Opportunities Request Form

Please complete one form per child and per experience and per school year

Student Name: \_\_\_\_\_

Parent/Guardian Name: \_\_\_\_\_

Date(s) of Opportunity: \_\_\_\_\_

Name of Educational Opportunity: \_\_\_\_\_

Provider/Location of Educational Opportunity: \_\_\_\_\_

What are the learning objectives for this educational opportunity?

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How does this learning connect to the student's coursework?

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How will the student share this new learning with classmates?

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What prevents the student from accessing this opportunity during a school vacation or over the summer break?

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\_\_\_\_\_  
\_\_\_\_\_  
Please list any additional documentation provided.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Student Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Parent Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Return this form and any other documentation to:**

Office of the Superintendent  
Branford Public Schools  
185 Damascus Road  
Branford, CT 06405  
Email: [keyrich@branfordschools.org](mailto:keyrich@branfordschools.org)

#####

**For Office Use Only**

Student Name: \_\_\_\_\_

Parent/Guardian Name: \_\_\_\_\_

Request for Extraordinary Educational Opportunity is  Approved  Not Approved

Conditions of Approval:

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

Other Comments: \_\_\_\_\_

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

Superintendent or Designee: \_\_\_\_\_ (signature)

\_\_\_\_\_ (print name)

Title: \_\_\_\_\_

MODEL FORM

**[Board of Education/School Letterhead]**

SCHOOL ATTENDANCE OPTION FORM (CHILDREN AGE 5 OR 6)

Name of Child: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Address of Child: \_\_\_\_\_

Name of Parent(s): \_\_\_\_\_

Address of Parent(s) (if different from child): \_\_\_\_\_

In accordance with Connecticut General Statutes Section 10-184, the parent or person having control of a child five (5) years of age or older and under age eighteen (18) is required to ensure that such child attends school. Section 10-184 further provides that a parent or person having control of a child age five (5) shall have the option of not sending the child to school until age six (6), and a parent or person having control of a child age six (6) shall have the option of not sending the child to school until age seven (7). A parent or person having control of such child who is seeking to elect this option must appear in person at the school district offices and sign this option form.

I, \_\_\_\_\_, am the parent or person having control of, \_\_\_\_\_,  
Name of parent or person Name of child  
a child who is age five/six (circle appropriate age), and I elect not to send my child to school until the age of six/seven (circle appropriate age). I understand that this option is effective for only one (1) school year. By signing, I understand that if my child is currently age five (5) and I wish to elect next school year not to send my child to school, I must reappear at the school next year to elect this option. I further understand that if my child is currently age six (6), I am required by Section 10-184 to send my child to the public school, or demonstrate that the child is “elsewhere receiving equivalent instruction in the studies taught in the public schools,” when the child turns seven (7).

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

School Personnel Use Only

€ Parent/person in control of child appeared in person and has been provided with information on the educational opportunities in the school system.

MODEL FORM

*[Note to districts: Connecticut General Statutes Section 10-184 provides that, for the school year commencing July 1, 2023 and each school year thereafter, a student who is eighteen years of age or older may withdraw from school, subject to certain conditions. This form may be used for students age eighteen or older who wish to withdraw from school beginning with the 2023-2024 school year.]*

**[Board of Education/School Letterhead]**

SCHOOL ATTENDANCE OPTION FORM (STUDENTS AGE 18)

Name of Student: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Address of Student: \_\_\_\_\_

In accordance with Connecticut General Statutes Section 10-184, the parent or person having control of a child five (5) years of age or older and under age eighteen (18) is required to ensure that such child attends school.

Section 10-184 further provides that, for the school year commencing July 1, 2023 and each school year thereafter, a student who is **eighteen (18) years of age or older** may withdraw from school. Such student shall personally appear at the school district office and sign a withdrawal form. Such withdrawal form shall include an attestation from a guidance counselor, school counselor or school administrator of the school that such school district has provided such student with information on the educational options available in the school system and in the community.

**Withdrawal from School by Student Age 18 or Over**

I, \_\_\_\_\_, am a student of at least eighteen years of age,  
Name of student

and I hereby withdraw from school. I have personally appeared at the school district office and received information on the educational options available in the school system and community for me.

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

**School Personnel Use Only**



€ Student appeared in person and has been provided with information on the educational opportunities in the school system and community.

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

Title: \_\_\_\_\_

10/10/2021

MODEL FORM

[Board of Education/School Letterhead]

SCHOOL ATTENDANCE OPTION FORM (CHILDREN AGE 17)

*[Note to districts: Connecticut General Statutes Section 10-184 provides that, for the school year commencing July 1, 2023 and each school year thereafter, the parent or guardian of a student who is seventeen (17) years of age or older may withdraw such child from school if the parent or guardian consents to the student's withdrawal and simultaneously enrolls the child in an adult education program. In accordance with these requirements, the district may use this form beginning with the 2023-2024 school year.]*

Name of Child: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Address of Child: \_\_\_\_\_

Name of Parent(s): \_\_\_\_\_

Address of Parent(s) (if different from child): \_\_\_\_\_

In accordance with Connecticut General Statutes Section 10-184, the parent or person having control of a child five (5) years of age or older and under age eighteen (18) is required to ensure that such child attends school.

Section 10-184 further provides that a parent or person having control of a student **seventeen (17) years of age** may consent to such student's withdrawal from school if they simultaneously enroll such child in an adult education program pursuant to Connecticut General Statutes Section 10-69. Such parent or person shall personally appear at the school district office and sign an adult education withdrawal and enrollment form. Such adult education withdrawal and enrollment form shall include an attestation (1) from a school counselor or school administrator of the school that such school district has provided such parent or person with information on the educational options available in the school system and in the community, and (2) from such parent or person that such child will be enrolled in an adult education program upon such child's withdrawal from school.

I, \_\_\_\_\_, am the parent or person having control of, \_\_\_\_\_,  
Name of parent or person Name of child

a child who is seventeen years of age. I hereby withdraw my child from school and attest that, upon my child's withdrawal, I will enroll my child in an adult education program pursuant to Connecticut General Statutes Section 10-69. I have personally appeared at the school district office and received information on the educational options available in the school system and community for my child.

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

School Personnel Use Only

€ Parent/person in control of child appeared in person and has been provided with information on the educational opportunities in the school system and community.

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

Title: \_\_\_\_\_

10/10/2021



**Students**

**5350 P**

### **STUDENT ATTENDANCE, TRUANCY AND CHRONIC ABSENTEEISM**

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 (the “Board”), through its Superintendent, will adopt and maintain procedures to implement this policy.

In addition, the Board takes seriously the issue of chronic absenteeism. To address this issue, the Board, through its Superintendent, will adopt and maintain procedures regarding chronic absenteeism in accordance with state law.

#### **Legal References:**

Public Act No. 22-47

Connecticut General Statutes § 10-220

Connecticut General Statutes § 10-184

Connecticut General Statutes § 10-186

Connecticut General Statutes § 10-198a

Connecticut General Statutes § 10-198b

Connecticut General Statutes § 10-198c

Connecticut General Statutes § 10-198d

Connecticut General Statutes § 10-198e

Connecticut General Statutes § 10-198f

Connecticut State Department of Education, *Guidelines for Reporting Student Attendance in the Public School Information System* (January 2008)

Connecticut State Board of Education Memorandum, *Definitions of Excused and Unexcused Absences* (June 27, 2012)

Connecticut State Department of Education, *Guidelines for Implementation of the Definitions of Excused and Unexcused Absences and Best Practices for Absence Prevention and Intervention* (April 2013)

Connecticut State Department of Education, *Reducing Chronic Absence in Connecticut's Schools: A Prevention and Intervention Guide for Schools and Districts* (April 2017)

Connecticut State Department of Education Memorandum, *Youth Service Bureau Referral for Truancy and Defiance of School Rules* (February 22, 2018)

Connecticut State Department of Education, *Youth Service Bureau Referral Guide* (February 2018)

Connecticut State Department of Education Memorandum, *Mental Health Wellness Days* (January 24, 2022)

Connecticut State Department of Education Memorandum, Adoption of Definition of Remote Absence (September 7, 2022)

Connecticut State Board of Education Resolution (September 7, 2022)

ADOPTED: 10-19-2022

REVISED: TBD

9/9/2022

11/29/2022

**ADMINISTRATIVE REGULATIONS REGARDING  
ATTENDANCE, TRUANCY AND CHRONIC ABSENTEEISM**

**I. Attendance and Truancy**

A. Definitions for Section I

1. “Absence” - any day during which a student is not considered “in attendance” ~~at the student’s assigned school, or on a school-sponsored activity (e.g. field trip), for at least one half of the school day as defined in these regulations.~~
2. “Disciplinary absence” - any absence as a result of school or District disciplinary action. Any student serving an out-of-school suspension or expulsion should be considered absent. ~~Such~~ except for each day that the student receives alternative education programming for at least half of the instructional school day. A disciplinary absence is not considered excused or unexcused for attendance and truancy purposes.
3. “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.
4. “Excused absence” - a student is considered excused from school if the school has received written documentation describing the reason for the absence within ten (10) school days of the student’s return to school, or if the student has been excluded from school in accordance with Conn. Gen. Stat. § 10-210 (regarding communicable diseases), and the following criteria are met:
  - a. Any absence before the student’s tenth (10<sup>th</sup>) absence is considered excused when the student’s parent/guardian approves such absence and submits appropriate written documentation in accordance with this regulation.
  - b. For the student’s tenth (10<sup>th</sup>) absence and all absences thereafter, a student’s absences from school are, with appropriate documentation in accordance with this

regulation, considered excused only for the following reasons:

- i. student illness (verified by an appropriately licensed medical professional);
  - ii. religious holidays;
  - iii. mandated court appearances (documentation required);
  - iv. funeral or death in the family, or other emergency beyond the control of the student's family;
  - v. extraordinary educational opportunities pre-approved by the District administrators and in accordance with Connecticut State Department of Education guidance and this regulation; or
  - vi. lack of transportation that is normally provided by a District other than the one the student attends.
- c. A student, age five (5) to eighteen (18), inclusive, whose parent or legal guardian is an active duty member of the armed forces who has been called for duty, is on leave from or has immediately returned from deployment to a combat zone or combat support posting, shall be granted ten (10) days of excused absences in any school year, and, in the discretion of the administration, additional excused absences to visit such student's parent or legal guardian with respect to the parent's leave or deployment. In the case of such excused absences, the student and parent or legal guardian are responsible for obtaining assignments from the student's teacher prior to any period of excused absence, and for ensuring that such assignments are completed by the student prior to the student's return to school.

~~“Excused absence” excludes a student’s engagement in (1) virtual classes, (2) virtual meetings, (3) activities on time-logged electronic systems, and (4) the completion and submission of assignments, if such engagement accounts for not less than one-half of the school day during remote learning.~~

5. "In ~~a~~Attendance" - any day during which a student is present at the student's assigned school, and/or participating in an activity sponsored by the school (e.g., field trip), for at least half of the regular school day; and/or participating in statutorily authorized remote learning as determined through a combination of: synchronous virtual classes, synchronous virtual meetings, activities on time-logged electronic systems, and/or the completion and submission of assignments for at least half of the instructional school day.
6. "Mental health wellness day" - a school day during which a student attends to such student's emotional and psychological well-being in lieu of attending school.
7. "Remote learning" means instruction by means of one or more Internet-based software platforms as part of a remote learning model as may be authorized by the Branford Board of Education (the "Board") in accordance with applicable law.
8. "Student" - a student enrolled in the Branford Public Schools (the "District").
9. "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.
10. "Unexcused absence" - any absence from a regularly scheduled school day for at least one half of the school day, which is not excused or considered a disciplinary absence.

~~"Unexcused absence" excludes a student's engagement in (1) virtual classes, (2) virtual meetings, (3) activities on time-logged electronic systems, and (4) the completion and submission of assignments, if such engagement accounts for not less than one-half of the school day during remote learning.~~

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



B. Mental Health Wellness Days

Any student enrolled in grades kindergarten to twelve, inclusive, shall be permitted to take two mental health wellness days during the school year, during which day such student shall not be required to attend school. No student shall take mental health wellness days during consecutive school days. Mental health wellness days shall be excused when permission by the student's parent/guardian is documented by the student's school, regardless of the number of absences a student has accrued in the school year. Mental health wellness days will not be included in reporting or referrals related to truancy. A mental health wellness day will count as an "absence" for determining chronic absenteeism, as defined in Section II of this policy.

C. Written Documentation Requirements for Absences

1. Written documentation must be submitted for each incidence of absence within ten (10) school days of the student's return to school. Consecutive days of absence are considered one incidence of absence.
2. The first nine (9) days of absence will be excused upon receipt of 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.
3. For the student's tenth (10<sup>th</sup>) absence, and all absences thereafter, documentation of the absence must be submitted in accordance with paragraphs 1 and 2 above, and must also include the reason for the absence and the following additional information:
  - a. student illness:
    - i. a signed note from a medical professional, who may be the school nurse, who has evaluated the student confirming the absence and giving an expected return date; or
    - ii. a signed note from school nurse who has spoken with the student's medical professional and confirmed the absence, including the date and location of the consultation.

- b. religious holidays: none.
  - c. mandated court appearances:
    - i. a police summons;
    - ii. a subpoena;
    - iii. a notice to appear;
    - iv. a signed note from a court official; or
    - v. any other official, written documentation of the legal requirement to appear in court.
  - d. funeral or death in the family, or other emergency beyond the control of the student's family: a written document explaining the nature of the emergency.
  - e. extraordinary educational opportunity pre-approved by the District administrators and in accordance with Connecticut State Department of Education guidance and this policy: written pre-approval from the administration, in accordance with this regulation.
  - f. lack of transportation that is normally provided by a District other than the one the student attends: none.
4. Neither e-mail nor text message shall serve to satisfy the requirement of written documentation. ~~In rare and extraordinary~~ Under certain circumstances, a building administrator may, in the administrator's own discretion, accept the delivery of written documentation through a scanned copy sent by e-mail.
5. The District reserves the right to randomly audit written documentation received, through telephone and other methods of communication, to determine its authenticity.
6. Any absence that is not documented in accordance with this regulation within ten (10) school days after the incidence of absence will be recorded as unexcused. If documentation is provided within ten (10) school days, but is incomplete, the building principal may, at the principal's own discretion, grant up to a five (5) school day extension for provision of the completed documentation.

D. Extraordinary Educational Opportunities

1. To qualify as an extraordinary educational opportunity, the opportunity must:
  - a. be educational in nature and must have a learning objective related to the student's course work or plan of study;
  - b. be an opportunity not ordinarily available to the student;
  - c. be grade and developmentally appropriate; and
  - d. include content that is highly relevant to the student; while some opportunities will be relevant to all students, others will contain very specific content that would limit their relevance to a smaller group of students.
2. Family vacations do not qualify as extraordinary educational opportunities.
3. All requests for approval of extraordinary educational opportunities must:
  - a. be submitted to the Assistant Superintendent or designee in writing prior to the opportunity, but no later than ten (10) school days prior to the opportunity except in exceptional circumstances at the discretion of the building administrator;
  - b. contain the signatures of both the parent/guardian and the student;
  - c. include an outline of the learning objective of the opportunity and include detail as to how the objective is linked to the student's coursework or plan of study; and
  - d. include additional documentation, where available, about the opportunity.
4. The Assistant Superintendent or designee shall provide a response in writing and include the following:
  - a. either approval or denial of the request;

- b. brief reason for any denial;
  - c. any requirements placed upon the student as a condition of approval;
  - d. the specific days approved as excused absences for the opportunity; and
  - e. the understanding that the Assistant Superintendent or designee may withdraw ~~its~~ approval if the opportunity is canceled or the student fails to meet the agreed-upon requirements of the approval.
5. All decisions of the Assistant Superintendent or designee relating to extraordinary educational opportunities shall be final.
  6. Students who are granted excusal from school to participate in extraordinary educational opportunities are expected to share their experiences with other students and/or school staff when they return.
  7. Approval for an extraordinary educational opportunity is determined on a case-by-case basis and the analysis of individualized factors. An opportunity approved for one student may not be approved for another.

E. 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. Until June 30, 2023, 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. ~~Beginning July 1, 2023, A~~ student who is eighteen (18) years of age or older may withdraw from school. Such student shall personally appear in person at the school District office and sign a withdrawal form. Such withdrawal form must include an attestation from a guidance counselor or school administrator from the school that the District provided such student with information on the educational options available in the school system and community.
4. Beginning July 1, 2023, a student seventeen (17) years of age shall not be considered truant if the parent or person having control over such child withdraws such child from school and enrolls such child in an adult education program pursuant to Conn. Gen. Stat. § 10-69. Such parent or person shall personally appear at the ~~school~~-District office and sign an adult education withdrawal and enrollment form. Such adult education withdrawal and enrollment form shall include an attestation (1) from a school counselor or school administrator of the school that the District has provided such parent or person with information on the educational options available in the school system and in the community, and (2) from such parent or person that such child will be enrolled in an adult education program upon such child's withdrawal from school.
5. 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."

F. 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 E.2 or E.4, 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 E.2 or E.4, above) seeks readmission within ten (10) school days of the student's withdrawal, the Board shall provide school accommodations to the student not later than three (3) school days after the student requests readmission.

G. 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 the student receives an alternative educational program for at least ~~one~~-half of the instructional ~~regular~~ school day. In any event, the absence is considered a disciplinary absence, and will not be designated as excused or unexcused.
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 in accordance with applicable law.

H. 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 ensure that such a student attends school regularly or to show that the child is elsewhere receiving equivalent instruction in the studies taught in the District.
  - 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 or designee 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. Reasonable efforts shall include two (2) attempts to reach the parent or other person at the telephone number provided by the parent or other person. Such attempts shall be recorded using the District's student data system. 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.

I. Procedures applicable to students ages five (5) to eighteen (18)

1. Intervention

- a. When a student is truant, the building principal or 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 is 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 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. When a student is truant, the Superintendent or designee shall provide notice to the student's parent or guardian of the information concerning the existence and availability of the 2-1-1 Infoline program, and other pediatric mental and behavioral health screening services and tools described in Conn. Gen. Stat. § 17a-22r.

d. Beginning July 1, 2023, when a student is truant, an appropriate school mental health specialist, as determined by the District, shall conduct an evaluation of the student to determine if additional behavioral health interventions are necessary for the well-being of the child. "School mental health specialist" means any person employed by the District to provide mental health services to students, including but not limited to a school social worker, school psychologist, trauma specialist, behavior technician, board certified behavior analyst, school counselor, licensed professional counselor or licensed marriage and family therapist.

e. If the Commissioner of Education determines that any school under the jurisdiction of the Board has a disproportionately high rate of truancy, the District shall implement in that school a truancy intervention model identified by the Department of Education pursuant to Conn. Gen. Stat. § 10-198e.

f. 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 appropriate building-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.

g. Where the documented implementation of the procedures specified in subsections (a) through (d) above does not result in improved outcomes despite collaboration with the parent/guardian, the Superintendent or designee may, with written parental consent, refer a student who is truant to a Youth Service Bureau.

#### J. Attendance Records

All attendance records developed by the Board shall include the individual student's state-assigned student identifier (SASID).

#### II. Chronic Absenteeism

##### A. Definitions for Section II

1. "Chronically absent child" - a child who is enrolled in a school under the jurisdiction of the Board and whose total number of absences at any time during a school year is equal to or greater



than ten percent (10%) of the total number of days that such student has been enrolled at such school during such school year.

2. “Absence” - an excused absence, unexcused absence or disciplinary absence, as those terms are defined by the State Board of Education pursuant to Conn. Gen. Stat. § 10-198b and these administrative regulations.
3. “District chronic absenteeism rate” - the total number of chronically absent children under the jurisdiction of the Board in the previous school year divided by the total number of students under the jurisdiction of the Board for such school year.
4. “School chronic absenteeism rate” - the total number of chronically absent students for a school in the previous school year divided by the total number of students enrolled in such school for such school year.

B. Establishment of Attendance Review Teams

If the Board has a district chronic absenteeism rate of ten percent (10%) or higher, it shall establish an attendance review team for the District.

If a school under the jurisdiction of the Board has a school chronic absenteeism rate of fifteen percent (15%) or higher, it shall establish an attendance review team for that school.

If the Board has more than one school with a school chronic absenteeism rate of fifteen percent (15%) or higher, it shall establish an attendance review team for the District or at each such school.

If the Board has a district chronic absenteeism rate of ten percent (10%) or higher and one or more schools with a school chronic absenteeism rate of fifteen percent (15%) or higher, it shall establish an attendance review team for the District or at each such school.

C. Composition and Role of Attendance Review Teams

Any attendance review team established under these regulations may include school administrators, guidance counselors, school social workers, teachers, representatives from community-based programs who address issues related to student attendance by providing programs and services to truants, as defined under I.A.9, and chronically absent students and their parents or guardians.

Each attendance review team shall be responsible for reviewing the cases of truants and chronically absent students, discussing school

interventions and community referrals for such truants and chronically absent students and making any additional recommendations for such truants and chronically absent children and their parents or guardians. Each attendance review team shall meet at least monthly.

**D. State Chronic Absenteeism Prevention and Intervention Plan**

The Board and its attendance review teams, if any, will consider any chronic absenteeism prevention and intervention plan developed by the State Department of Education.

**III. Reports to the State Regarding Truancy Data**

Annually, the Board shall include information regarding the number of truants and chronically absent children in the strategic school profile report for each school under its jurisdiction and for the 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 to reduce truancy in the District.

**IV. Evolving State Department of Education and State Board of Education Guidance**

The Board will comply with any and all guidance issued by the State Department of Education and/or State Board of Education regarding attendance requirements, including during periods of remote learning.

**Legal References:**

Public Act No. 22-47

Connecticut General Statutes § 10-220

Connecticut General Statutes § 10-184

Connecticut General Statutes § 10-186

Connecticut General Statutes § 10-198a

Connecticut General Statutes § 10-198b

Connecticut General Statutes § 10-198c

Connecticut General Statutes § 10-198d

Connecticut General Statutes § 10-198e

Connecticut General Statutes § 10-198f

Connecticut State Department of Education, *Guidelines for Reporting Student Attendance in the Public School Information System* (January 2008)

Connecticut State Board of Education Memorandum, *Definitions of Excused and Unexcused Absences* (June 27, 2012)

Connecticut State Department of Education, *Guidelines for Implementation of the Definitions of Excused and Unexcused Absences and Best Practices for Absence Prevention and Intervention* (April 2013)

Connecticut State Department of Education, *Reducing Chronic Absence in Connecticut's Schools: A Prevention and Intervention Guide for Schools and Districts* (April 2017)

Connecticut State Department of Education Memorandum, *Youth Service Bureau Referral for Truancy and Defiance of School Rules* (February 22, 2018)

Connecticut State Department of Education, *Youth Service Bureau Referral Guide* (February 2018)

Connecticut State Department of Education Memorandum, *Mental Health Wellness Days* (January 24, 2022)

[Connecticut State Department of Education Memorandum, Adoption of Definition of Remote Absence \(September 7, 2022\)](#)

[Connecticut State Board of Education Resolution \(September 7, 2022\)](#)

APPROVED: October 19, 2022

REVISED: TBD

9/9/22

11/29/2022



## **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. For the school years commencing July 1, 2011, to July 2022, inclusive, 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. For the school year commencing July 1, 2023, and each school year thereafter, a student who is eighteen years of age or older may withdraw from school. Such parent, person or student shall personally appear at the school district office and sign a withdrawal form. Such withdrawal form shall include an attestation from a guidance counselor, school counselor or school administrator of the school that such school district has provided such parent, person or student with information on the educational options available in the school system and community. The parent or person having control of a child seventeen years of age may withdraw such child from school and enroll such child in an adult education program pursuant to [Connecticut General Statutes Section] 10-69. Such parent or person shall personally appear at the school district office and sign an adult education withdrawal and enrollment form. Such adult education withdrawal and enrollment form shall include an attestation (1) from a school counselor or school administrator of the school that such school district has provided such parent or person with information on the educational options available in the school system and in the community, and (2) from such parent or person that such child will be enrolled in an adult education program upon such child's withdrawal from school. 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 Branford Board of Education (the “Board”) 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

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[238844v.29238844v.30](#)

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: \_\_\_\_\_ / \_\_\_\_\_

Parent/Guardian's Daytime Telephone Number\*: \_\_\_\_\_

Parent/Guardian's Daytime Telephone Number\*: \_\_\_\_\_

Parent/Guardian E-mail Address: \_\_\_\_\_

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: \_\_\_\_\_

9/9/22



**UNEXCUSED ABSENCES  
SAMPLE DOCUMENTATION LOG**

\_\_\_\_\_  
Date

\_\_\_\_\_  
School

School Staff Member/Volunteer	Student's Name	Parent or Other Person Having Control of Student	Telephone Number	Outcome*	Excused or Unexcused	Reason Absence is Excused or Unexcused
				Attempt #1 _____ Attempt #2 _____ Written Notice mailed _____ _____		
				Attempt #1 _____ Attempt #2 _____ Written Notice mailed _____ _____		
				Attempt #1 _____ Attempt #2 _____ Written Notice mailed _____ _____		
				Attempt #1 _____ Attempt #2 _____ Written Notice mailed _____ _____		

				Attempt #1 _____ Attempt #2 _____ Written Notice mailed _____ _____		
--	--	--	--	---	--	--

\* No answer = N  
Left Message = LM  
Notification made = NM  
7/26/17

HAMLET M. HERNANDEZ  
Superintendent of Schools

RACHEL M. SEXTON  
Assistant Superintendent of Schools

DONALD A. NEEL  
Chief Operating Officer



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## BRANFORD PUBLIC SCHOOLS

185 Damascus Road, Branford, CT 06405-3717

203.488.7276 • Fax 203. 315.3505

[www.branfordschools.org](http://www.branfordschools.org)

### Extraordinary Educational Opportunities

From time to time, students encounter an exceptional opportunity for an experience of an educational nature. While these events may not be part of their schoolwork, they provide an excellent chance to further their education. Under certain circumstances, the days devoted to these opportunities can count as excused absences for students whose absences already total nine for the school year (for a child with fewer than nine absences, parents may excuse the child's absence via a written note provided within ten days of the absence).

**To qualify as an extraordinary educational opportunity, an experience must meet the following criteria:**

. The opportunity must be educational in nature. It must have a learning objective related to the student's coursework or plan of study. Not all memorable and/or life experiences would be considered educational and, therefore, would not be available for this exemption.

A. It must be an opportunity not ordinarily available to the student.

B. It must be grade and developmentally appropriate.

C. The content of the experience must be highly relevant to the student. While some opportunities will be relevant to all students, other will contain very specific content that would limit their relevance to a smaller group of students. For example, a trumpet lesson from jazz great Wynton Marsalis would be very relevant to students who play trumpet, but not to other who do not play trumpet.

Note: Criteria C and D above may mean that an exceptional educational opportunity exemption may be approved for one family member but not for another attending the same event/opportunity.

**Decisions will be made on a case-by-case basis. Requests may be granted with the requirement that certain conditions be met. Should these conditions fail to be met, approvals may be withdrawn by the district.**

Some examples of extraordinary educational opportunities include:

- The opportunity to attend a master class with Itzhak Perlman; or
- An astronaut-led, behind-the-scenes tour of the Kennedy Space Center.

Some examples of activities that do not qualify as extraordinary educational opportunities include:



- Family vacations; or
- Going to a concert of a favorite music star; or
- Attending a seasonal sport camp.

In addition, the opportunity must be one that cannot be accessed by the student during school vacations or the summer break.

#### **Process for submitting a request for an extraordinary educational opportunity**

To request that the district grant permission to a student for an extraordinary educational opportunity, the parent or guardian of the student should submit the accompanying form (see below), with the signature of both the student and parent or guardian, and include additional documentation (where available). Forms must be submitted prior to the opportunity. When more than one child is involved in the request, a copy of the form should be submitted for each child. Forms must be submitted for each school year for which extraordinary educational opportunity permission is requested.

#### **Approvals**

All approvals for such opportunities will be provided by the district and will:

- . Be in written form;
- A. Detail any requirements placed upon the student as a condition of approval;
  - PLEASE NOTE: The administration may withdraw its approval if the opportunity is canceled or the student fails to meet the mutually agreed on requirements of the approval.
- B. Include the specific days approved for the opportunities; and
- C. Include a requirement that the participating student share the experience with other students and/or staff upon return or completion of the opportunity for benefit of the larger school community. The expectation is that sharing the experience will not be purely informational but will contribute to the academic or social-emotional learning of classmates.

## Extraordinary Educational Opportunities Request Form

Please complete one form per child and per experience and per school year

Student Name: \_\_\_\_\_

Parent/Guardian Name: \_\_\_\_\_

Date(s) of Opportunity: \_\_\_\_\_

Name of Educational Opportunity: \_\_\_\_\_

Provider/Location of Educational Opportunity: \_\_\_\_\_

What are the learning objectives for this educational opportunity?

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How does this learning connect to the student's coursework?

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How will the student share this new learning with classmates?

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What prevents the student from accessing this opportunity during a school vacation or over the summer break?

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\_\_\_\_\_

Please list any additional documentation provided.

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

Student Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Parent Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Return this form and any other documentation to:**

Office of the Superintendent  
Branford Public Schools  
185 Damascus Road  
Branford, CT 06405  
Email: [keyrich@branfordschools.org](mailto:keyrich@branfordschools.org)

#####

**For Office Use Only**

Student Name: \_\_\_\_\_

Parent/Guardian Name: \_\_\_\_\_

Request for Extraordinary Educational Opportunity is   • Approved   • Not Approved

Conditions of Approval:

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

Other Comments: \_\_\_\_\_

\_\_\_\_\_

Superintendent or Designee: \_\_\_\_\_ (signature)  
\_\_\_\_\_ (print name)

Title: \_\_\_\_\_

MODEL FORM

[Board of Education/School Letterhead]

SCHOOL ATTENDANCE OPTION FORM (CHILDREN AGE 5 OR 6)

Name of Child: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Address of Child: \_\_\_\_\_

Name of Parent(s): \_\_\_\_\_

Address of Parent(s) (if different from child): \_\_\_\_\_

\_\_\_\_\_

In accordance with Connecticut General Statutes Section 10-184, the parent or person having control of a child five (5) years of age or older and under age eighteen (18) is required to ensure that such child attends school. Section 10-184 further provides that a parent or person having control of a child age five (5) shall have the option of not sending the child to school until age six (6), and a parent or person having control of a child age six (6) shall have the option of not sending the child to school until age seven (7). A parent or person having control of such child who is seeking to elect this option must appear in person at the school district offices and sign this option form.

I, \_\_\_\_\_, am the parent or person having control of, \_\_\_\_\_,

Name of parent or person

Name of child

a child who is age five/six (circle appropriate age), and I elect not to send my child to school until the age of six/seven (circle appropriate age). I understand that this option is effective for only one (1) school year. By signing, I understand that if my child is currently age five (5) and I wish to elect next school year not to send my child to school, I must reappear at the school next year to elect this option. I further understand that if my child is currently age six (6), I am required by Section 10-184 to send my child to the public school, or demonstrate that the child is "elsewhere receiving equivalent instruction in the studies taught in the public schools," when the child turns seven (7).

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

School Personnel Use Only

€ Parent/person in control of child appeared in person and has been provided with information on the educational opportunities in the school system.

MODEL FORM

**{Board of Education/School Letterhead}**

**SCHOOL ATTENDANCE OPTION FORM (CHILDREN AGE 17)**  
**[Note: This form should only be used through the 2022-2023 school year.]**

Name of Child: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Address of Child: \_\_\_\_\_

Name of Parent(s): \_\_\_\_\_

Address of Parent(s) (if different from child): \_\_\_\_\_

\_\_\_\_\_

In accordance with Connecticut General Statutes Section 10-184, the parent or person having control of a child five (5) years of age or older and under age eighteen (18) is required to ensure that such child attends school.

Section 10-184 further provides that a parent or person having control of a student **seventeen (17) years of age** may consent 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, school 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.

I, \_\_\_\_\_, am the parent or person having control of, \_\_\_\_\_,  
Name of parent or person Name of child

a child who is seventeen years of age, and I consent to my child's withdrawal from school. I have personally appeared at the school district office and received information on the educational options available in the school system and community for my child.

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

School Personnel Use Only

~~€~~ Parent/person in control of child appeared in person and has been provided with information on the educational opportunities in the school system and community.

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

Title: \_\_\_\_\_

10/10/21

MODEL FORM

*[Note to districts: Connecticut General Statutes Section 10-184 provides that, for the school year commencing July 1, 2023 and each school year thereafter, a student who is eighteen years of age or older may withdraw from school, subject to certain conditions. This form may be used for students age eighteen or older who wish to withdraw from school beginning with the 2023-2024 school year.]*

**[Board of Education/School Letterhead]**

SCHOOL ATTENDANCE OPTION FORM (STUDENTS AGE 18)

Name of Student: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Address of Student: \_\_\_\_\_

\_\_\_\_\_

In accordance with Connecticut General Statutes Section 10-184, the parent or person having control of a child five (5) years of age or older and under age eighteen (18) is required to ensure that such child attends school.

Section 10-184 further provides that, for the school year commencing July 1, 2023 and each school year thereafter, a student who is **eighteen (18) years of age or older** may withdraw from school. Such student shall personally appear at the school district office and sign a withdrawal form. Such withdrawal form shall include an attestation from a guidance counselor, school counselor or school administrator of the school that such school district has provided such student with information on the educational options available in the school system and in the community.

**Withdrawal from School by Student Age 18 or Over**

I, \_\_\_\_\_, am a student of at least eighteen years of age,  
Name of student

and I hereby withdraw from school. I have personally appeared at the school district office and received information on the educational options available in the school system and community for me.

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

**School Personnel Use Only**

€ Student appeared in person and has been provided with information on the educational opportunities in the school system and community.

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

Title: \_\_\_\_\_

10/10/2021

MODEL FORM

[Board of Education/School Letterhead]

SCHOOL ATTENDANCE OPTION FORM (CHILDREN AGE 17)

*[Note to districts: Connecticut General Statutes Section 10-184 provides that, for the school year commencing July 1, 2023 and each school year thereafter, the parent or guardian of a student who is seventeen (17) years of age or older may withdraw such child from school if the parent or guardian consents to the student's withdrawal and simultaneously enrolls the child in an adult education program. In accordance with these requirements, the district may use this form beginning with the 2023-2024 school year.]*

Name of Child: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Address of Child: \_\_\_\_\_

Name of Parent(s): \_\_\_\_\_

Address of Parent(s) (if different from child): \_\_\_\_\_

\_\_\_\_\_

In accordance with Connecticut General Statutes Section 10-184, the parent or person having control of a child five (5) years of age or older and under age eighteen (18) is required to ensure that such child attends school.

Section 10-184 further provides that a parent or person having control of a student **seventeen (17) years of age** may consent to such student's withdrawal from school if they simultaneously enroll such child in an adult education program pursuant to Connecticut General Statutes Section 10-69. Such parent or person shall personally appear at the school district office and sign an adult education withdrawal and enrollment form. Such adult education withdrawal and enrollment form shall include an attestation (1) from a school counselor or school administrator of the school that such school district has provided such parent or person with information on the educational options available in the school system and in the community, and (2) from such parent or person that such child will be enrolled in an adult education program upon such child's withdrawal from school.



I, \_\_\_\_\_, am the parent or person having control of, \_\_\_\_\_,  
Name of parent or person Name of child

a child who is seventeen years of age. I hereby withdraw my child from school and attest that, upon my child's withdrawal, I will enroll my child in an adult education program pursuant to Connecticut General Statutes Section 10-69. I have personally appeared at the school district office and received information on the educational options available in the school system and community for my child.

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

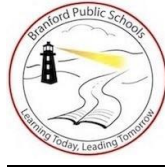
School Personnel Use Only

€ Parent/person in control of child appeared in person and has been provided with information on the educational opportunities in the school system and community.

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

Title: \_\_\_\_\_

10/10/2021



Students

5400 P

## **MANAGEMENT PLAN AND GUIDELINES FOR STUDENTS WITH FOOD ALLERGIES, GLYCOGEN STORAGE DISEASE AND/OR DIABETES**

The Branford Public Schools (the “district”) recognize that food allergies, glycogen storage disease (“GSD”) and diabetes 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 student suffer an allergic reaction while at school. The district is also committed to appropriately managing and supporting students with glycogen storage disease and diabetes. The district further recognizes the importance of collaborating with parents, adult students (defined as students age eighteen (18) years of age and older) 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 the student’s food allergy, glycogen storage disease or diabetes, as developmentally appropriate. To this end, the district adopts the following guidelines related to the management of life-threatening food allergies, glycogen storage disease, and diabetes for students enrolled in district schools.

### **I. Identifying Students with Life-Threatening Food Allergies, Diabetes and/or Glycogen Storage Disease**

Early identification of students with life-threatening food allergies, diabetes and/or glycogen storage disease is important. The district therefore encourages parents/guardians of students and adult students with life-threatening food allergies to notify the school of the allergy, providing as much medical documentation about the extent and nature of the food allergy as is known, as well as any known effective treatment for the allergy. The district also encourages parents/guardians of students and adult students with GSD and diabetes to notify the school of the disease, providing as much medical documentation about the type of GSD or diabetes, nature of the disease, and current treatment of the student.

Students with life-threatening food allergies and diabetes are virtually always students with disabilities and should be referred to a Section 504 team, which will make a final determination concerning the student’s eligibility for services under Section 504 of the Rehabilitation Act of 1973 (“Section 504”). The Section 504 team may determine that the only services needed are in the student’s Individualized Health Care Plan (“IHCP”) and/or Emergency Care Plan (“ECP”); in that case, the IHCP and/or ECP will also serve as the student’s Section 504 plan. The Section 504 team will also ensure that parents receive appropriate notice and are informed of their rights under Section 504, including their right to request an impartial hearing if they disagree with the provisions in the Section 504 plan.

Students with GSD and less severe food allergies should be referred to a Section 504 team if there is reason to believe that the student’s GSD or food allergy substantially limits a major life activity. To determine whether a food allergy is severe enough to substantially limit

a major life activity, the team should consider the impact on the student when the student has been exposed to the allergen and has not yet received treatment.

Major life activities include, but are not limited to:

(i) Caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, sitting, reaching, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, interacting with others, and working; and

(ii) The operation of a major bodily function, including functions of the immune system, special sense organs and skin; normal cell growth; and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive functions. The operation of a major bodily function includes the operation of an individual organ within a body system.

## **II. Individualized Health Care Plans and Emergency Care Plans**

1. If the district obtains medical documentation that a student has a life-threatening food allergy, GSD, or diabetes, the district shall develop an IHCP for the student. Each IHCP should contain information relevant to the student's participation in school activities.
2. The IHCP shall be developed by a group of individuals, which shall include the parents, the adult student, if applicable, 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 student'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 allergic student's risk for exposure. For the student with life-threatening food allergies, GSD, or diabetes, the IHCP may include strategies designed to ameliorate risks associated with such disease and support the student's participation in the classroom. IHCPs for such students may include considerations such as:
  - a. classroom environment, including allergy-free considerations, or allowing the student with GSD or diabetes to have food/dietary supplements when needed;
  - 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. who will provide emergency and routine care in school; including monitoring of continuous glucose monitor (CGM) alerts as may be appropriate, in school;
  - i. risk management during lunch and recess times;
  - j. special events;
  - k. field trips, fire drills and lockdowns;
  - l. extracurricular activities;
  - m. school transportation;
  - n. the provision of food or dietary supplements by the school nurse, or any school employee approved by the school nurse;
  - o. staff notification, including substitutes, and training; and
  - p. transitions to new classrooms, grades and/or buildings.
4. The IHCP should be reviewed annually, or whenever there is a change in the student's ECP, 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. For a student with a life-threatening food allergy, GSD, or diabetes, the IHCP shall not prohibit a parent or guardian, or a person designated by such parent or guardian, to provide food or dietary supplements to a student with a life-threatening food allergy, GSD, or diabetes on school grounds during the school day.
6. In addition to the IHCP, the district shall also develop an ECP for each student 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. For the student with a life-threatening food allergy, the ECP should include the following information:
- a. The student's name and other identifying information, such as date of birth, grade and photo;
  - b. The student's specific allergy;
  - c. The student'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 student continues to experience symptoms after the administration of medication; and
  - i. Emergency contact information for the parents/family and medical provider.
- 7. In addition to the IHCP, the district shall also develop an ECP for each student identified as having GSD and/or diabetes. The ECP is part of the IHCP and describes the specific directions about what to do in a medical emergency. For the student with GSD or diabetes, the ECP should include the following information, as may be appropriate:
  - a. The student's name and other identifying information, such as date of birth, grade and photo;
  - b. Information about the disease or disease specific information (*e.g.*, type of GSD or diabetes);
  - c. Whether the student uses a CGM, and how the CGM will be monitored in school;
  - d. The student's signs and symptoms of an adverse reaction (such as hypoglycemia);
  - e. The medication, if any, or other treatment to be administered in the event of an adverse reaction or emergency (*e.g.*, Glucagon or insulin)
  - f. The location and storage of the medication;
  - g. Who will administer the medication (including self-administration options, as appropriate);
  - h. Other emergency procedures, such as calling 911, contacting the school nurse, and/or calling the parents or physician;
  - i. Recommendations for what to do if the student continues to experience symptoms after the administration of medication; and
  - j. Emergency contact information for the parents/family and medical provider.
- 8. In developing the ECP, the school nurse should obtain current medical documentation from the parents/family and the student's health care provider, including the student's emergency plan and proper medication orders. If needed, the school nurse or other appropriate school personnel, should obtain consent to consult directly with the student's health care providers to clarify medical needs, emergency medical protocols and medication orders.
- 9. A student identified as having a life-threatening food allergy, GSD, or diabetes is entitled to an IHCP and an ECP, regardless of the student's status as a student with a disability, as that term is understood under Section 504, or the Individuals with Disabilities Education Act ("IDEA").
- 10. 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, and that any procedures in the IHCP and/or ECP

comply with the district's policies and procedures regarding the administration of medications to students.

11. 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, GSD and diabetes. Such training may include an overview of life-threatening food allergies, GSD and diabetes; prevention strategies; IHCPs and ECPs; monitoring of blood glucose alerts transmitted by CGM of the student to a dedicated receiver, tablet/smartphone application, or other appropriate technology during the school day and during school-sponsored activities; and food safety and sanitation. Training shall also 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 (*e.g.*, epi-pens), and/or the specific preventative strategies to minimize the risk of exposure to life-threatening allergens and prevent adverse reactions in students with GSD and diabetes (such as the provision of food or dietary supplements for students). School personnel will also be educated on how to recognize symptoms of allergic reactions and/or symptoms of low blood sugar, as seen with GSD and diabetes, and what to do in the event of an emergency. Staff training and education will be coordinated by the Director of Health Services or designee in coordination with the Director of Student Services or designee. Any such training regarding the administration of medication shall be done in accordance with state law and Board policy.
2. Each school within the district shall also provide age-appropriate information to students about food allergies, GSD and diabetes, how to recognize symptoms of an allergic reaction and/or low blood sugar emergency and the importance of adhering to the school's policies regarding food and/or snacks.

### **IV. Prevention**

Each school within the district will develop appropriate practices to minimize the risk of exposure to life-threatening allergens, as well as the risks associated with GSD and diabetes. Practices that may be considered include, but are not limited to:

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

4. Training staff in recognizing symptoms of anaphylaxis and hypoglycemia; and
5. Planning for school emergencies, to include consideration of the need to access medication, food and/or dietary supplements.

## **V. Communication**

1. As described above, the school nurse shall be responsible for coordinating the communication among parents, a student's individual health care provider and the school regarding a student's life-threatening allergic condition, GSD and/or diabetes. 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/or alterations in blood sugar levels and how to respond in the event of such an emergency.
2. Each school will ensure that there are appropriate communication systems available within each school (*e.g.*, telephones, cell phones, walkie-talkies) and for off-site activities (*e.g.*, 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 student'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 Management Plan and Guidelines for Students with Food Allergies, Glycogen Storage Disease and/or Diabetes available on the Board's website or the website of each school under the Board's jurisdiction.
6. The district shall provide annual notice to parents and guardians regarding the Management Plan and Guidelines for Students with Food Allergies, Glycogen Storage Disease and/or Diabetes. 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 Management Plan and Guidelines for Students with Food Allergies, Glycogen Storage Disease and/or Diabetes. Such assessments should occur at least annually and after each emergency event involving the administration of medication to a student with a life-threatening food allergy, GSD or diabetes 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 Management Plan and Guidelines for Students with Food Allergies, Glycogen Storage Disease and/or Diabetes.

Legal References:

State Law/Regulations/Guidance:

- Conn. Gen. Stat. § 10-212a Administration of medications in schools, at athletic events and to children in school readiness programs.
- Conn. Gen. Stat. § 10-212c Life-threatening food allergies and glycogen storage disease: Guidelines; district plans.
- Conn. Gen. Stat. § 10-220i Transportation of students carrying cartridge injectors.
- Conn. Gen. Stat. § 10-231c Pesticide applications at schools without an integrated pest management plan. Prior notice.
- Conn. Gen. Stat. § 19a-900 Use of cartridge injectors by staff members of before or after school program, day camp or day care facility.
- Conn. Gen. Stat. § 52-557b “Good samaritan law”. Immunity from liability for emergency medical assistance, first aid or medication by injection. Immunity from liability re automatic external defibrillators. School personnel not required to administer or render emergency first aid or administer medication by injection.
- Regs. Conn. State Agencies § 10-212a-1 through 10-212a-7 Administration of Medication by School Personnel

Guidelines for Managing Life-Threatening Food Allergies in Connecticut Schools (Includes Guidelines for Managing Glycogen Storage Disease), Connecticut State Department of Education (Updated 2012).

Federal Law:

- Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794
- Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq.
- The Americans with Disabilities Act of 1990 (ADA), 42 U.S.C. § 12101 et seq.

10/11/2022





## MANAGEMENT PLAN AND GUIDELINES FOR STUDENTS WITH FOOD ALLERGIES, GLYCOGEN STORAGE DISEASE AND/OR DIABETES

The Branford Public Schools (the “district”) recognize that food allergies, glycogen storage disease (“GSD”) and diabetes 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 student suffer an allergic reaction while at school. The district is also committed to appropriately managing and supporting students with glycogen storage disease and diabetes. The district further recognizes the importance of collaborating with parents, adult students (defined as students age eighteen (18) years of age and older) 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 the student’s food allergy, glycogen storage disease or diabetes, as developmentally appropriate. To this end, the district adopts the following guidelines related to the management of life-threatening food allergies, glycogen storage disease, and diabetes for students enrolled in district schools.

### **I. Identifying Students with Life-Threatening Food Allergies, Diabetes and/or Glycogen Storage Disease**

Early identification of students with life-threatening food allergies, diabetes and/or glycogen storage disease is important. The district therefore encourages parents/guardians of students and adult students with life-threatening food allergies to notify the school of the allergy, providing as much medical documentation about the extent and nature of the food allergy as is known, as well as any known effective treatment for the allergy. The district also encourages parents/guardians of students and adult students with GSD and diabetes to notify the school of the disease, providing as much medical documentation about the type of GSD or diabetes, nature of the disease, and current treatment of the student.

Students with life-threatening food allergies and diabetes are virtually always students with disabilities and should be referred to a Section 504 team, which will make a final determination concerning the student’s eligibility for services under Section 504 of the Rehabilitation Act of 1973 (“Section 504”). The Section 504 team may determine that the only services needed are in the student’s Individualized Health Care Plan (“IHCP”) and/or Emergency Care Plan (“ECP”); in that case, the IHCP and/or ECP will also serve as the student’s Section 504 plan. The Section 504 team will also ensure that parents receive appropriate notice and are informed of their rights under Section 504, including their right to request an impartial hearing if they disagree with the provisions in the Section 504 plan.

Students with GSD and less severe food allergies should be referred to a Section 504 team if there is reason to believe that the student’s GSD or food allergy substantially limits a major life activity. To determine whether a food allergy is severe enough to substantially limit

a major life activity, the team should consider the impact on the student when the student has been exposed to the allergen and has not yet received treatment.

Major life activities include, but are not limited to:

(i) Caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, sitting, reaching, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, interacting with others, and working; and

(ii) The operation of a major bodily function, including functions of the immune system, special sense organs and skin; normal cell growth; and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive functions. The operation of a major bodily function includes the operation of an individual organ within a body system.

## **II. Individualized Health Care Plans and Emergency Care Plans**

1. If the district obtains medical documentation that a student has a life-threatening food allergy, GSD, or diabetes, the district shall develop an IHCP for the student. Each IHCP should contain information relevant to the student's participation in school activities.
2. The IHCP shall be developed by a group of individuals, which shall include the parents, the adult student, if applicable, 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 student'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 allergic student's risk for exposure. For the student with life-threatening food allergies, GSD, or diabetes, the IHCP may include strategies designed to ameliorate risks associated with such disease and support the student's participation in the classroom. IHCPs for such students may include considerations such as:
  - a. classroom environment, including allergy-free considerations, or allowing the student with GSD or diabetes to have food/dietary supplements when needed;
  - 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. who will provide emergency and routine care in school; including monitoring of continuous glucose monitor (CGM) alerts as may be appropriate, in school;
  - i. risk management during lunch and recess times;
  - j. special events;
  - k. field trips, fire drills and lockdowns;
  - l. extracurricular activities;
  - m. school transportation;
  - n. the provision of food or dietary supplements by the school nurse, or any school employee approved by the school nurse;
  - o. staff notification, including substitutes, and training; and
  - p. transitions to new classrooms, grades and/or buildings.
4. The IHCP should be reviewed annually, or whenever there is a change in the student's ECP, 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. For a student with a life-threatening food allergy, GSD, or diabetes, the IHCP shall not prohibit a parent or guardian, or a person designated by such parent or guardian, to provide food or dietary supplements to a student with a life-threatening food allergy, GSD, or diabetes on school grounds during the school day.
6. In addition to the IHCP, the district shall also develop an ECP for each student 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. For the student with a life-threatening food allergy, the ECP should include the following information:
- a. The student's name and other identifying information, such as date of birth, grade and photo;
  - b. The student's specific allergy;
  - c. The student'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 student continues to experience symptoms after the administration of medication; and
  - i. Emergency contact information for the parents/family and medical provider.
7. In addition to the IHCP, the district shall also develop an ECP for each student identified as having GSD and/or diabetes. The ECP is part of the IHCP and describes the specific directions about what to do in a medical emergency. For the student with GSD or diabetes, the ECP should include the following information, as may be appropriate:
- a. The student's name and other identifying information, such as date of birth, grade and photo;
  - b. Information about the disease or disease specific information (*e.g.*, type of GSD or diabetes);
  - ~~b-c.~~ Whether the student uses a CGM, and how the CGM will be monitored in school;
  - ~~e-d.~~ The student's signs and symptoms of an adverse reaction (such as hypoglycemia);
  - ~~d-e.~~ The medication, if any, or other treatment to be administered in the event of an adverse reaction or emergency (*e.g.*, Glucagon or insulin)
  - ~~e-f.~~ The location and storage of the medication;
  - ~~f-g.~~ Who will administer the medication (including self-administration options, as appropriate);
  - ~~g-h.~~ Other emergency procedures, such as calling 911, contacting the school nurse, and/or calling the parents or physician;
  - ~~h-i.~~ Recommendations for what to do if the student continues to experience symptoms after the administration of medication; and
  - ~~i-j.~~ Emergency contact information for the parents/family and medical provider.
8. In developing the ECP, the school nurse should obtain current medical documentation from the parents/family and the student's health care provider, including the student's emergency plan and proper medication orders. If needed, the school nurse or other appropriate school personnel, should obtain consent to consult directly with the student's health care providers to clarify medical needs, emergency medical protocols and medication orders.
9. A student identified as having a life-threatening food allergy, GSD, or diabetes is entitled to an IHCP and an ECP, regardless of his/her the student's status as a student with a disability, as that term is understood under Section 504, or the Individuals with Disabilities Education Act ("IDEA").
10. 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, and that any procedures in the IHCP and/or ECP

comply with the district's policies and procedures regarding the administration of medications to students.

11. 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, GSD and diabetes. Such training may include an overview of life-threatening food allergies, GSD and diabetes; prevention strategies; IHCPs and ECPs; monitoring of blood glucose alerts transmitted by CGM of the student to a dedicated receiver, tablet/smartphone application, or other appropriate technology during the school day and during school-sponsored activities; and food safety and sanitation. Training shall also 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 (*e.g.*, epi-pens), and/or the specific preventative strategies to minimize the risk of exposure to life-threatening allergens and prevent adverse reactions in students with GSD and diabetes (such as the provision of food or dietary supplements for students). School personnel will also be educated on how to recognize symptoms of allergic reactions and/or symptoms of low blood sugar, as seen with GSD and diabetes, and what to do in the event of an emergency. Staff training and education will be coordinated by the Director of Health Services or designee in coordination with the Director of Student Services or designee. Any such training regarding the administration of medication shall be done in accordance with state law and Board policy.
2. Each school within the district shall also provide age-appropriate information to students about food allergies, GSD and diabetes, how to recognize symptoms of an allergic reaction and/or low blood sugar emergency and the importance of adhering to the school's policies regarding food and/or snacks.

### **IV. Prevention**

Each school within the district will develop appropriate practices to minimize the risk of exposure to life-threatening allergens, as well as the risks associated with GSD and diabetes. Practices that may be considered include, but are not limited to:

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

4. Training staff in recognizing symptoms of anaphylaxis and hypoglycemia; and
5. Planning for school emergencies, to include consideration of the need to access medication, food and/or dietary supplements.

## **V. Communication**

1. As described above, the school nurse shall be responsible for coordinating the communication among parents, a student's individual health care provider and the school regarding a student's life-threatening allergic condition, GSD and/or diabetes. 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/or alterations in blood sugar levels and how to respond in the event of such an emergency.
2. Each school will ensure that there are appropriate communication systems available within each school (*e.g.*, telephones, cell phones, walkie-talkies) and for off-site activities (*e.g.*, 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 student'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 Management Plan and Guidelines for Students with Food Allergies, Glycogen Storage Disease and/or Diabetes available on the Board's website or the website of each school under the Board's jurisdiction.
6. The district shall provide annual notice to parents and guardians regarding the Management Plan and Guidelines for Students with Food Allergies, Glycogen Storage Disease and/or Diabetes. 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 Management Plan and Guidelines for Students with Food Allergies, Glycogen Storage Disease and/or Diabetes. Such assessments should occur at least annually and after each emergency event involving the administration of medication to a student with a life-threatening food allergy, GSD or diabetes 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 Management Plan and Guidelines for Students with Food Allergies, Glycogen Storage Disease and/or Diabetes.

Legal References:

State Law/Regulations/Guidance:

- Conn. Gen. Stat. § 10-212a Administration of medications in schools, at athletic events and to children in school readiness programs.
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- Conn. Gen. Stat. § 19a-900 Use of cartridge injectors by staff members of before or after school program, day camp or day care facility.
- Conn. Gen. Stat. § 52-557b “Good samaritan law”. Immunity from liability for emergency medical assistance, first aid or medication by injection. Immunity from liability re automatic external defibrillators. School personnel not required to administer or render emergency first aid or administer medication by injection.
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Guidelines for Managing Life-Threatening Food Allergies in Connecticut Schools (Includes Guidelines for Managing Glycogen Storage Disease), Connecticut State Department of Education (Updated 2012).

Federal Law:

- Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794
- Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq.
- The Americans with Disabilities Act of 1990 (ADA), 42 U.S.C. § 12101 et seq.

10/11/2022





**DRUG AND ALCOHOL USE BY STUDENTS  
AND CHEMICAL HEALTH FOR STUDENT ATHLETES**

Policy Statement

The Branford Board of Education (the “Board”) is required by Connecticut law to prescribe rules for the management and discipline of its schools. Further, the Board participates in the Connecticut Interscholastic Athletic Conference, which requires compliance with CIAC rules concerning, among other things, the use of drugs, performance enhancing substances and alcohol by student athletes. In keeping with these mandates, the unlawful use, sale, distribution or possession of controlled drugs, controlled substances, drug paraphernalia, as defined in Connecticut General Statutes Section 21a-240, or alcohol on or off school property or during any school-sponsored activity is prohibited. It shall be the policy of the Board to take positive action through education, counseling, discipline, parental involvement, medical referral, and law enforcement referral, as appropriate, in the handling of incidents in the schools involving the unlawful possession, distribution, sale or use of substances that affect behavior, including performance enhancing substances for student athletes, whether or not such athletes are participating in CIAC controlled activities.

Definitions

- (1) Controlled Drugs: means those drugs which contain any quantity of a substance which has been designated as subject to the federal Controlled Substances Act, or which has been designated as a depressant or stimulant drug pursuant to federal food and drug laws, or which has been designated by the Commissioner of Consumer Protection pursuant to C.G.S. Section 21a-243, as having a stimulant, depressant or hallucinogenic effect upon the higher functions of the central nervous system and as having a tendency to promote abuse or psychological or physiological dependence, or both. Such controlled drugs are classifiable as amphetamine-type, barbiturate-type, cannabis-type, cocaine-type, hallucinogenic, morphine-type and other stimulant and depressant drugs. C.G.S. Section 21a-240(8).
- (2) Controlled Substances: means a drug, substance or immediate precursor in schedules I to V, inclusive, of the Connecticut controlled substance scheduling regulations adopted pursuant to C.G.S. Section 21a-243. C.G.S. Section 21a-240(9).
- (3) Drug Paraphernalia: means any equipment, products and materials of any kind which are used, intended for use or designed for use in planting, propagating,



- cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing or concealing, or injecting, ingesting, inhaling or otherwise introducing any controlled substance into the human body, including but not limited to all items specified in C.G.S. Section 21a-240(20)(A), such as "bongs," pipes, "roach clips," miniature cocaine spoons, cocaine vials, and any object or container used, intended or designed for use in storing, concealing, possessing, distributing or selling controlled substances. C.G.S. Section 21a-240(20)(A).
- (4) Performance Enhancing Substances: means any anabolic steroid, hormone or analogue, diuretic or other substance designed to enhance a student's performance in athletic competition, except when used under the care and direction of a licensed medical professional and only then in the manner prescribed by the medical professional and manufacturer's recommendations.
- (5) Professional Communication: any communication made privately and in confidence by a student to a professional employee of such student's school in the course of the professional employee's employment. C.G.S. Section 10-154a(a)(4).
- (6) Professional Employee: means a person employed by a school who "(A) holds a certificate from the State Board of Education, (B) is a member of a faculty where certification is not required, (C) is an administration officer of a school, or (D) is a registered nurse employed by or assigned to a school." C.G.S. Section 10-154a(a)(2).
- (7) Student Athlete: means any student participating in an extracurricular school-sponsored athletic activity, whether interscholastic or intramural, including but not limited to student athletes who are participating in CIAC controlled activities.

### Procedures

- (1) Emergencies.

If an emergency situation results from use of drugs, performance enhancing substances or alcohol, the student shall be sent to the school nurse or medical advisor immediately, or emergency medical personnel will be notified. The parent or designated responsible person will be notified.

- (2) Prescribed Medications.

Students may possess and/or self-administer medications in school in accordance with the Board's policy concerning the administration of medication in school. The parent or guardian of a student athlete who is required to take prescribed medication during student athletic activities shall so inform the school nurse or the person designated to act in the absence of a nurse. Such prescribed medication will then be administered to the student athlete under the supervision of the school nurse or designee in accordance with Connecticut General Statutes Section 10-212a and the applicable regulations and in accordance with any Board policies and regulations concerning medication administration, except as provided below.

Students taking improper amounts of a prescribed medication, or otherwise taking medication contrary to the provisions of the Board's policy on the administration of medication, will be subject to the procedures for improper drug or alcohol use outlined in this policy.

A student athlete with a documented medical history demonstrating the need for regular use of performance enhancing substances for therapeutic purposes shall not be in violation of this policy when such substances are properly prescribed and taken by the student athlete in accordance with Connecticut General Statutes Section 10-212a and the applicable regulations and in accordance with any Board policies and regulations concerning medication administration.

A student athlete with a documented medical history demonstrating the need for regular, palliative use of marijuana shall not be considered to be in violation of this policy when such substance is properly prescribed and taken by the student athlete in accordance with Connecticut General Statutes Sections 21a-408a through 408q. Under no circumstances shall the school nurse or designee administer to the student or permit the palliative use of marijuana by the student on a school bus, school grounds or property, in public places or in the presence of persons under the age of eighteen.

(3) Voluntary Disclosure of Drug/Alcohol Problem (Self-Referral).

The following procedures will be followed when a student privately, and in confidence, discloses to a professional employee in a professional communication information concerning the student's use, possession, distribution or sale of a controlled drug, controlled substance or alcohol.

- (a) Professional employees are permitted, in their professional judgment, to disclose any information acquired through a professional communication with a student, when such information concerns alcohol or drug abuse or any alcohol or drug problem of such student. In no event, however, will they be required to do so. C.G.S. Section 10-154a(b).

- (b) Any physical evidence obtained from such student through a professional communication indicating that a crime has been or is being committed by the student **must** be turned over to school administrators or law enforcement officials as soon as possible, but no later than two calendar days after receipt of such physical evidence, excluding Saturdays, Sundays and holidays. Employees are encouraged to contact the school administrator immediately upon obtaining physical evidence. In no case, however, will such employee be required to disclose the name of the student from whom the evidence was obtained. C.G.S. Section 10-154a(b).
  - (c) Any professional employee who has received a professional communication from a student may obtain advice and information concerning appropriate resources and refer the student accordingly, subject to the rights of the professional employee as described in paragraph (a) above.
  - (d) If a student consents to disclosure of a professional communication concerning the student's alcohol or drug problem, or if the professional employee deems disclosure to be appropriate, the professional employee should report the student's name and problem to the school's building administrator or designee who shall refer the student to appropriate school staff members for intervention and counseling.
- (4) Involuntary Disclosure or Discovery of Drug/Alcohol Problems.

When a professional employee obtains information related to a student *from a source other than the student's confidential disclosure*, that the student, on or off school grounds or at a school sponsored activity, is under the influence of, or possesses, uses, dispenses, distributes, administers, sells or aids in the procurement of a controlled drug, controlled substance, drug paraphernalia or alcohol, that information is considered to be involuntarily disclosed. In this event, the following procedures will apply.

- (a) The professional employee will immediately report the information to the building administrator or designee. The building administrator or designee will then refer the student to appropriate school staff members for intervention and counseling.
- (b) Any physical evidence (for example, alcohol, drugs or drug paraphernalia) obtained from a student indicating that a crime has been or is being committed by the student must be turned over to the building administrator or designee or to law enforcement officials as soon as possible, but no later than within two calendar days after receipt of such physical evidence, excluding Saturdays, Sundays and holidays. C.G.S. Section 10-154a(b). Because such evidence was **not** obtained through a

professional communication, the name of the student must be disclosed to the building administrator or designee.

- (c) Search and Seizure of Students and/or Possessions: A professional employee who reasonably suspects that a student is violating a state/federal law or a school substance abuse policy must **immediately** report such suspicion to the building administrator or designee. The building administrator or designee may then search a student's person or possessions connected to that person, in accordance with the Board's policies and regulations if the administrator or designee has reasonable suspicion from the inception of the search that the student has violated or is violating either the law or a school substance abuse policy.

Any physical evidence obtained in the search of a student, or a student's possessions, indicating that the student is violating or has violated a state or federal law **must** be turned over to law enforcement officials as soon as possible, but **not** later than within three calendar days after receipt of such physical evidence, excluding Saturdays, Sundays and holidays. C.G.S. Section 10-154a(c). All school employees are encouraged to contact the school administration immediately upon obtaining physical evidence.

(5) Consequences for the Use, Sale, Distribution or Possession of Controlled Drugs, Controlled Substances, Drug Paraphernalia or Alcohol.

- (a) Any student in the Branford Public Schools using, consuming, possessing, being under the influence of, manufacturing, distributing, selling or aiding in the procurement of controlled drugs, controlled substances, drug paraphernalia or alcohol either on or off school property, or at a school-sponsored activity, except as such use or possession is in accordance with Connecticut General Statutes § 21a-408a through 408q, is subject to discipline up to and including expulsion pursuant to the Board's student discipline policy. A student shall not face greater discipline, punishment or sanction for the use, sale, or possession of cannabis on school property than a student would face for the use, sale, or possession of alcohol on school property, except as otherwise required by applicable law.
- (b) In conformity with the Board's student discipline policy, students may be suspended or expelled for drug or alcohol use off school grounds if such drug or alcohol use is considered seriously disruptive of the educational process. In determining whether the conduct is seriously disruptive of the educational process, the Administration and the Board may consider, among other factors: 1) whether the drug or alcohol use occurred within close proximity of a school; 2) whether other students from the school were involved; and 3) whether any injuries occurred.

- (c) If a school administrator has reason to believe that any student was engaged, on or off school grounds, in offering for sale or distribution a controlled substance (as defined by 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 administrator will recommend such student for expulsion, in accordance with Conn. Gen. Stat. § 10-233d(a)(2) and the Board's student discipline policy.
  - (d) Students found to be in violation of this policy may be referred by the building administrator to an appropriate agency licensed to assess and treat drug and alcohol involved individuals. In such event, assessment and treatment costs will be the responsibility of the parent or guardian.
  - (e) A meeting may be scheduled with appropriate school staff members for the purpose of discussing the school's drug, alcohol and chemical health policy with the student and parent or guardian.
  - (f) Law enforcement officials may be contacted by the building administrator in the case of suspected involvement in the use, sale or distribution of controlled drugs, controlled substances, drug paraphernalia or alcohol.
  - (g) A student athlete found by the administration to have violated this policy may, in the discretion of school administrators, be suspended from play for short or long term periods, or may have student athletic participation privileges revoked.
  - (h) A student athlete found by the administration to have used performance enhancing substances shall receive a minimum penalty of revocation of athletic participation privileges for one hundred eighty (180) days. The Board shall report the violation to the CIAC.
  - (i) The Board recognizes that the CIAC may impose additional sanctions on student athletes participating in CIAC controlled activities who are found to have violated this policy.
- (6) Discretionary Nature of Student Athletic Activities.

The Board sponsors athletic programs as part of its extracurricular program. The opportunity to participate in extracurricular activities such as student athletics is a privilege, not a right. The Board may remove students from participation in athletics activities in its discretion.

- (7) Prohibition on the Promotion or Dispensing of Performance Enhancing Substances by School Staff Members, Coaches or Volunteers.
- (a) No school staff member, coach or volunteer responsible for or involved in student athletic programs shall dispense any drug, medication (prescription or non-prescription), or food supplement to any student athlete except under the supervision of the school nurse or designee in accordance with Connecticut General Statutes Section 10-212a and the applicable regulations, and in accordance with any Board policies and regulations concerning medication administration.
  - (b) No school staff member, coach or volunteer responsible for or involved in student athletic programs shall encourage the use of any drug, medication (prescription or non-prescription), or food supplement in a manner not described by the manufacturer.
  - (c) No school staff member, coach or volunteer responsible for or involved in student athletic programs shall supply, recommend, or knowingly permit student athletes to use any drug, medication (prescription or non-prescription), or food supplement for the specific purpose of enhancing their athletic performance.
  - (d) A school staff member, or coach responsible for or involved in student athletic programs, who violates the terms of this policy shall be subject to discipline, up to and including termination of employment. The Board may also report violations of this policy by employees to parents of student athletes and/or state and local authorities.
  - (e) The Board shall immediately terminate a volunteer responsible for or involved in student athletic programs who violates the terms of this policy. The Board may also report violations of this policy by volunteers to parents of student athletes and/or state and local authorities.
- (8) Publication of Policy to School Staff Members, Coaches, Volunteers and Students.
- (a) The Board shall publish this policy to all school staff members, coaches and volunteers responsible for or involved in student athletic programs.
  - (b) The Board shall publish this policy to all students and their parents/guardians.

Legal References:

Connecticut General Statutes:

June Special Session, Public Act No. 21-1, An Act Concerning Responsible and Equitable Regulation of Adult-Use Cannabis

Section 10-154a

Section 10-212a

Section 10-221

Sections 10-233a through 10-233f

Section 21a-240

Section 21a-243

Section 21a-408a through 408q

2023-2024 CIAC Handbook, Section 4.12.E (Chemical Health Policy and Regulations), available at <http://www.casciac.org/ciachandbook/>

**ADOPTED:** 10-19-2022

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## DRUG AND ALCOHOL USE BY STUDENTS

### Policy Statement

The Branford Board of Education (the “Board”) is required by Connecticut law to prescribe rules for the management and discipline of its schools. Further, the Board participates in the Connecticut Interscholastic Athletic Conference, which requires compliance with CIAC rules concerning, among other things, the use of drugs, performance enhancing substances and alcohol by student athletes. In keeping with ~~this mandate~~ these mandates, the unlawful use, sale, distribution or possession of controlled drugs, controlled substances, drug paraphernalia, as defined in Connecticut General Statutes Section 21a-240, or alcohol on or off school property or during any school-sponsored activity is prohibited. It shall be the policy of the Board to take positive action through education, counseling, discipline, parental involvement, medical referral, and law enforcement referral, as appropriate, in the handling of incidents in the schools involving the unlawful possession, distribution, sale or use of substances that affect behavior, including performance enhancing substances for student athletes, whether or not such athletes are participating in CIAC controlled activities.

### Definitions

- (1) Controlled Drugs: means those drugs which contain any quantity of a substance which has been designated as subject to the federal Controlled Substances Act, or which has been designated as a depressant or stimulant drug pursuant to federal food and drug laws, or which has been designated by the Commissioner of Consumer Protection pursuant to C.G.S. Section 21a-243, as having a stimulant, depressant or hallucinogenic effect upon the higher functions of the central nervous system and as having a tendency to promote abuse or psychological or physiological dependence, or both. Such controlled drugs are classifiable as amphetamine-type, barbiturate-type, cannabis-type, cocaine-type, hallucinogenic, morphine-type and other stimulant and depressant drugs. C.G.S. Section 21a-240(8).
- (2) Controlled Substances: means a drug, substance or immediate precursor in schedules I to V, inclusive, of the Connecticut controlled substance scheduling regulations adopted pursuant to C.G.S. Section 21a-243. C.G.S. Section 21a-240(9).
- (3) ~~Professional Communication: any communication made privately and in confidence by a student to a professional employee of such student's school in~~



- ~~the course of the professional employee's employment. C.G.S. Section 10-154a(a)(4).~~
- (4) ~~Professional Employee: means a person employed by a school who "(A) holds a certificate from the State Board of Education, (B) is a member of a faculty where certification is not required, (C) is an administration officer of a school, or (D) is a registered nurse employed by or assigned to a school." C.G.S. Section 10-154a(a)(2).~~
- (5) Drug Paraphernalia: means any equipment, products and materials of any kind which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing or concealing, or injecting, ingesting, inhaling or otherwise introducing any controlled substance into the human body, including but not limited to all items specified in C.G.S. Section 21a-240(20)(A), such as "bongs," pipes, "roach clips," miniature cocaine spoons, cocaine vials, and any object or container used, intended or designed for use in storing, concealing, possessing, distributing or selling controlled substances. C.G.S. Section 21a-240(20)(A).
- (4) Performance Enhancing Substances: means any anabolic steroid, hormone or analogue, diuretic or other substance designed to enhance a student's performance in athletic competition, except when used under the care and direction of a licensed medical professional and only then in the manner prescribed by the medical professional and manufacturer's recommendations.
- (5) Professional Communication: any communication made privately and in confidence by a student to a professional employee of such student's school in the course of the professional employee's employment. C.G.S. Section 10-154a(a)(4).
- (6) Professional Employee: means a person employed by a school who "(A) holds a certificate from the State Board of Education, (B) is a member of a faculty where certification is not required, (C) is an administration officer of a school, or (D) is a registered nurse employed by or assigned to a school." C.G.S. Section 10-154a(a)(2).
- (7) Student Athlete: means any student participating in an extracurricular school-sponsored athletic activity, whether interscholastic or intramural, including but not limited to student athletes who are participating in CIAC controlled activities.

## Procedures

- (1) Emergencies.

If an emergency situation results from ~~drug~~ use of drugs, performance enhancing substances or alcohol ~~use~~, the student shall be sent to the school nurse or medical advisor immediately, or emergency medical personnel will be notified. The parent or designated responsible person will be notified.

(2) Prescribed Medications.

Students may possess and/or self-administer medications in school in accordance with the Board's policy concerning the administration of medication in school. The parent or guardian of a student athlete who is required to take prescribed medication during student athletic activities shall so inform the school nurse or the person designated to act in the absence of a nurse. Such prescribed medication will then be administered to the student athlete under the supervision of the school nurse or designee in accordance with Connecticut General Statutes Section 10-212a and the applicable regulations and in accordance with any Board policies and regulations concerning medication administration, except as provided below.

Students taking improper amounts of a prescribed medication, or otherwise taking medication contrary to the provisions of the Board's policy on the administration of medication, will be subject to the procedures for improper drug or alcohol use outlined in this policy.

A student athlete with a documented medical history demonstrating the need for regular use of performance enhancing substances for therapeutic purposes shall not be in violation of this policy when such substances are properly prescribed and taken by the student athlete in accordance with Connecticut General Statutes Section 10-212a and the applicable regulations and in accordance with any Board policies and regulations concerning medication administration.

A student athlete with a documented medical history demonstrating the need for regular, palliative use of marijuana shall not be considered to be in violation of this policy when such substance is properly prescribed and taken by the student athlete in accordance with Connecticut General Statutes Sections 21a-408a through 408q. Under no circumstances shall the school nurse or designee administer to the student or permit the palliative use of marijuana by the student on a school bus, school grounds or property, in public places or in the presence of persons under the age of eighteen.

(3) Voluntary Disclosure of Drug/Alcohol Problem (Self-Referral).

The following procedures will be followed when a student privately, and in confidence, discloses to a professional employee in a professional

communication information concerning the student's use, possession, distribution or sale of a controlled drug, controlled substance or alcohol.

- (a) Professional employees are permitted, in their professional judgment, to disclose any information acquired through a professional communication with a student, when such information concerns alcohol or drug abuse or any alcohol or drug problem of such student. In no event, however, will they be required to do so. C.G.S. Section 10-154a(b).
  - (b) Any physical evidence obtained from such student through a professional communication indicating that a crime has been or is being committed by **the student** must be turned over to school administrators or law enforcement officials as soon as possible, but no later than two calendar days after receipt of such physical evidence, excluding Saturdays, Sundays and holidays. Employees are encouraged to contact the school administrator immediately upon obtaining physical evidence. In no case, however, will such employee be required to disclose the name of the student from whom the evidence was obtained. C.G.S. Section 10-154a(b).
  - (c) Any professional employee who has received a professional communication from a student may obtain advice and information concerning appropriate resources and refer the student accordingly, subject to the rights of the professional employee as described in paragraph (a) above.
  - (d) If a student consents to disclosure of a professional communication concerning the student's alcohol or drug problem, or if the professional employee deems disclosure to be appropriate, the professional employee should report the student's name and problem to the school's building administrator or designee who shall refer the student to appropriate school staff members for intervention and counseling.
- (4) Involuntary Disclosure or Discovery of Drug/Alcohol Problems.

When a professional employee obtains information related to a student ~~from a source other than the student's confidential disclosure~~ that the student, on or off school grounds or at a school sponsored activity, is under the influence of, or possesses, uses, dispenses, distributes, administers, ~~sells~~ in the procurement of a controlled drug, controlled substance, drug paraphernalia or alcohol, that information is considered to be involuntarily disclosed. In this event, the following procedures will apply.

- (a) The professional employee will immediately report the information to the building administrator or designee. The building administrator or

designee will then refer the student to appropriate school staff members for intervention and counseling.

- (b) Any physical evidence (for example, alcohol, drugs or drug paraphernalia) obtained from a student indicating that a crime has been or is being committed by the student must be turned over to the building administrator or designee or to law enforcement officials as soon as possible, but no later than within two calendar days after receipt of such physical evidence, excluding Saturdays, Sundays and holidays. C.G.S. Section 10154a(b). Because such evidence ~~was~~ obtained through a professional communication, the name of the student must be disclosed to the building administrator or designee.
- (c) Search and Seizure of Students and/or Possessions: A professional employee who reasonably suspects that a student is violating a state/federal law or a school substance abuse policy must immediately report such suspicion to the building administrator or designee. The building administrator or designee may then search a student's person or possessions connected to that person, in accordance with the Board's policies and regulations if the administrator or designee has reasonable suspicion from the inception of the search that the student has violated or is violating either the law or a school substance abuse policy.

Any physical evidence obtained in the search of a student, or a student's possessions, indicating that the student is violating or has violated a state or federal law must be turned over to law enforcement officials as soon as possible, but not later than within three calendar days after receipt of such physical evidence, excluding Saturdays, Sundays and holidays. C.G.S. Section 10-154a(c). All school employees are encouraged to contact the school administration immediately upon obtaining physical evidence.

- (5) Consequences for the Use, Sale, Distribution or Possession of Controlled Drugs, Controlled Substances, Drug Paraphernalia or Alcohol.
- (a) Any student in the Branford Public Schools using, consuming, possessing, being under the influence of, manufacturing, distributing, selling or aiding in the procurement of controlled drugs, controlled substances, drug paraphernalia or alcohol either on or off school property, or at a school-sponsored activity, except as such use or possession is in accordance with Connecticut General Statutes § 21a-408a through 408q, is subject to discipline up to and including expulsion pursuant to the Board's student discipline policy. ~~On and after January 1, 2022, a~~ student shall not face greater discipline, punishment or sanction for the use, sale, or possession of cannabis on school property

than a student would face for the use, sale, or possession of alcohol on school property, except as otherwise required by applicable law.

- (b) In conformity with the Board's student discipline policy, students may be suspended or expelled for drug or alcohol use off school grounds if such drug or alcohol use is considered seriously disruptive of the educational process. In determining whether the conduct is seriously disruptive of the educational process, the Administration and the Board may consider, among other factors: 1) whether the drug or alcohol use occurred within close proximity of a school; 2) whether other students from the school were involved; and 3) whether any injuries occurred.
- (c) If a school administrator has reason to believe that any student was engaged, on or off school grounds, in offering for sale or distribution a controlled substance (as defined by 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 administrator will recommend such student for expulsion, in accordance with Conn. Gen. Stat. § 10-233d(a)(2) and the Board's student discipline policy.
- (d) Students found to be in violation of this policy may be referred by the building administrator to an appropriate agency licensed to assess and treat drug and alcohol involved individuals. In such event, assessment and treatment costs will be the responsibility of the parent or guardian.
- (e) A meeting may be scheduled with appropriate school staff members for the purpose of discussing the school's drug ~~and~~, alcohol and chemical health policy with the student and parent or guardian.
- (f) Law enforcement officials may be contacted by the building administrator in the case of suspected involvement in the use, sale or distribution of controlled drugs, controlled substances, drug paraphernalia or alcohol.
- (g) A student athlete found by the administration to have violated this policy may, in the discretion of school administrators, be suspended from play for short or long term periods, or may have student athletic participation privileges revoked.
- (h) A student athlete found by the administration to have used performance enhancing substances shall receive a minimum penalty of revocation of athletic participation privileges for one hundred eighty (180) days. The Board shall report the violation to the CIAC.

(i) The Board recognizes that the CIAC may impose additional sanctions on student athletes participating in CIAC controlled activities who are found to have violated this policy.

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The Board sponsors athletic programs as part of its extracurricular program. The opportunity to participate in extracurricular activities such as student athletics is a privilege, not a right. The Board may remove students from participation in athletics activities in its discretion.

(7) Prohibition on the Promotion or Dispensing of Performance Enhancing Substances by School Staff Members, Coaches or Volunteers.

(a) No school staff member, coach or volunteer responsible for or involved in student athletic programs shall dispense any drug, medication (prescription or non-prescription), or food supplement to any student athlete except under the supervision of the school nurse or designee in accordance with Connecticut General Statutes Section 10-212a and the applicable regulations, and in accordance with any Board policies and regulations concerning medication administration.

(b) No school staff member, coach or volunteer responsible for or involved in student athletic programs shall encourage the use of any drug, medication (prescription or non-prescription), or food supplement in a manner not described by the manufacturer.

(c) No school staff member, coach or volunteer responsible for or involved in student athletic programs shall supply, recommend, or knowingly permit student athletes to use any drug, medication (prescription or non-prescription), or food supplement for the specific purpose of enhancing their athletic performance.

(d) A school staff member, or coach responsible for or involved in student athletic programs, who violates the terms of this policy shall be subject to discipline, up to and including termination of employment. The Board may also report violations of this policy by employees to parents of student athletes and/or state and local authorities.

(e) The Board shall immediately terminate a volunteer responsible for or involved in student athletic programs who violates the terms of this policy. The Board may also report violations of this policy by volunteers to parents of student athletes and/or state and local authorities.

(8) Publication of Policy to School Staff Members, Coaches, Volunteers and Students.

(a) The Board shall publish this policy to all school staff members, coaches and volunteers responsible for or involved in student athletic programs.

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Legal References:

Connecticut General Statutes:

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Section 10-154a

Section 10-212a

Section 10-221

Sections 10-233a through 10-233f

Section 21a-240

Section 21a-243

Section 21a-408a through 408q

2023-2024 CIAC Handbook, Section 4.12.E (Chemical Health Policy and Regulations), available at <http://www.casciac.org/ciachandbook/>

ADOPTED: 10-19-2022

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<b>8:29:45 AM</b>	
<b>Style name:</b> Default Style	
<b>Intelligent Table Comparison:</b> Active	
<b>Original DMS:</b> iw://cloudimanager.com/SG/20257028/1	
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<b>Changes:</b>	
<u>Add</u>	38
<del>Delete</del>	12
<del>Move From</del>	0
<u>Move To</u>	0
<u>Table Insert</u>	0
<del>Table Delete</del>	0
<u>Table moves to</u>	0
<del>Table moves from</del>	0
Embedded Graphics (Visio, ChemDraw, Images etc.)	0
Embedded Excel	0
Format changes	0
<b>Total Changes:</b>	<b>50</b>





## **DRUG AND ALCOHOL USE BY STUDENTS AND CHEMICAL HEALTH FOR STUDENT ATHLETES**

### Policy Statement

The Branford Board of Education (the “Board”) is required by Connecticut law to prescribe rules for the management and discipline of its schools. Further, the Board participates in the Connecticut Interscholastic Athletic Conference, which requires compliance with CIAC rules concerning, among other things, the use of drugs, performance enhancing substances and alcohol by student athletes. In keeping with ~~this mandate~~these mandates, the unlawful use, sale, distribution or possession of controlled drugs, controlled substances, drug paraphernalia, as defined in Connecticut General Statutes Section 21a-240, or alcohol on or off school property or during any school-sponsored activity is prohibited. It shall be the policy of the Board to take positive action through education, counseling, discipline, parental involvement, medical referral, and law enforcement referral, as appropriate, in the handling of incidents in the schools involving the unlawful possession, distribution, sale or use of substances that affect behavior, including performance enhancing substances for student athletes, whether or not such athletes are participating in CIAC controlled activities.

### Definitions

- (1) Controlled Drugs: means those drugs which contain any quantity of a substance which has been designated as subject to the federal Controlled Substances Act, or which has been designated as a depressant or stimulant drug pursuant to federal food and drug laws, or which has been designated by the Commissioner of Consumer Protection pursuant to C.G.S. Section 21a-243, as having a stimulant, depressant or hallucinogenic effect upon the higher functions of the central nervous system and as having a tendency to promote abuse or psychological or physiological dependence, or both. Such controlled drugs are classifiable as amphetamine-type, barbiturate-type, cannabis-type, cocaine-type, hallucinogenic, morphine-type and other stimulant and depressant drugs. C.G.S. Section 21a-240(8).
- (2) Controlled Substances: means a drug, substance or immediate precursor in schedules I to V, inclusive, of the Connecticut controlled substance scheduling regulations adopted pursuant to C.G.S. Section 21a-243. C.G.S. Section 21a-240(9).
- (3) ~~Professional Communication: any communication made privately and in confidence by a student to a professional employee of such student's school in~~

- ~~the course of the professional employee's employment. C.G.S. Section 10-154a(a)(4).~~
- (4) ~~Professional Employee: means a person employed by a school who "(A) holds a certificate from the State Board of Education, (B) is a member of a faculty where certification is not required, (C) is an administration officer of a school, or (D) is a registered nurse employed by or assigned to a school." C.G.S. Section 10-154a(a)(2).~~
- (5) Drug Paraphernalia: means any equipment, products and materials of any kind which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing or concealing, or injecting, ingesting, inhaling or otherwise introducing any controlled substance into the human body, including but not limited to all items specified in C.G.S. Section 21a-240(20)(A), such as "bongs," pipes, "roach clips," miniature cocaine spoons, cocaine vials, and any object or container used, intended or designed for use in storing, concealing, possessing, distributing or selling controlled substances. C.G.S. Section 21a-240(20)(A).
- (4) Performance Enhancing Substances: means any anabolic steroid, hormone or analogue, diuretic or other substance designed to enhance a student's performance in athletic competition, except when used under the care and direction of a licensed medical professional and only then in the manner prescribed by the medical professional and manufacturer's recommendations.
- (5) Professional Communication: any communication made privately and in confidence by a student to a professional employee of such student's school in the course of the professional employee's employment. C.G.S. Section 10-154a(a)(4).
- (6) Professional Employee: means a person employed by a school who "(A) holds a certificate from the State Board of Education, (B) is a member of a faculty where certification is not required, (C) is an administration officer of a school, or (D) is a registered nurse employed by or assigned to a school." C.G.S. Section 10-154a(a)(2).
- (7) Student Athlete: means any student participating in an extracurricular school-sponsored athletic activity, whether interscholastic or intramural, including but not limited to student athletes who are participating in CIAC controlled activities.

## Procedures

- (1) Emergencies.

If an emergency situation results from ~~drug~~ use of drugs, performance enhancing substances or alcohol ~~use~~, the student shall be sent to the school nurse or medical advisor immediately, or emergency medical personnel will be notified. The parent or designated responsible person will be notified.

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Students may possess and/or self-administer medications in school in accordance with the Board's policy concerning the administration of medication in school. The parent or guardian of a student athlete who is required to take prescribed medication during student athletic activities shall so inform the school nurse or the person designated to act in the absence of a nurse. Such prescribed medication will then be administered to the student athlete under the supervision of the school nurse or designee in accordance with Connecticut General Statutes Section 10-212a and the applicable regulations and in accordance with any Board policies and regulations concerning medication administration, except as provided below.

Students taking improper amounts of a prescribed medication, or otherwise taking medication contrary to the provisions of the Board's policy on the administration of medication, will be subject to the procedures for improper drug or alcohol use outlined in this policy.

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A student athlete with a documented medical history demonstrating the need for regular, palliative use of marijuana shall not be considered to be in violation of this policy when such substance is properly prescribed and taken by the student athlete in accordance with Connecticut General Statutes Sections 21a-408a through 408q. Under no circumstances shall the school nurse or designee administer to the student or permit the palliative use of marijuana by the student on a school bus, school grounds or property, in public places or in the presence of persons under the age of eighteen.

(3) Voluntary Disclosure of Drug/Alcohol Problem (Self-Referral).

The following procedures will be followed when a student privately, and in confidence, discloses to a professional employee in a professional

communication information concerning the student's use, possession, distribution or sale of a controlled drug, controlled substance or alcohol.

- (a) Professional employees are permitted, in their professional judgment, to disclose any information acquired through a professional communication with a student, when such information concerns alcohol or drug abuse or any alcohol or drug problem of such student. In no event, however, will they be required to do so. C.G.S. Section 10-154a(b).
  - (b) Any physical evidence obtained from such student through a professional communication indicating that a crime has been or is being committed by **the student** must be turned over to school administrators or law enforcement officials as soon as possible, but no later than two calendar days after receipt of such physical evidence, excluding Saturdays, Sundays and holidays. Employees are encouraged to contact the school administrator immediately upon obtaining physical evidence. In no case, however, will such employee be required to disclose the name of the student from whom the evidence was obtained. C.G.S. Section 10-154a(b).
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- (c) If a school administrator has reason to believe that any student was engaged, on or off school grounds, in offering for sale or distribution a controlled substance (as defined by 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 administrator will recommend such student for expulsion, in accordance with Conn. Gen. Stat. § 10-233d(a)(2) and the Board's student discipline policy.
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The Board sponsors athletic programs as part of its extracurricular program. The opportunity to participate in extracurricular activities such as student athletics is a privilege, not a right. The Board may remove students from participation in athletics activities in its discretion.

(7) Prohibition on the Promotion or Dispensing of Performance Enhancing Substances by School Staff Members, Coaches or Volunteers.

(a) No school staff member, coach or volunteer responsible for or involved in student athletic programs shall dispense any drug, medication (prescription or non-prescription), or food supplement to any student athlete except under the supervision of the school nurse or designee in accordance with Connecticut General Statutes Section 10-212a and the applicable regulations, and in accordance with any Board policies and regulations concerning medication administration.

(b) No school staff member, coach or volunteer responsible for or involved in student athletic programs shall encourage the use of any drug, medication (prescription or non-prescription), or food supplement in a manner not described by the manufacturer.

(c) No school staff member, coach or volunteer responsible for or involved in student athletic programs shall supply, recommend, or knowingly permit student athletes to use any drug, medication (prescription or non-prescription), or food supplement for the specific purpose of enhancing their athletic performance.

(d) A school staff member, or coach responsible for or involved in student athletic programs, who violates the terms of this policy shall be subject to discipline, up to and including termination of employment. The Board may also report violations of this policy by employees to parents of student athletes and/or state and local authorities.

(e) The Board shall immediately terminate a volunteer responsible for or involved in student athletic programs who violates the terms of this policy. The Board may also report violations of this policy by volunteers to parents of student athletes and/or state and local authorities.

(8) Publication of Policy to School Staff Members, Coaches, Volunteers and Students.

(a) The Board shall publish this policy to all school staff members, coaches and volunteers responsible for or involved in student athletic programs.

(b) The Board shall publish this policy to all students and their parents/guardians.

Legal References:

Connecticut General Statutes:

June Special Session, Public Act No. 21-1, An Act Concerning Responsible and Equitable Regulation of Adult-Use Cannabis

Section 10-154a

Section 10-212a

Section 10-221

Sections 10-233a through 10-233f

Section 21a-240

Section 21a-243

Section 21a-408a through 408q

2023-2024 CIAC Handbook, Section 4.12.E (Chemical Health Policy and Regulations), available at <http://www.casciac.org/ciachandbook/>

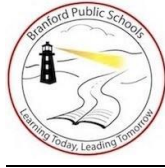
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## STUDENT DISCIPLINE

It is the policy of the Branford Board of Education (the “Board”) to create a school environment that promotes respect of self, others, and property within the Branford Public Schools (the “District”). Compliance with this policy will enhance the Board and the District’s ability to maintain discipline and reduce interference with the educational process that can result from student misconduct.

### I. Definitions

- A. **Cannabis** means marijuana, as defined by Conn. Gen. Stat. § 21a-240.
- B. **Dangerous Instrument** means any instrument, article or substance which, under the circumstances in which it is used or attempted or threatened to be used, is capable of causing death or serious physical injury, and includes a "vehicle" or a dog that has been commanded to attack.
- C. **Deadly Weapon** means any weapon, whether loaded or unloaded, from which a shot may be discharged, or a switchblade knife, gravity knife, billy, blackjack, bludgeon or metal knuckles. A weapon such as a pellet gun and/or air soft pistol may constitute a deadly weapon if such weapon is designed for violence and is capable of inflicting death or serious bodily harm. In making such determination, the following factors should be considered: design of weapon; how weapon is typically used (e.g., hunting); type of projectile; force and velocity of discharge; method of discharge (e.g., spring v. CO2 cartridge) and potential for serious bodily harm or death.
- D. **Electronic Defense Weapon** means a weapon which by electronic impulse or current is capable of immobilizing a person temporarily, but is not capable of inflicting death or serious physical injury, including a stun gun or other conductive energy device.
- E. **Emergency** means a situation in which the continued presence of the student in school poses such a danger to persons or property or such a disruption of the educational process that a hearing may be delayed until a time as soon after the exclusion of such student as possible.
- F. **Exclusion** means any denial of public school privileges to a student for disciplinary purposes.

- G. **Expulsion** means the exclusion of a student from school privileges for more than ten (10) consecutive school days and shall be deemed to include, but not be limited to, exclusion from the school to which such student was assigned at the time such disciplinary action was taken. The expulsion period may not extend beyond one (1) calendar year.
- H. **Firearm**, as defined in 18 U.S.C § 921, means (a) any weapon (including a starter gun) that will, is designed to, or may be readily converted to expel a projectile by the action of an explosive, (b) the frame or receiver of any such weapon, (c) a firearm muffler or silencer, or (d) any destructive device. The term firearm does not include an antique firearm. As used in this definition, a "**destructive device**" includes any explosive, incendiary, or poisonous gas device, including a bomb, a grenade, a rocket having a propellant charge of more than four ounces, a missile having an explosive or incendiary charge of more than one-quarter ounce, a mine, or any other similar device; or any weapon (other than a shotgun or shotgun shell which the Attorney General finds is generally recognized as particularly suited for sporting purposes) that will, or may be readily converted to, expel a projectile by explosive or other propellant, and which has a barrel with a bore of more than ½" in diameter. The term "destructive device" also includes any combination of parts either designed or intended for use in converting any device into any destructive device and from which a destructive device may be readily assembled. A "destructive device" does not include: an antique firearm; a rifle intended to be used by the owner solely for sporting, recreational, or cultural purposes; or any device which is neither designed nor redesigned for use as a weapon.
- I. **Protected Class Harassment** is a form of discrimination on the basis of any protected characteristic (or protected class) including race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, ancestry, disability, pregnancy, gender identity or expression, veteran status, status as a victim of domestic violence, or any other basis prohibited by state or federal law ("Protected Class"). Harassment constitutes unlawful discrimination when it creates a hostile environment, which occurs when the harassment is sufficiently severe, pervasive, or persistent so as to interfere with or limit a student's ability to participate in or benefit from the services, activities, or opportunities offered by a school. Harassment does not have to include intent to harm, be directed at a specific target, or involve repeated incidents. Harassment against any individual on the basis of that individual's association with someone in a Protected Class may be a form of Protected Class harassment.
- J. **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.

- K. **Martial Arts Weapon** means a nunchaku, kama, kasari-fundo, octagon sai, tonfa or chinese star.
- L. **Removal** is the exclusion of a student from a classroom for all or part of a single class period, provided such exclusion shall not extend beyond ninety (90) minutes.
- M. **School Days** shall mean days when school is in session for students.
- N. **School-Sponsored Activity** means any activity sponsored, recognized or authorized by the Branford Board of Education ) and includes activities conducted on or off school property.
- O. **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.
- P. **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.
- Q. **Weapon** means any BB gun, any blackjack, any metal or brass knuckles, any police baton or nightstick, any dirk knife or switch knife, any knife having an automatic spring release device by which a blade is released from the handle, having a blade of over one and one-half inches in length, any stiletto, any knife the edged portion of the blade of which is four inches and over in length, any martial arts weapon or electronic defense weapon, or any other dangerous or deadly weapon or instrument, unless permitted by law under Section 29-38 of the Connecticut General Statutes.
- R. Notwithstanding the foregoing definitions, the reassignment of a student from one regular education classroom program in the District to another regular education classroom program in the District shall not constitute a suspension or expulsion.

- S. For purposes of this policy, references to “school”, “school grounds” and “classroom” shall include physical educational environments, including on school transportation, as well as environments in which students are engaged in remote learning, which means instruction by means of one or more Internet-based software platforms as part of a remote learning model.

II. Scope of the Student Discipline Policy

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

1. Suspension. Students may be **suspended** for conduct on school grounds, on school transportation, or at any school-sponsored activity that **violates a publicized policy of the Board or is seriously disruptive of the educational process or endangers persons or property.**
2. Expulsion. Students may be **expelled** for conduct on school grounds, on school transportation, or at any school-sponsored activity that either **(1) violates a publicized policy of the Board and is seriously disruptive of the educational process, or (2) endangers persons or property.**

B. *Conduct off School Grounds:*

Discipline. Students may be disciplined, including suspension and/or expulsion, for conduct off school grounds if such conduct **violates a publicized policy of the Board and is seriously disruptive of the educational process.**

C. *Seriously Disruptive of the Educational Process:*

In making a determination as to whether such conduct is seriously disruptive of the educational process, the Administration and the Board 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 29-38 of the Connecticut General Statutes, and whether any injuries occurred; and (4) whether the conduct involved the use of alcohol.** The Administration and/or the Board of Education may also consider

**(5) whether the off-campus conduct involved the illegal use of drugs.**

- D. student shall not have greater discipline, punishment, or sanction for the use, sale, or possession of cannabis on school property than a student would face for the use, sale, or possession of alcohol on school property, except as otherwise required by applicable law.

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

Conduct that is considered to violate a publicized policy of the Board includes the offenses described below. Any such conduct may lead to disciplinary action (including, but not limited to, removal from class, suspension and/or expulsion in accordance with this policy):

1. Striking or assaulting a student, member of the school staff or other person(s).
2. Theft.
3. The use of obscene or profane language or gestures, the possession and/or display of obscenity or pornographic images or the unauthorized or inappropriate possession and/or display of images, pictures or photographs depicting nudity.
4. Violation of smoking, dress, transportation regulations, or other regulations and/or policies governing student conduct.
5. Refusal to obey a member of the school staff, law enforcement authorities, or school volunteers, or disruptive classroom behavior.
6. Any act of Protected Class Harassment or reprisal or retaliation against any individual for reporting in good faith incidents of Protected Class Harassment, or who participate in the investigation of such reports.
7. Refusal by a student to respond to a staff member's request for the student to provide the student's name to a staff member when asked, misidentification of oneself to such person(s), lying to school officials or otherwise engaging in dishonest behavior.
8. Inappropriate displays of public affection of a sexual nature and/or sexual activity on school grounds, on school transportation, or at a school-sponsored activity.

9. A walk-out from or sit-in within a classroom or school building or school grounds.
10. Blackmailing, threatening or intimidating school staff or students (or acting in a manner that could be construed to constitute blackmail, a threat, or intimidation, regardless of whether intended as a joke).
11. Possession of any weapon, weapon facsimile, deadly weapon, martial arts weapon, electronic defense weapon, pistol, knife, blackjack, bludgeon, box cutter, metal knuckles, pellet gun, air pistol, explosive device, firearm, whether loaded or unloaded, whether functional or not, or any other dangerous object or instrument. The possession and/or use of any object or device that has been converted or modified for use as a weapon.
12. Possession of any ammunition for any weapon described above in Paragraph 11.
13. Unauthorized entrance into any school facility or portion of a school facility or aiding or abetting an unauthorized entrance.
14. Possession or ignition of any fireworks, combustible or other explosive materials, or ignition of any material causing a fire. Possession of any materials designed to be used in the ignition of combustible materials, including matches and lighters.
15. Possession, sale, distribution, use, or consumption of tobacco, electronic nicotine delivery systems (e.g., e-cigarettes), electronic cannabis delivery system, or vapor products, or the unlawful possession, sale, distribution, use or consumption of drugs, narcotics or alcoholic beverages (or any facsimile of tobacco, drugs, narcotics or alcoholic beverages, or any item represented to be tobacco, drugs or alcoholic beverages), including being under the influence of any such substances or aiding in the procurement of any such substances. For the purposes of this Paragraph 15, the term “electronic nicotine delivery system” shall mean an electronic device used in the delivery of nicotine or other substances to a person inhaling from the device, and includes, but is not limited to, an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or electronic hookah and any related device and any cartridge or other component of such device, including, but not limited to, electronic cigarette liquid. For purposes of Paragraph 15, the term “electronic cannabis delivery system” shall mean an electronic device that

may be used to simulate smoking in the delivery of cannabis to a person inhaling the device and includes, but is not limited to, a vaporizer, electronic pipe, electronic hookah and any related device and any cartridge or other component of such device. For the purposes of Paragraph 15, the term "vapor product" shall mean any product that employs a heating element, power source, electronic circuit or other electronic, chemical or mechanical means, regardless of shape or size, to produce a vapor that may or may not include nicotine and is inhaled by the user of such product. For the purposes of this Paragraph 15, the term "drugs" shall include, but shall not be limited to, any medicinal preparation (prescription and non-prescription) and any controlled substance whose possession, sale, distribution, use or consumption is illegal under state and/or federal law, including cannabis.

16. Sale, distribution, or consumption of substances contained in household items; including, but not limited to glue, paint, accelerants/propellants for aerosol canisters, and/or items such as the aerators for whipped cream; if sold, distributed or consumed for the purpose of inducing a stimulant, depressant, hallucinogenic or mind-altering effect.
17. Possession of paraphernalia used or designed to be used in the consumption, sale or distribution of drugs, alcohol or tobacco, as described in Paragraph 15 above. For purposes of this policy, drug paraphernalia includes any equipment, products and materials of any kind which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing or concealing, or injecting, ingesting, inhaling or otherwise introducing controlled drugs or controlled substances into the human body, including but not limited to items such as "bongs," pipes, "roach clips," vials, tobacco rolling papers, and any object or container used, intended or designed for use in storing, concealing, possessing, distributing or selling controlled drugs or controlled substances, including cannabis.
18. The destruction of real, personal or school property, such as, cutting, defacing or otherwise damaging property in any way.
19. Accumulation of offenses such as school and class tardiness, class or study hall cutting, or failure to attend detention.



20. Trespassing on school grounds while on out-of-school suspension or expulsion.
21. Making false bomb threats or other threats to the safety of students, employees, and/or other persons.
22. Defiance of school rules and the valid authority of teachers, supervisors, administrators, other employees and/or law enforcement authorities.
23. Throwing snowballs, rocks, sticks and/or similar objects, except as specifically authorized by school employees responsible for student supervision.
24. Unauthorized and/or reckless and/or improper operation of a motor vehicle on school grounds or at any school-sponsored activity.
25. Leaving school grounds, school transportation or a school-sponsored activity without authorization.
26. Use of or copying of the academic work of another individual and presenting it as the student's own work, without proper attribution; or any other form of academic dishonesty, cheating or plagiarism.
27. Possession and/or use of a cellular telephone, radio, portable audio player, CD player, blackberry, tablet, personal data assistant, walkie talkie, Smartphone, mobile or handheld device, or similar electronic device, on school grounds, on school transportation, or at a school-sponsored activity in violation of Board policy and/or administrative regulations regulating the use of such devices.
28. Possession and/or use of a beeper or paging device on school grounds, on school transportation, or at a school-sponsored activity without the written permission of the principal or designee.
29. Unauthorized use of or tampering with any school computer, computer system, computer software, Internet connection or similar school property or system, or the use of such property or system for inappropriate purposes.

30. Possession and/or use of a laser pointer, unless the student possesses the laser pointer temporarily for an educational purpose while under the direct supervision of a responsible adult.
31. Hazing.
32. Bullying, defined as an act that is direct or indirect and severe, persistent or pervasive, which:
  - a. causes physical or emotional harm to an individual;
  - b. places an individual in reasonable fear of physical or emotional harm; or
  - c. infringes on the rights or opportunities of an individual at school; or

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

33. Cyberbullying, defined as any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any electronic communications.
34. Acting in any manner that creates a health and/or safety hazard for employees, students, third parties on school property or the public, regardless of whether the conduct is intended as a joke, including but not limited to violating school or District health and safety protocols.
35. Engaging in a plan to stage or create a violent situation for the purposes of recording it by electronic means; or recording by electronic means acts of violence for purposes of later publication (other than to school officials).
36. Engaging in a plan to stage sexual activity for the purposes of recording it by electronic means; or recording by electronic

means sexual acts for purposes of later publication (other than to school officials).

37. Using computer systems, including email, remote learning platforms, 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 schoolemployee.
39. Engaging in teen dating violence, defined as any act of physical, emotional or sexual abuse, including stalking, harassing and threatening, which occurs between two students who are currently in or who have recently been in a dating relationship.
40. Any action prohibited by any Federal or State law.
41. Any other violation of school rules or regulations or a series of violations which makes the presence of the student in school seriously disruptive of the educational process and/or a danger to persons or property.

#### IV. Discretionary and Mandatory Expulsions

- A. An administrator responsible for a school program (“responsible administrator”) may consider recommendation of expulsion of a student in **grades three to twelve, inclusive**, in a case where the responsible administrator has reason to believe the student has engaged in conduct described at Sections II.A. or II.B., above.
- B. A responsible administrator must recommend expulsion proceedings in all cases against any student in **grades kindergarten to twelve, inclusive**, whom the Administration has reason to believe:
  1. was in **possession on school grounds, on school transportation, or at a school-sponsored activity** of a **deadly weapon, dangerous instrument, martial arts weapon, or firearm** as defined in 18 U.S.C. § 921 as amended from time to time; or
  2. **off school grounds, possessed a firearm** as defined in 18 U.S.C. § 921, in violation of Conn. Gen. Stat. § 29-35, or **possessed and used a firearm** as defined in 18 U.S.C. § 921, a **deadly**

**weapon, a dangerous instrument or a martial arts weapon in the commission of a crime** under chapter 952 of the Connecticut General Statutes; or

3. was engaged on or off school grounds or school transportation in **offering for sale or distribution a controlled substance** (as defined in Conn. Gen. Stat. § 21a-240(9)), whose manufacturing, distribution, sale, prescription, dispensing, transporting, or possessing with intent to sell or dispense, offering or administering is subject to criminal penalties under Conn. Gen. Stat. §§21a-277 and 21a-278. Sale or distribution of less than one (1) kilogram of cannabis is not subject to mandatory expulsion.

The terms “**dangerous instrument,**” “**deadly weapon,**” “**electronic defense weapon,**” “**firearm,**” and “**martial arts weapon,**” are defined above in Section I.

- C. In any preschool program provided by the Board or provided by a regional educational service center or a state or local charter school pursuant to an agreement with the Board, no **student enrolled in such a preschool program** shall be expelled from such preschool program, except an expulsion hearing shall be conducted by the Board in accordance with Section VIII of this policy whenever the Administration has reason to believe that that a student enrolled in such preschool program was in **possession of a firearm** as defined in 18 U.S.C. § 921, as amended from time to time, on or off school grounds, on school transportation, or at a preschool program-sponsored event. The term “**firearm**” is defined above in Section I.
- D. Upon receipt of an expulsion recommendation, the Superintendent may conduct an inquiry concerning the expulsion recommendation.

If the Superintendent or designee determines that a student should or must be expelled, the Superintendent or designee shall forward such recommendation to the Board so that the Board can consider and act upon this recommendation.

- E. In keeping with Conn. Gen. Stat. § 10-233d and the Gun-Free Schools Act, it shall be the policy of the Board to expel a student in grades kindergarten to twelve, inclusive, for one (1) full calendar year for the conduct described in Section IV.B(1), (2) and (3) of this policy and to expel a student enrolled in a preschool program for one (1) calendar year for the conduct described in Section IV.C. For any mandatory expulsion offense, the Board may modify the term of expulsion on a case-by-case basis.

V. Procedures Governing Removal from Class

- A. A student may be removed from class by a teacher or administrator if the student deliberately causes a serious disruption of the educational process. When a student is removed by a teacher, the teacher must send the student to a designated area and notify the responsible administrator or the administrator's designee at once.
- B. A student may not be removed from class more than six (6) times in one school year nor more than twice in one week unless the student is referred to the responsible administrator or the administrator's designee and granted an informal hearing at which the student should be informed of the reasons for the disciplinary action and given an opportunity to explain the situation.
- C. The parents or guardian of any minor student removed from class shall be given notice of such disciplinary action within twenty-four (24) hours of the time of the institution of such removal from class.

VI. Procedures Governing Suspension

- A. The responsible administrator or the administrator's designee on the administrative staff of the school, shall have the right to suspend a 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 responsible administrator or the administrator's 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, except the responsible administrator or the administrator's designee may impose an out-of-school suspension on any pupil:
    - a. in grades three to twelve, inclusive, if, during the informal hearing, (i) the responsible administrator or the administrator's designee determines that the student poses such a danger to persons or property or such a disruption of the educational process that the student should be excluded from school during the period of suspension; or (ii) the responsible administrator or the administrator's designee determines that an out-of-school suspension is

- appropriate based on evidence of (A) the student's previous disciplinary problems that have led to suspensions or expulsion of such student, and (B) previous efforts by the Administration to address the student's disciplinary problems through means other than out-of-school suspension or expulsion, including positive behavioral support strategies, or
- b. in grades preschool to two, inclusive, if the responsible administrator or the administrator's designee determines that an out-of-school suspension is appropriate for such student based on evidence that such student's conduct on school grounds or on school transportation is of a violent or sexual nature that endangers persons.
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 responsible administrator or the administrator's designee, but only considered in the determination of the length of suspensions.
  4. By telephone, the responsible administrator or the administrator's designee shall make reasonable attempts to immediately notify the parent or guardian of a minor student following the suspension and to state the cause(s) leading to the suspension.
  5. Whether or not telephone contact is made with the parent or guardian of such minor student, the responsible administrator or the administrator's designee shall forward a letter promptly to such parent or guardian to the last address reported on school records (or to a newer address if known by the responsible administrator or the administrator's designee), offering the parent or guardian an opportunity for a conference to discuss same.
  6. In all cases, the parent or guardian of any minor student who has been suspended shall be given notice of such suspension within twenty-four (24) hours of the time of the institution of the suspension.
  7. Not later than twenty-four (24) hours after the commencement of the suspension, the responsible administrator or the administrator's designee shall also notify the Superintendent or designee of the name of the student being suspended and the reason for the suspension.

8. The student shall be allowed to complete any classwork, including examinations, without penalty, which the student missed while under suspension.
  9. The 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 expunged disciplinary notice, notwithstanding the fact that such notice may have been expunged from the student's cumulative file, for the limited purpose of determining whether any subsequent suspensions or expulsions by the student would constitute the student's first such offense.
  12. The decision of the responsible administrator or the administrator's designee with regard to disciplinary actions up to and including suspensions shall be final.
  13. During any period of suspension served out of school, the student shall not be permitted to be on school property and shall not be permitted to attend or participate in any school-sponsored activities, unless the responsible administrator or the administrator's designee specifically authorizes the student to enter school property for a specified purpose or to participate in a particular school-sponsored activity.
- B. In cases where a student's suspension will result in the student being suspended more than ten (10) times or for a total of fifty (50) days in a

school year, whichever results in fewer days of exclusion, the student shall, prior to the pending suspension, be granted a formal hearing before the Board. The responsible administrator or the administrator's designee shall report the student to the Superintendent or designee and request a formal Board hearing. If an emergency situation exists, such hearing shall be held as soon after the suspension as possible.

#### VII. Procedures Governing In-School Suspension

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

#### VIII. Procedures Governing Expulsion Hearing

##### A. *Emergency Exception:*

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



**B. *Hearing Panel:***

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

**C. *Hearing Notice and Rights of the Student and Parent(s)/Guardian(s):***

1. Written notice of the expulsion hearing must be given to the student, and, if the student is a minor, to the student's parent(s) or guardian(s) at least five (5) business days before such hearing.
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 the student's 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, including if the hearing will be held virtually, via video conference.
  - b. The legal authority and jurisdiction under which the hearing is to be held, including a reference to the particular sections of the legal statutes involved.
  - c. A short, plain description of the conduct alleged by the 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 an attorney or other advocate of the student's choice at the student's expense or at the expense of the student's parent(s) or guardian(s).
- g. A student is entitled to the services of a translator or interpreter, to be provided by the Board, whenever the student or the student's parent(s) or guardian(s) requires the services of an interpreter because they do not speak the English language or are disabled.
- h. The conditions under which the Board is not legally required to give the student an alternative educational opportunity (if applicable).
- i. Information concerning the parent's(s') or guardian's(s') and the student's legal rights and about free or reduced-rate legal services and how to access such services.
- j. The parent(s) or guardian(s) of the student have the right to have the expulsion hearing postponed for up to one week to allow time to obtain representation, except that if an emergency exists, such hearing shall be held as soon after the expulsion as possible.

**D. *Hearing Procedures:***

1. The hearing will be conducted by the Presiding Officer, who will call the meeting to order, introduce the parties, Board members and others participating in the hearing (if applicable), briefly explain the hearing procedures, and swear in any witnesses called by the Administration or the student. If an impartial board of more than one person has been appointed, the impartial board shall appoint a Presiding Officer
2. The hearing will be conducted in executive session. A verbatim record of the hearing will be made, either by tape or digital recording or by a stenographer. A record of the hearing will be maintained, including the verbatim record, all written notices and documents relating to the case and all evidence received or considered at hearing.
3. The Administration shall bear the burden of production to come forward with evidence to support its case and shall bear the burden of persuasion. The standard of proof shall be a preponderance of the evidence.

4. Formal rules of evidence will not be followed. The Board (or the impartial board) has the right to accept hearsay and other evidence if it deems that evidence relevant or material to its determination. The Presiding Officer will rule on testimony or evidence as to it being immaterial, irrelevant and/or any other objections to its submission.
5. The hearing will be conducted in two (2) parts. In the first part of the hearing, the Board (or the impartial board) will receive and consider evidence regarding the conduct alleged by the Administration.
6. In the first part of the hearing, the charges will be introduced into the record by the Superintendent or designee.
7. Each witness for the Administration will be called and sworn. After a witness has finished testifying, the witness will be subject to cross-examination by the opposite party or the witness' legal counsel, by the Presiding Officer and by Board members (or the impartial board).
8. The student shall not be compelled to testify at the hearing.
9. After the Administration has presented its case, the student will be asked if the student has any witnesses or evidence to present concerning the charges. If so, the witnesses will be sworn, will testify, and will be subject to cross examination and to questioning by the Presiding Officer and/or by the Board (or the impartial board). The student may also choose to make a statement at this time. If the student chooses to make a statement, the student will be sworn and subject to cross examination and questioning by the Presiding Officer and/or by the Board (or the impartial board). Concluding statements will be made by the Administration and then by the student and/or the student's representative.
10. In cases where the student has denied the allegation, the Board (or the impartial board) must determine whether the student committed the offense(s) as charged by the Superintendent or designee.
11. If the Board (or the impartial board) determines that the student has committed the conduct as alleged, then the Board (or the impartial board) shall proceed with the second portion of the hearing, during which the Board (or the impartial board) will

receive and consider relevant evidence regarding the length and conditions of expulsion.

12. When considering the length and conditions of expulsion, the Board (or the impartial board) may review the student's attendance, academic and past disciplinary records. The Board (or the impartial board) may not review notices of prior expulsions or suspensions which have been expunged from the student's cumulative record, except as so provided in Section VI.A (9), (10), (11), above, and Section X, below. The Board (or the impartial board) may ask the Superintendent or designee for a recommendation as to the discipline to be imposed.
13. Evidence of past disciplinary problems that have led to removal from a classroom, suspension or expulsion of a student being considered for expulsion may be considered only during the second portion of the hearing, during which the Board (or the impartial board) is considering length of expulsion and nature of alternative educational opportunity to be offered.
14. Where administrators presented the case in support of the charges against the student, neither such administrative staff nor the Superintendent or designee shall not be present during the deliberations of the Board (or the impartial board) either on questions of evidence or on the final discipline to be imposed. The Superintendent or designee may, after reviewing the incident with administrators, and reviewing the student's records, make a recommendation to the Board (or the impartial board) as to the appropriate discipline to be applied.
15. The Board (or the impartial board) shall make findings as to the truth of the charges, if the student has denied them; and, in all cases, the disciplinary action, if any, to be imposed. While the hearing itself is conducted in executive session, the vote regarding expulsion must be made in open session and in a manner that preserves the confidentiality of the student's name and other personally identifiable information.
16. Except for a student who has been expelled based on possession of a firearm or deadly weapon as described in subsection IV.B(1) and (2) above, the Board (or the impartial board) may, in its discretion, shorten or waive the expulsion period for a student who has not previously been suspended or expelled, if the student completes a Board-specified program and meets any other conditions required by the Board (or the impartial board). The

Board-specified program shall not require the student and/or the student's parents to pay for participation in the program.

17. The Board (or the impartial board) shall report its final decision in writing to the student, or if such student is a minor, also to the parent(s) or guardian(s), stating the reasons on which the decision is based, and the disciplinary action to be imposed. Said decision shall be based solely on evidence presented at the hearing. The parents or guardian or any minor student who has been expelled shall be given notice of such disciplinary action within twenty-four (24) hours of the time of the institution of the period of the expulsion.
18. The hearing may be conducted virtually, via video conference, at the direction of the Board (or the impartial board), in the event school buildings are closed to students or individuals are provided limited access to school buildings due to a serious health or other emergency. Any virtual hearing must provide the student the due process rights identified in this Subsection D.

E. ***Presence on School Grounds, on School Transportation, and Participation in School-Sponsored Activities During Expulsion:***

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

F. ***Stipulated Agreements:***

In lieu of the procedures used in this Section, the Administration and the parent(s) or legal guardian(s) of a student facing expulsion may choose to enter into a Joint Stipulation of the Facts and a Joint Recommendation to the Board concerning the length and conditions of expulsion. Such Joint Stipulation and Recommendation shall include language indicating that the parent(s) or legal guardian(s) understand their right to have an expulsion hearing held pursuant to these procedures, and language indicating that the Board, in its discretion, has the right to accept or reject the Joint Stipulation of Facts and Recommendation. If the Board (or the impartial board) rejects either the Joint Stipulation of Facts or the Recommendation, an expulsion hearing shall be held pursuant to the procedures outlined herein. If the student is eighteen years of age or

older, the student shall have the authority to enter into a Joint Stipulation and Recommendation on the student's own behalf.

If the parties agree on the facts, but not on the disciplinary recommendation, the 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 (or the impartial board) in lieu of holding the first part of the hearing, as described above. Such Joint Stipulation shall include language indicating that the parents and/or student over the age of 18 understand their right to have a hearing to determine whether the student engaged in the alleged misconduct and that the Board, in its discretion, has the right to accept or reject the Joint Stipulation of Facts. If the Board (or the impartial board) rejects the Joint Stipulation of Facts, a full expulsion hearing shall be held pursuant to the procedures outlined herein.

IX. Alternative Educational Opportunities for Expelled Students

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

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

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

1. The Board shall provide an alternative educational opportunity to a sixteen (16) to eighteen (18) year-old student expelled for the first time if the student requests it and if the student agrees to the conditions set by the Board (or the impartial board). Such alternative educational opportunity may include, but shall not be limited to, the placement of a student who is at least seventeen years of age in an adult education program. Any student participating in an adult education program during a period of expulsion shall not be required to withdraw from school as a condition to participation in the adult education program.
2. The Board is not required to offer an alternative educational opportunity to any student between the ages of sixteen (16) and eighteen (18) who is expelled for a second, or subsequent, time.
3. The Board shall count the expulsion of a student when the student was under sixteen (16) years of age for purposes of determining whether an alternative educational opportunity is required for such student when the student is between the ages of sixteen and eighteen.

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

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

D. **Content of Alternative Educational Opportunity**

1. For the purposes of Section IX, and subject to Subsection IX.E, below, any alternative educational opportunity to which an expelled student is statutorily entitled shall be (1) alternative education, as defined by Conn. Gen. Stat. § 10-74j and in accordance with the *Standards for Educational Opportunities for Students Who Have Been Expelled*, adopted by the Connecticut State Board of Education (“CSBE”), with an individualized learning plan, if the Board provides such alternative education, or (2) in accordance with the *Standards for Educational Opportunities for Students Who Have Been Expelled*, adopted by the CSBE.
2. The Superintendent, or designee, shall develop administrative regulations concerning alternative educational opportunities, which administrative regulations shall be in compliance with the standards adopted by the CSBE. Such administrative regulations shall include, but are not limited to, provisions to address student placement in alternative education; individualized learning plans; monitoring of students placements and performance; and a process for transition planning.

E. ***Students identified as eligible for services under the Individuals with Disabilities Education Act (“IDEA”):***

Notwithstanding Subsections IX.A. through D. above, if the Board expels a student who has been identified as eligible for services under the Individuals with Disabilities Education Act (“IDEA”), it shall offer an alternative educational opportunity to such student in accordance with the requirements of IDEA, as it may be amended from time to time, and in accordance with the *Standards for Educational Opportunities for Students Who Have Been Expelled*, adopted by the CSBE.

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

The Board may offer an alternative educational opportunity to a student for whom such alternative educational opportunity is not required by law or as described in this policy. In such cases, the Board, or if delegated

by the Board, the Administration, shall determine the components, including nature, frequency and duration of such services, of any such alternative educational opportunity.

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 of a student in grades nine through twelve, inclusive, based upon possession of a firearm or deadly weapon, shall be expunged from the cumulative educational record by the 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(16), above, the Board may choose to expunge the expulsion notice from the cumulative record at the time the student completes the Board-specified program and meets any other conditions required by the Board.

If a student's period of expulsion was not shortened or waived, the Board may choose to expunge the expulsion notice from the student's cumulative record prior to graduation if such student has demonstrated to the Board that the student's conduct and behavior in the years following such expulsion warrants an expungement. In deciding whether to expunge the expulsion notice, the Board may receive and consider evidence of any subsequent disciplinary problems that have led to removal from a classroom, suspension or expulsion of the student.

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 District:*

1. If a student enrolls in the District while an expulsion hearing is pending in another public school district, such student shall not be excluded from school pending completion of the expulsion hearing unless an emergency exists, as defined above. The Board shall retain the authority to suspend the student or to conduct its own expulsion hearing.



2. Where a student enrolls in the District during the period of expulsion from another public school district, the Board may adopt the decision of the student expulsion hearing conducted by such other school district. The student shall be excluded from school pending such hearing. The excluded student shall be offered an alternative educational opportunity in accordance with statutory requirements. The Board (or the impartial board) shall make its determination pertaining to expulsion based upon a hearing held by the Board (or the impartial board), which hearing shall be limited to a determination of whether the conduct which was the basis of the previous public school district's expulsion would also warrant expulsion by the Board.

**B. *Student moving out of the District:***

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

**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 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 District is not required to provide any educational services to the IDEA student beyond that which is provided to all students suspended by the District.

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

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

1. Upon the decision by the Administration to recommend expulsion or impose a suspension that would constitute a change in educational placement, the Administration shall promptly notify the parent(s)/guardian(s) of the student of the recommendation of expulsion or the suspension that would constitute a change in educational placement, and provide the parents(s)/guardian(s) a copy of the special education procedural safeguards either by hand-delivery or by mail (unless other means of transmission have been arranged).
2. The District shall immediately convene the student's planning and placement team ("PPT"), but in no case later than ten (10) school days after the recommendation for expulsion or the suspension that constitutes a change in placement was made. The student's PPT shall consider the relationship between the student's disability and the behavior that led to the recommendation for expulsion or the suspension which constitutes a change in placement, in order to determine whether the student's behavior was a manifestation of the student's disability.
3. If the student's PPT finds that the behavior was a manifestation of the student's disability, the Administration shall not proceed with the recommendation for expulsion or the suspension that constitutes a change in placement.
4. If the student's PPT finds that the behavior was not a manifestation of the student's disability, the Administration may proceed with the recommended expulsion or suspension that constitutes a change in placement.
5. During any period of expulsion, or suspension of greater than ten (10) days per school year, the Administration shall provide the student with an alternative education program in accordance with the provisions of the IDEA.

6. When determining whether to recommend an expulsion or a suspension that constitutes a change in placement, the responsible administrator (or designee) should consider the nature of the misconduct and any relevant educational records of the student.

C. *Removal of Special Education Students for Certain Offenses:*

1. A responsible administrator may remove a student eligible for special education under the IDEA to an appropriate interim alternative educational setting for not more than forty-five (45) school days if the student:
  - a. Was in possession of a dangerous weapon, as defined in 18 U.S.C. 930(g)(2), as amended from time to time, on school grounds, on school transportation, or at a school-sponsored activity, or
  - b. Knowingly possessed or used illegal drugs or sold or solicited the sale of a controlled substance while at school, on school transportation, or at a school-sponsored activity; or
  - c. Has inflicted serious bodily injury upon another person while at school, on school premises, on school transportation, or at a school function.
2. The following definitions shall be used for this subsection XII.C.:
  - a. **Dangerous weapon** means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2.5 inches in length.
  - b. **Controlled substance** means a drug or other substance identified under schedules I, II, III, IV, or V in section 202(c) of the Controlled Substances Act, 21 U.S.C. 812(c).
  - c. **Illegal drug** means a controlled substance but does not include a substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or under any other provision of federal law.

- d. **Serious bodily injury** means a bodily injury which involves: (A) a substantial risk of death; (B) extreme physical pain; (C) protracted and obvious disfigurement; or (D) protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

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

- A. Except as provided in subsection B below, notwithstanding any provision to the contrary, if the Administration recommends for expulsion a student identified as eligible for educational accommodations under Section 504 who has violated any rule or code of conduct of the District that applies to all students, the following procedures shall apply:
  - 1. The parents of the student must be notified of the decision to recommend the student for expulsion.
  - 2. The District shall immediately convene the student’s Section 504 team (“504 team”) for the purpose of reviewing the relationship between the student’s disability and the behavior that led to the recommendation for expulsion. The 504 team will determine whether the student’s behavior was a manifestation of the student’s disability.
  - 3. If the 504 team finds that the behavior was a manifestation of the student’s disability, the Administration shall not proceed with the recommended expulsion.
  - 4. If the 504 team finds that the behavior was not a manifestation of the student's disability, the Administration may proceed with the recommended expulsion.
- B. The Board may take disciplinary action for violations pertaining to the use or possession of illegal drugs or alcohol against any student with a disability who currently is engaging in the illegal use of drugs or alcohol to the same extent that such disciplinary action is taken against nondisabled students. Thus, when a student with a disability is recommended for expulsion based solely on the illegal use or possession of drugs or alcohol, the 504 team *shall not be required to meet* to review the relationship between the student’s disability and the behavior that led to the recommendation for expulsion.

XIV. Procedures Governing Expulsions for Students Placed in a Juvenile Detention Center

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

XV. Early Readmission to School

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

XVI. Dissemination of Policy

The Board 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 Documentation and Reporting Requirements

- A. The District shall include on all disciplinary reports the individual student's state-assigned student identifier (SASID).
- B. The District shall report all suspensions and expulsions to the State Department of Education.
- C. If the Board expels a student for sale or distribution of a controlled substance, as defined in Conn. Gen. Stat. § 21a-240(9), whose manufacture, distribution, sale, prescription, dispensing, transporting or possessing with the intent to sell or dispense, offering, or administration is the subject to criminal penalties under Conn. Gen. Stat. §§ 21a-277

and 21a-278, the District shall refer such student to an appropriate state or local agency for rehabilitation, intervention or job training and inform the agency of its action.

- D. If the Board expels a student for possession of a firearm, as defined in 18 U.S.C. § 921, or deadly weapon, dangerous instrument or martial arts weapon, as defined in Conn. Gen. Stat. § 53a-3, the District shall report the violation to the local police.

#### Legal References:

##### Connecticut General Statutes:

- § 10-16 Length of school year
- § 10-74j Alternative education
- §§ 4-176e through 4-180a and § 4-181a Uniform Administrative Procedures Act
- § 10-222d Safe school climate plans. Definitions. Safe school climate assessments
- §§ 10-233a through 10-233f Suspension and expulsion of students
- § 10-233l Expulsion and suspension of children in preschool programs
- § 10-253 School privileges for children in certain placements, nonresident children, children in temporary shelters, homeless children and children in juvenile detention facilities. Liaison to facilitate transitions between school districts and juvenile and criminal justice systems.
- § 19a-342a Use of electronic nicotine delivery system or vapor product prohibited. Exceptions. Signage required. Penalties
- § 21a-240 Definitions
- § 21a-277 Penalty for illegal manufacture, distribution, sale, prescription, dispensing
- § 21a-278 Penalty for illegal manufacture, distribution, sale, prescription, or administration by non-drug-dependent person
- §§ 21a-408a through 408p Palliative Use of Marijuana
- § 29-35 Carrying of pistol or revolver without permit prohibited. Exceptions
- § 29-38 Weapons in vehicles
- § 53a-3 Definitions
- § 53-206 Carrying of dangerous weapons prohibited
- § 53-344 Sale or delivery of cigarettes or tobacco products to persons under twenty-one.
- § 53-344b Sale and delivery of electronic nicotine delivery system or vapor products to persons under twenty-one years or age

Public Act No. 21-46, “An Act Concerning Social Equity and the Health, Safety and Education of Children.”

*Packer v. Board of Educ. of the Town of Thomaston*, 717 A.2d 117 (Conn. 1998).

*State v. Hardy*, 896 A.2d 755 (Conn. 2006).

*State v. Guzman*, 955 A.2d 72 (Conn. App. Ct. 2008).

Connecticut State Department of Education, *Standards for Educational Opportunities for Students Who Have Been Expelled*, adopted January 3, 2018.

Federal law:

Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.*, as amended by the Individuals with Disabilities Education Improvement Act of 2004, Pub. L. 108-446.

Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794(a).

18 U.S.C. § 921 (definition of “firearm”)

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

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

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

34 C.F.R. § 300.530 (defining “illegal drugs”)

Gun-Free Schools Act, 20 U.S.C. § 7961

*Honig v. Doe*, 484 U.S. 305 (1988)

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**ADMINISTRATIVE REGULATIONS REGARDING ALTERNATIVE EDUCATIONAL OPPORTUNITIES FOR EXPELLED STUDENTS**

I. Applicability of these Administrative Regulations

These administrative regulations shall apply in cases when, pursuant to state law, a student in the Branford Public Schools (the “District”) is entitled to an alternative educational opportunity during a period of expulsion.

II. Responsible Personnel

The administrator responsible for a school program (“responsible administrator”) from which the student has been expelled, or designee(s), shall maintain responsibility for compliance with these administrative regulations relative to the individual student who is being provided with the alternative educational opportunity.

III. Student Placement Procedures

A. After a student has been expelled, and unless extraordinary circumstances exist, the responsible administrator, or designee(s), will take the following steps:

1. Meet with the expelled student’s parent(s)/guardian(s) prior to the student’s placement in an alternative educational setting to provide information concerning the potentially appropriate alternative educational opportunities for the student and to inform the parent(s)/guardian(s) and student of the right to apply for early readmission to school in accordance with Conn. Gen. Stat. Section 10-233d(j).
2. Consult with relevant school personnel from the school from which the student was expelled, who are knowledgeable about the student, to obtain information regarding the student’s academic, social, and behavioral history that will help inform the decision concerning an appropriate alternative educational opportunity. Such information may be gathered by written reports.
3. After placement options have been shared with the parent(s)/guardian(s), convene a placement meeting at which all alternative educational opportunities are explored and a placement decision is made.

B. The educational programming and placement for expelled students who are eligible to receive special education and related services under the



Individuals with Disabilities Education Act (“IDEA”) shall be determined by the student’s Planning and Placement Team (“PPT”). In such case, Subsection A above shall not apply.

#### IV. Individualized Learning Plan

##### A. Development of the Individualized Learning Plan

After the student has been accepted into an alternative educational placement, the responsible administrator, or designee, will develop an Individualized Learning Plan (“ILP”) that will govern the programming for the student for the period of expulsion. To develop the ILP, the responsible administrator, or designee, will collaborate with school personnel from the school or program from which the student was expelled, the student and the parent/guardian, and will review all relevant student records.

##### B. Contents of the Individualized Learning Plan

1. The ILP will reference student records with information relevant to the provision of an alternative educational opportunity. These records may include:
  - a. Student success plan (for students who have a student success plan as mandated by state law, the student success plan may inform the ILP but does not replace the ILP);
  - b. Individualized education program (“IEP”);
  - c. Section 504 Plan;
  - d. Individualized health care plan or emergency care plan; and/or
  - e. Other relevant academic and behavioral data.
2. The ILP will address the following:
  - a. The student’s academic and behavioral needs and appropriate academic and behavioral goals and interventions, including the student’s core classes at the time of expulsion and the student’s current placement or progress in the curriculum for those classes so that the student has an opportunity to continue to progress in the Board’s academic program and earn graduation credits, if applicable;

- b. Benchmarks to measure progress towards the goals and ultimately, progress towards graduation;
- c. Provision for the timing and method for reviewing the student's progress in the alternative educational opportunity and for communicating that progress to the parent/guardian or student. For most students, monitoring and reviewing the student's progress will include monitoring the student's attendance, work completion and progress toward meeting the relevant academic standards for particular coursework, and thus progressing toward graduation, if applicable. The student's progress and grades will be communicated to the parents/guardians or student with the same frequency as similar progress for students in the regular school environment is reported and communicated to parents/guardians or students. The student's progress and grades will also be reported to the school or program from which the student was expelled;
- d. Provision for the timely transfer of the student's records both from the student's school or program to the alternative educational opportunity provider, and also from the alternative educational opportunity provider to the student's school or program; and
- e. The possibility of early readmission to the school or program from which the student was expelled and the early readmission criteria, if any, established by the Board of Education or Superintendent, as applicable.

V. Review of Student's Placement in Alternative Educational Opportunity and Individualized Learning Plan

- A. A review of the appropriateness of the placement must occur at least once per marking period.
- B. The placement review must include:
  - 1. Review of the ILP to (1) assess progress and make adjustments as necessary and (2) determine its alignment with the goals of the student's IEP, where applicable; and
  - 2. Consideration of opportunities for early readmission as set forth in the ILP, as established by the Board or Superintendent, as applicable.

VI. Transition Plan for Readmission

- A. Before a student is readmitted to the school or program from which the student was expelled, relevant staff should provide an opportunity to meet with the parents/guardians and student to discuss the student's readmission. As part of the readmission process and the student's ILP, the responsible administrator, or designee, should consider:
1. Efforts to readmit the student at a semester starting point (at the high school level);
  2. A plan to transfer the student's credits and records back to the school or program from which the student was expelled:
    - a. The District will award an expelled high school student appropriate high school credit for work satisfactorily completed during the period the student participates in the alternative educational opportunity and will transfer relevant records back to the school or program from which the student was expelled;
    - b. The District will provide an expelled student transferring to a new school district a progress summary of all work completed during the course of the student's expulsion, and will indicate the course credit earned by the student for that work.
  3. The student's need for academic and other supports upon returning to school or program; and
  4. Efforts to connect the returning student with opportunities to participate in extracurricular activities.
- B. In the event the responsible administrator, or designee, determines that a student's alternative educational opportunity is no longer beneficial to the student, but it remains inappropriate to return the student to the school or program from which the student was expelled, a plan for a different alternative educational opportunity may be developed in accordance with the procedures outlines in these Administrative Regulations.

Legal References:

Connecticut General Statutes:

Conn. Gen. Stat. § 10-233d

Federal law:

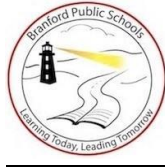
Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.*, as amended by the Individuals with Disabilities Education Improvement Act of 2004, Pub. L. 108-446.

Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794(a).

Connecticut State Department of Education, *Standards for Educational Opportunities for Students Who Have Been Expelled* (January 3, 2018).

ADOPTED: October 19, 2022  
REVISED: \_\_\_\_\_

5/2/2023



**[BOE LETTERHEAD]**

*(Date)*

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED & U.S. MAIL**

*(Parent) (If the Student is aged 18 or older, this notice should be sent directly to the student, with copies to the parent(s)).*

*(Parent's/Student's Address)*

*(Non-custodial Parent, if applicable)*

*(Parent's Address)*

***Re: Expulsion Hearing Concerning Student Name; D.O.B.; State-Assigned Student Identifier (SASID)***

Dear *(Parent/Guardian)*:

In accordance with the *(name of district)* Board of Education Policy *(policy # & title)*, I am writing to advise you that the *(name of district)* Board of Education (the "Board") will hold a formal hearing concerning your child, *(name of student)* to consider the recommendation of *(name of administrator)* that your child be expelled from school. *[In cases where the district uses an impartial hearing board, add the following: Please be advised that the Board has appointed Attorney [Name(s)], to serve as an impartial hearing board in this matter.]* This hearing is being held pursuant to Section 10-233d *[In cases where a preschool student is recommended for expulsion, add the following: and Section 10-233I]* and Sections 4-176e to 4-180a, inclusive, and Section 4-181a of the Connecticut General Statutes and the *(name of district)* Board Policy *(policy # & title)*, a copy of which is enclosed. The Board ***(OR the impartial hearing board)*** intends to conduct the hearing in executive session, due to the confidential nature of this hearing.

The hearing will address the allegations that your child ***(for on or off-campus conduct: violated Board Policy cite Student Discipline Policy number and any other specific policy number on date and seriously disrupted the educational process) (and/or, for on-campus conduct: endangered persons or property)*** by engaging in the following conduct:

***(The law governing these hearings requires a short, plain statement of the facts to be included within this notice letter, and should be inserted here.***

*Example: carrying a knife on the school bus on a specified date and brandishing it at other students on the bus).*

*(If the student has admitted to this conduct, note the admission here).*

The hearing has been scheduled for *(date, time, place [note: unless an emergency exists, the this notice must be given to the student/parent/guardian at least five (5) business days before the hearing])*. *(If a manifestation determination must be held prior to the expulsion hearing, add the following language: Prior to the expulsion hearing, your child's [planning and placement (PPT) team OR Section 504 team] will determine if your child's conduct constitutes a manifestation of the child's disability. The expulsion hearing will be canceled if the [PPT OR Section 504 team] determines that the conduct was a manifestation of your child's disability; otherwise, the hearing will proceed as scheduled.* You and your child are asked to attend this hearing. Your child has the right to be represented by an attorney or other advocate at your expense, has the right to cross-examine administration witnesses, and may present relevant evidence, both documentary and testimonial, concerning the allegations. The hearing will be the parties' sole opportunity to present such evidence. The Board **(OR the impartial hearing board)** may also question witnesses. An opportunity will also be given for the administration and your child or your child's representatives to present argument concerning the evidence presented at the hearing. If you need the services of a translator or an interpreter for this hearing, please let me know as soon as possible.

Unless the administration has determined that an emergency exists, you have the right to have the expulsion hearing postponed for up to one week to allow time to obtain representation. If you would like to request a postponement, please let me know as soon as possible.

The administration may recommend expulsion from school for up to one calendar year. The Board **(OR the impartial hearing board)** has discretion to adopt any period of expulsion up to one calendar year.

As mentioned above, your child has a right to be represented, at your own expense, by an attorney or other advocate at the expulsion hearing. Obtaining an attorney or other advocate is the responsibility of the family. Very low income families may be able to obtain free or reduced rate advice or legal representation through Statewide Legal Services, Inc. ("SLS"). To apply for such assistance, those families should contact SLS immediately at 1-800-453-3320.

In the event your child is expelled as a result of the scheduled hearing, and your child is under sixteen (16) years of age, the Board will offer your child an alternative educational opportunity during any period of exclusion from school as determined by the Administration in accordance with applicable law and Board policy. If your child is between sixteen (16) and eighteen (18) and has not been expelled before, the Board

shall also offer to your child an alternative educational opportunity if your child wishes to continue their education. Please know however, that the Board is not required to offer an alternative educational opportunity to any student between sixteen (16) and eighteen (18) years of age who have previously been expelled or to students who are eighteen (18) years of age or older.

If you have any questions, please call my office at (*number*).

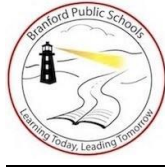
Sincerely,

*(Name of Superintendent)*

*(Name of District)* Public Schools

Cc: *(Name of District)*, Chairman, *(Name of District)* Board of Education  
*(Name of Special Education Director, where applicable)*  
*(Name of Responsible Administrator at school that student attends)*  
*(Name of Board of Education Attorney, where applicable)*  
*(Name of Administration's Attorney, where applicable)*

5/2/2023



## AGREEMENT

NAME OF SUPERINTENDENT, (Superintendent of Schools for NAME OF DISTRICT), NAME OF STUDENT and NAME(S) OF PARENT(S)/GUARDIAN(S) (the parent(s)/guardian(s) of NAME OF STUDENT) agree as follows with respect to the Superintendent's request that NAME OF STUDENT be expelled from \_\_\_\_\_ School:

1. NAME OF STUDENT (D.O.B. \_\_\_\_\_; SASID \_\_\_\_\_) is currently enrolled as a \_\_\_\_\_ grade student at \_\_\_\_\_ School.
2. NAME OF STUDENT admits having engaged in the following conduct (*insert a short, plain statement of the conduct*) on or about \_\_\_\_\_, 20\_\_.
3. NAME OF STUDENT's conduct, as described above, violates \_\_\_\_\_ Board of Education Policy \_\_\_\_\_ (Student Discipline) (*Cite other policies here as appropriate*), and is considered by the district administration to be seriously disruptive of the educational process. (*For conduct that occurs on school grounds, on school transportation, or at a school-sponsored activity, you may alternatively or additionally state whether such conduct is considered to endanger persons or property*). (*If the student has admitted to this conduct, note the admission here*).
4. Students are notified of applicable Board policies regarding prohibited conduct by publication in the student handbook.
5. (*Optional Section for students with disabilities*): A manifestation determination was made on (*date*) concerning this conduct and it was determined that the conduct was not a manifestation of the student's disability.
6. Students are notified of applicable Board policies regarding prohibited conduct by publication in the student handbook.
7. Subject to the approval of the \_\_\_\_\_ Board of Education (the "Board"), NAME OF STUDENT shall be expelled, effective \_\_\_\_\_, 20\_\_ and continuing through \_\_\_\_\_, 20\_\_, under the following conditions:
  - a) During the period of expulsion, the Board will provide NAME OF STUDENT with an alternative education opportunity deemed appropriate by the Administration in accordance with applicable law and Board policy.

**(Optional alternative language if the parties agree to an alternative educational opportunity other than that required by the state standards:**



The NAME OF PARENT(S) and NAME OF STUDENT understand and acknowledge that, pursuant to Section 10-233d of the Connecticut General Statutes, NAME OF STUDENT is entitled to an alternative educational opportunity during the Expulsion Period which shall be (1) alternative education, as defined by Section 10-74j of the Connecticut General Statutes, with an individualized learning plan, if the Board provides such alternative education, or (2) in accordance with the standards adopted by the State Board of Education, pursuant to section 3 of public act 17-220 (a “Statutory Alternative Educational Opportunity”). The NAME OF PARENT(S) and NAME OF STUDENT hereby waive NAME OF STUDENT’s right to a Statutory Alternative Educational Opportunity and accordingly waive the application of the *Standards of Educational Opportunities for Students Who Have Been Expelled*, adopted by the Connecticut State Board of Education, and the Board’s Administrative Regulations concerning the implementation of said standards. In lieu of a Statutory Alternative Educational Opportunity, the NAME OF PARENT(S) and NAME OF STUDENT agree that during the Expulsion Period, the Board will provide NAME OF STUDENT with an alternative educational opportunity as follows:

*[Describe alternative educational opportunity agreed to by parties.]*

If NAME OF STUDENT becomes ineligible to attend the \_\_\_\_\_ Public Schools pursuant to Board Policy and/or if the Parents withdraw NAME OF STUDENT from enrollment as a student at [name of school], the Board will have no obligation to provide NAME OF STUDENT with the alternative educational opportunity described herein.

- b) During the period of expulsion, NAME OF STUDENT will not be permitted to be on school grounds or school transportation, and will not be permitted to attend or participate in any school-sponsored activities, except as authorized in writing in advance by the Superintendent of Schools.

*(Optional Sections regarding early readmission):*

- c) Prior to \_\_\_\_\_, the Superintendent will review NAME OF STUDENT’s conduct, attendance and effort level in the alternative educational opportunity [list other conditions as applicable], for the purpose of determining, in the Superintendent’s sole discretion, whether NAME OF STUDENT should be readmitted to school on or about \_\_\_\_\_.
- d) If the Superintendent determines that NAME OF STUDENT should be readmitted to school early in accordance with the preceding section, and if NAME OF STUDENT subsequently commits any offense that would warrant suspension and/or expulsion under the policies of the Board, the Superintendent may reinstate NAME OF STUDENT’s expulsion for the remainder of the expulsion period, through (*date*), without the need for any further proceedings before the Board.

*(Optional Section for expungement if the expulsion is the student’s first expulsion):*

- e) Prior to *(date)*, the Superintendent will review NAME OF STUDENT's conduct, attendance and effort level since the expulsion, for the purpose of determining, in the Superintendent's sole discretion, whether the expulsion hearing record of NAME OF STUDENT should be expunged from NAME OF STUDENT's educational record as of *(date)*.
8. All parties to this Agreement request that this Agreement be presented to the Board for the Board's consideration, in lieu of the submission of any other evidence by the Superintendent and/or NAME OF STUDENT or NAME OF STUDENT's parents, and they agree that this Agreement is sufficient for the Board to expel NAME OF STUDENT from school.
  9. NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) understand and acknowledge that, pursuant to Section 10-233d of the Connecticut General Statutes and Board Policy, NAME OF STUDENT is entitled to an expulsion hearing before the \_\_\_\_\_ Board of Education to contest NAME OF STUDENT's proposed expulsion from the \_\_\_\_\_ Public Schools. NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) further understands and acknowledges that at such hearing NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) would have the right to call witnesses and to introduce documentary evidence, to cross examine witnesses called by the Administration, and to be represented by an attorney or other advocate at their own expense. Accordingly, NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) waive NAME OF STUDENT's right to an expulsion hearing pursuant to Section 10-233d of the Connecticut General Statutes.
  10. The Superintendent, NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) understand that this Agreement is subject to the approval of the Board. In the event that the Board does not approve this Agreement, the Superintendent, NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) agree that the expulsion hearing concerning NAME OF STUDENT shall be rescheduled to a mutually agreeable date for the purposes of conducting an evidentiary hearing before the Board concerning the Superintendent's expulsion request. NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) agree that NAME OF STUDENT will remain out of school until the evidentiary hearing has been completed. NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) also agree that the Board's consideration of this proposed Agreement will not disqualify any member of the Board from serving as a Board member in the evidentiary hearing, and they hereby waive any right to make such a claim in any proceeding in any forum.
  11. NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) enter into this Agreement voluntarily and with a full understanding of the provisions of this Agreement.

\_\_\_\_\_  
 NAME OF SUPERINTENDENT  
 Superintendent of Schools

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

\_\_\_\_\_  
 NAME OF STUDENT  
 Student

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

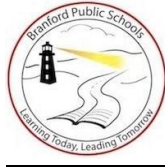
\_\_\_\_\_  
NAME OF PARENT/GUARDIAN  
OF STUDENT

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

\_\_\_\_\_  
NAME OF PARENT/GUARDIAN  
OF STUDENT

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

5/2/2023



**Note: This is a sample Individualized Learning Plan drafted in accordance with the Standards for Educational Opportunities for Students Who Have Been Expelled, which was approved by the State Board of Education on January 3, 2018. The specific goals and benchmarks can be customized to meet the needs of individual students.**

## Branford Public Schools Individualized Learning Plan

**Student Name:** \_\_\_\_\_ **Date of Birth:** \_\_\_\_\_ **Gr.** \_\_\_\_\_

**School/Program Prior to Expulsion:** \_\_\_\_\_ **SASID:** \_\_\_\_\_

\_\_\_\_\_

Does the student have an Individualized Education Program?  Yes  No

Does the student have a Section 504 Plan?  Yes  No

### Records Reviewed with Relevant Information for the Provision of an Alternative Educational Opportunity

<input type="radio"/> Student Success Plan <input type="radio"/> Individualized Education Program (IEP) <input type="radio"/> Behavioral Intervention Plan (BIP) <input type="radio"/> Section 504 Plan <input type="radio"/> Individualized Health Care Plan/Emergency Care Plan	<input type="radio"/> Report Cards and Current Grades <input type="radio"/> Attendance Records <input type="radio"/> Disciplinary/Behavioral Records <input type="radio"/> Other: _____ <input type="radio"/> Other: _____
---	--

### ILP Developed Through Collaboration With (check all that apply):

<input type="radio"/> Parent/Guardian: _____ <input type="radio"/> Parent/Guardian: _____	<input type="radio"/> Teacher: _____ <input type="radio"/> Teacher: _____
--	--

<input type="radio"/> Student: <hr/>	<input type="radio"/> Other (specify): <hr/>
<input type="radio"/> Administrator: <hr/>	<input type="radio"/> Other (specify): <hr/>
<input type="radio"/> School Counselor: _____ 	<input type="radio"/> Other (specify): <hr/>

**Records Transferred**

Date of transfer of relevant student records from the student's school/program to provider of alternative educational opportunity: _____	Date of transfer of records from provider of alternative educational opportunity to the student's school/program: _____
--	--

**Records Distribution and Storage**

Copies of the Individualized Learning Plan will be distributed to the following locations and/or individuals and stored in accordance with the District's student records policy:

- Student's cumulative file
- The Student's receiving school or alternative educational placement
- Student's parent/guardian

*[Note: Districts should insert or delete locations where this record may be kept in accordance with their student records policies and practices]*

**Student's Classes Prior to Expulsion**

Core Class	Placement/Progress in Class at Time of Expulsion <i>(e.g. current grade, current unit, etc.)</i>

**Note: If the student receives special education and related services, the alternative educational opportunity provider must also refer to the student's IEP.**

**NEEDS**  
**Academic Needs**

<input type="radio"/> See IEP ( <i>if applicable</i> )
<input type="radio"/> Other:

Behavioral Needs
<input type="radio"/> See IEP ( <i>if applicable</i> )
<input type="radio"/> Other:

GOALS		
Academic Goals		
<input type="radio"/> See IEP ( <i>if applicable</i> )	<input type="radio"/> Satisfactory work completion	<input type="radio"/> Satisfactory progress in coursework and toward meeting relevant academic standards
<input type="radio"/> Other:		

Benchmarks to Measure Progress Toward Academic Goals		
<input type="radio"/> See IEP ( <i>if applicable</i> )	<input type="radio"/> Passing grades on midterm progress reports	<input type="radio"/> Passing grades on report card
<input type="radio"/> Other:		
Progress monitoring <i>mm/dd/yy</i> :		

Behavioral Goals		
<input type="radio"/> See IEP ( <i>if applicable</i> )	<input type="radio"/> Satisfactory attendance	<input type="radio"/> Satisfactory compliance with behavioral expectations and disciplinary policies
<input type="radio"/> Other:		

Benchmarks to Measure Progress Toward Behavioral Goals		
<input type="radio"/> See IEP ( <i>if applicable</i> )	<input type="radio"/> Fewer than ____ teacher referrals to administration for disciplinary matters	<input type="radio"/> Fewer than ____ contacts to parents/guardians for disciplinary matters
<input type="radio"/> Attends alternative program ____% or more of scheduled days/sessions.	<input type="radio"/> Other:	
Progress monitoring <i>mm/dd/yy</i> :		

## INTERVENTIONS

### Academic Interventions

<input type="radio"/> See IEP ( <i>if applicable</i> )	<input type="radio"/> See Section 504 Plan ( <i>if applicable</i> )
<input type="radio"/> Tier 1 _____ <input type="radio"/> Tier 2 _____	
<input type="radio"/> Tier 3 _____	
<input type="radio"/> Other:	

### Behavioral Interventions

<input type="radio"/> See IEP ( <i>if applicable</i> )	<input type="radio"/> See Section 504 Plan ( <i>if applicable</i> )
<input type="radio"/> Tier 1 _____ <input type="radio"/> Tier 2 _____	
<input type="radio"/> Tier 3 _____	
<input type="radio"/> Other:	

## Review and Communication of Progress to Parents/Guardians or Student

**Method of monitoring and review:** *(for most students, monitoring and reviewing progress will include monitoring the student's attendance, work completion, and progress toward meeting the relevant academic standards for particular coursework, and thus progressing toward graduation, if applicable)*

- Monitoring attendance
- Monitoring work completion
- Monitor progress toward meeting relevant academic standards
- Review and monitor progress in accordance with IEP and/or BIP (if applicable)
- Other: \_\_\_\_\_

**Timing for communication of progress to parents/guardians or student:** *(Progress must be communicated to the parent/guardian or student with the same frequency as similar progress for students in the regular school environment is reported and communicated to parents/guardians or students)*

- Each marking period
- Other: \_\_\_\_\_

## Early Readmission

The expulsion decision contains the following early readmission criteria:

- The student may apply to the Board of Education for early readmission and such readmission shall be at the discretion of the Board of Education.
  - The student applied to the Board of Education for early readmission on \_\_\_\_\_ and the Board of Education granted the request and has conditioned such early readmission on the following criteria:
    - The student applied to the Board of Education for early readmission on \_\_\_\_\_ and early readmission was not granted.
- The student may apply to the Superintendent for early readmission and such readmission shall be at the discretion of the Superintendent.



- |  |
|--|
| <ul style="list-style-type: none"><li><input type="checkbox"/> The student applied to the Superintendent for early readmission on _____ and the Superintendent granted the request and has conditioned such early readmission on the following criteria:</li><br/><li><input type="checkbox"/> The student applied to the Superintendent for early readmission on _____ and early readmission was not granted.</li></ul> |
|--|

### **Review of Placement and ILP:**

A review of the appropriateness of the placement must occur at least once per marking period. Such review must include:

- Review of the ILP to (1) assess progress and make adjustments as necessary and (2) determine its alignment with the goals of the student's IEP, where applicable.
- Consideration of opportunities for early readmission as set forth in the ILP (see Early Readmission section)

### **Transition Plan for Readmission:**

The following has been considered and, where appropriate, addressed:

- Efforts to readmit the student at a semester starting point (at the high school level)
- A plan to transfer the student's credits and record back to the student's school/program
- The student's need for academic and other supports upon returning to school/program
- Efforts to connect the student with opportunities to participate in extracurricular activities

5/2/2023



Students

5800 P

## STUDENT DISCIPLINE

It is the policy of the Branford Board of Education (the "Board") to create a school environment that promotes respect of self, others, and property within the Branford Public Schools (the "District"). Compliance with this policy will enhance the Board and the District's ability to maintain discipline and reduce interference with the educational process that can result from student misconduct.

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### I. Definitions

- A. **Cannabis** means marijuana, as defined by Conn. Gen. Stat. § 21a-240.
- B. **Dangerous Instrument** means any instrument, article or substance which, under the circumstances in which it is used or attempted or threatened to be used, is capable of causing death or serious physical injury, and includes a "vehicle" or a dog that has been commanded to attack.
- C. **Deadly Weapon** means any weapon, whether loaded or unloaded, from which a shot may be discharged, or a switchblade knife, gravity knife, billy, blackjack, bludgeon or metal knuckles. A weapon such as a pellet gun and/or air soft pistol may constitute a deadly weapon if such weapon is designed for violence and is capable of inflicting death or serious bodily harm. In making such determination, the following factors should be considered: design of weapon; how weapon is typically used (e.g., hunting); type of projectile; force and velocity of discharge; method of discharge (e.g., spring v. CO2 cartridge) and potential for serious bodily harm or death.
- D. **Electronic Defense Weapon** means a weapon which by electronic impulse or current is capable of immobilizing a person temporarily, but is not capable of inflicting death or serious physical injury, including a stun gun or other conductive energy device.
- E. **Emergency** means a situation in which the continued presence of the student in school poses such a danger to persons or property or such a disruption of the educational process that a hearing may be delayed until a time as soon after the exclusion of such student as possible.

- F. **Exclusion** means any denial of public school privileges to a student for disciplinary purposes.
- G. **Expulsion** means the exclusion of a student from school privileges for more than ten (10) consecutive school days and shall be deemed to include, but not be limited to, exclusion from the school to which such ~~pupil-student~~ was assigned at the time such disciplinary action was taken. The expulsion period may not extend beyond one (1) calendar year.
- H. **Firearm**, as defined in 18 U.S.C § 921, means (a) any weapon (including a starter gun) that will, is designed to, or may be readily converted to expel a projectile by the action of an explosive, (b) the frame or receiver of any such weapon, (c) a firearm muffler or silencer, or (d) any destructive device. The term firearm does not include an antique firearm. As used in this definition, ~~a~~ **destructive device** includes any explosive, incendiary, or poisonous gas device, including a bomb, a grenade, a rocket having a propellant charge of more than four ounces, a missile having an explosive or incendiary charge of more than one-quarter ounce, a mine, or any ~~other~~ similar device; or any weapon (other than a shotgun or shotgun shell which the Attorney General finds is generally recognized as particularly suited for sporting purposes) that will, or may be readily converted to, expel a projectile by explosive or other propellant, and which has a barrel with a bore of more than 1/2" in diameter. The term "destructive device" also includes any combination of parts either designed or intended for use in converting any device into any destructive device and from which ~~a~~ destructive device may be readily assembled. A "destructive device" does not include: an antique firearm; a rifle intended to be used by the owner solely for sporting, recreational, or cultural purposes; or any device which is neither designed nor redesigned for use as a weapon.
- H.I. Protected Class Harassment is a form of discrimination on the basis of any protected characteristic (or protected class) including race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, ancestry, disability, pregnancy, gender identity or expression, veteran status, status as a victim of domestic violence, or any other basis prohibited by state or federal law ("Protected Class"). Harassment constitutes unlawful discrimination when it creates a hostile environment, which occurs when the harassment is sufficiently severe, pervasive, or persistent so as to interfere with or limit a student's ability to participate in or benefit from the services, activities, or opportunities offered by a school. Harassment does not have to include intent to harm, be directed at a specific target, or involve repeated incidents. Harassment against any individual on the basis of that individual's association with someone in a Protected Class may be a form of Protected Class harassment.

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~~H.~~ **J. 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 school suspension was imposed. No student shall be placed on 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.

~~H.~~ **K. Martial Arts Weapon** means a nunchaku, kama, kasurindo, octagon sai, tonfa or chinese star.

~~K.~~ **L. Removal** is the exclusion of a student from a classroom for all or part of a single class period, provided such exclusion shall not extend beyond ninety (90) minutes.

~~L.~~ **M. School Days** shall mean days when school is in session for students.

~~M.~~ **N. School Sponsored Activity** means any activity sponsored, recognized or authorized by the Branford Board of Education (the "Board") and includes activities conducted on or off school property.

~~N.~~ **O. 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.

~~O.~~ **P. 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.

~~P.~~ **Q. Weapon** means any BB gun, any blackjack, any metal or brass knuckles, any police baton or nightstick, any dirk knife or switch knife, any knife having an automatic spring release device by which a blade is released from the handle, having a blade of over one and one-half inches in length, any stiletto, any knife the edged portion of the blade which is four inches and over in length, any martial arts weapon or electronic defense weapon, or any other dangerous or deadly weapon or instrument, unless permitted by law under Section 389 of the Connecticut General Statutes.

~~Q.~~ **R.** Notwithstanding the foregoing definitions, the reassignment of a student from one regular education classroom program in District to another

regular education classroom program in the District shall not constitute a suspension or expulsion.

R-S. For purposes of this policy, references to “school”, “school grounds” and “classroom” shall include physical educational environments, including on school transportation, as well as environments in which students are engaged in remote learning, which means instruction by means of one or more Internet-based software platforms as part of a remote learning model.

II. Scope of the Student Discipline Policy

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

1. Suspension. Students may ~~suspended~~ for conduct on school grounds, on school transportation, or at any school sponsored activity that **violates a publicized policy of the Board or is seriously disruptive of the educational process or endangers persons or property.**

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2. Expulsion. Students may ~~be expelled~~ for conduct on school grounds, on school transportation, or at any school sponsored activity that either **(1) violates a publicized policy of the Board and is seriously disruptive of the educational process, or (2) endangers persons or property.**

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B. ***Conduct off School Grounds:***

Discipline. Students may be disciplined, including suspension and/or expulsion, for conduct off school grounds if such conduct **violates a publicized policy of the Board and is seriously disruptive of the educational process**

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C. ***Seriously Disruptive of the Educational Process:***

In making a determination as to whether such conduct is seriously disruptive of the educational process the Administration and the Board 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 29-38 of the Connecticut General Statutes, **and whether any injuries**

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occurred; and (4) **whether the conduct involved the use of alcohol.**

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The Administration and/or the Board of Education may also consider (5) **whether the off-campus conduct involved the illegal use of drugs.**

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- D. ~~On and after January 1, 2022,~~ a student shall not have greater discipline, punishment, or sanction for the use, sale, or possession of cannabis on school property than a student would face for the use, sale, or possession of alcohol on school property, except as otherwise required by applicable law.

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

Conduct that is considered to violate a publicized policy of the Board of ~~Education~~ includes the offenses described below. Any such conduct may lead to disciplinary action (including, but not limited to, removal from class, suspension and/or expulsion in accordance with this policy):

1. Striking or assaulting a student, member of the school staff or other person(s).
2. Theft.
3. The use of obscene or profane language or gestures, the possession and/or display of obscenity or pornographic images or the unauthorized or inappropriate possession and/or display of images, pictures or photographs depicting nudity.
4. Violation of smoking, dress, transportation regulations, or other regulations and/or policies governing student conduct.
5. Refusal to obey a member of the school staff, law enforcement authorities, or school volunteers, or disruptive classroom behavior.
6. Any act of ~~harassment based on an individual's sex, sexual orientation, race, color, religion, disability, national origin, alienage, ancestry, gender identity or expression, marital status, age, pregnancy, veteran status or any other characteristic protected by law~~ Protected Class Harassment or reprisal or retaliation against any individual for reporting in good faith incidents of Protected Class Harassment, or who participate in the investigation of such reports.

7. Refusal by a student to respond to a staff member's request for the student to provide the student's name to a staff member when asked, misidentification of oneself to such person(s), lying to school officials or otherwise engaging in dishonest behavior.
8. Inappropriate displays of public affection of a sexual nature and/or sexual activity on school grounds, on school transportation, or at a school-sponsored activity.
9. A walk-out from or sit-in within a classroom or school building or school grounds.
10. Blackmailing, threatening or intimidating school staff or students (or acting in a manner that could be construed to constitute blackmail, a threat, or intimidation, regardless of whether intended as a joke).
11. Possession of any weapon, weapon facsimile, deadly weapon, martial arts weapon, electronic defense weapon, pistol, knife, blackjack, bludgeon, box cutter, metal knuckles, pellet gun, air pistol, explosive device, firearm, whether loaded or unloaded, whether functional or not, or any other dangerous object or instrument. The possession and/or use of any object or device that has been converted or modified for use as a weapon.
12. Possession of any ammunition for any weapon described above in Paragraph 11.
13. Unauthorized entrance into any school facility or portion of a school facility or aiding or abetting an unauthorized entrance.
14. Possession or ignition of any fireworks, combustible or other explosive materials, or ignition of any material causing a fire. Possession of any materials designed to be used in the ignition of combustible materials, including matches and lighters.
15. Possession, sale, distribution, use, or consumption of tobacco, electronic nicotine delivery systems (e.g., e-cigarettes), electronic cannabis delivery system, or vapor products, or the unlawful possession, sale, distribution, use or consumption of drugs, narcotics or alcoholic beverages (or any facsimile of tobacco, drugs, narcotics or alcoholic beverages, or any item represented to be tobacco, drugs or alcoholic beverages), including being under the influence of any such substances or aiding in the procurement of any such substances. For the purposes of this Paragraph 15, the term "electronic nicotine delivery system"

shall mean an electronic device used in the delivery of nicotine or other substances to a person inhaling from the device, and includes, but is not limited to, an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or electronic hookah and any related device and any cartridge or other component of such device, including, but not limited to, electronic cigarette liquid. For purposes of Paragraph 15, the term "electronic cannabis delivery system" shall mean an electronic device that may be used to simulate smoking in the delivery of cannabis to a person inhaling the device and includes, but is not limited to, a vaporizer, electronic pipe, electronic hookah and any related device and any cartridge or other component of such device. For the purposes of Paragraph 15, the term "vapor product" shall mean any product that employs a heating element, power source, electronic circuit or other electronic, chemical or mechanical means, regardless of shape or size, to produce a vapor that may or may not include nicotine and is inhaled by the user of such product. For the purposes of this Paragraph 15, the term "drugs" shall include, but shall not be limited to, any medicinal preparation (prescription and non-prescription) and any controlled substance whose possession, sale, distribution, use or consumption is illegal under state and/or federal law, including cannabis.

16. Sale, distribution, or consumption of substances contained in household items; including, but not limited to glue, paint, accelerants/propellants for aerosol canisters, and/or items such as the aerators for whipped cream; if sold, distributed or consumed for the purpose of inducing a stimulant, depressant, hallucinogenic or mind-altering effect.
17. Possession of paraphernalia used or designed to be used in the consumption, sale or distribution of drugs, alcohol or tobacco, as described in Paragraph 15 above. For purposes of this policy, drug paraphernalia includes any equipment, products and materials of any kind which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing or concealing, or injecting, ingesting, inhaling or otherwise introducing controlled drugs or controlled substances into the human body, including but not limited to items such as "bongs," pipes, "roach clips," vials, tobacco rolling papers, and any object or container used, intended or designed for use in storing, concealing, possessing,



distributing or selling controlled drugs or controlled substances, including cannabis.

18. The destruction of real, personal or school property, such as, cutting, defacing or otherwise damaging property in any way.
19. Accumulation of offenses such as school and class tardiness, class or study hall cutting, or failure to attend detention.
20. Trespassing on school grounds while on out-of-school suspension or expulsion.
21. Making false bomb threats or other threats to the safety of students, ~~staff members~~ employees, and/or other persons.
22. Defiance of school rules and the valid authority of teachers, supervisors, administrators, other ~~staff members~~ employees and/or law enforcement authorities.
23. Throwing snowballs, rocks, sticks and/or similar objects, except as specifically authorized by school ~~staff~~ employees responsible for student supervision.
24. Unauthorized and/or reckless and/or improper operation of a motor vehicle on school grounds or at any school-sponsored activity.
25. Leaving school grounds, school transportation or a school-sponsored activity without authorization.
26. Use of or copying of the academic work of another individual and presenting it as the student's own work, without proper attribution; or any other form of academic dishonesty, cheating or plagiarism.
27. Possession and/or use of a cellular telephone, radio, portable audio player, CD player, blackberry, tablet, personal data assistant, walkie talkie, Smartphone, mobile or handheld device, or similar electronic device, on school grounds, on school transportation, or at a school-sponsored activity in violation of Board policy and/or administrative regulations regulating the use of such devices.
28. Possession and/or use of a beeper or paging device on school grounds, on school transportation, or at a school-sponsored

activity without the written permission of the principal or designee.

29. Unauthorized use of or tampering with any school computer, computer system, computer software, Internet connection or similar school property or system, or the use of such property or system for inappropriate purposes.
30. Possession and/or use of a laser pointer, unless the student possesses the laser pointer temporarily for an educational purpose while under the direct supervision of a responsible adult.
31. Hazing.
32. Bullying, defined as an act that is direct or indirect and severe, persistent or pervasive, which:
  - a. causes physical or emotional harm to an individual;
  - b. places an individual in reasonable fear of physical or emotional harm; or
  - c. infringes on the rights or opportunities of an individual at school; or

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

33. Cyberbullying, defined as any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any electronic communications.
34. Acting in any manner that creates a health and/or safety hazard for ~~staff members~~ employees, students, third parties on school property or the public, regardless of whether the conduct is intended as a joke, including but not limited to violating school or District health and safety protocols.

35. Engaging in a plan to stage or create a violent situation for the purposes of recording it by electronic means; or recording by electronic means acts of violence for purposes of later publication (other than to school officials).
36. Engaging in a plan to stage sexual activity for the purposes of recording it by electronic means; or recording by electronic means sexual acts for purposes of later publication (other than to school officials).
37. Using computer systems, including email, remote learning platforms, 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~~employee.
39. Engaging in teen dating violence, defined as any act of physical, emotional or sexual abuse, including stalking, harassing and threatening, which occurs between two students who are currently in or who have recently been in a dating relationship.
40. Any action prohibited by any Federal or State law.
41. Any other violation of school rules or regulations or a series of violations which makes the presence of the student in school seriously disruptive of the educational process and/or a danger to persons or property.

IV. Discretionary and Mandatory Expulsions

- A. ~~A principal~~An administrator responsible for a school program (“responsible administrator”) may consider recommendation of expulsion of a student in **grades three to twelve, inclusive** in a case where the ~~principal responsible administrator~~responsible administrator has reason to believe the student has engaged in conduct described at Sections II.A. or II.B., above.
- B. A ~~principal responsible administrator~~responsible administrator must recommend expulsion proceedings in all cases against any student **grades kindergarten to twelve, inclusive**, whom the Administration has reason to believe:

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1. was in **possession on school grounds, on school transportation, or at a school-sponsored activity of a deadly weapon, dangerous instrument, martial arts weapon or firearm** as defined in 18 U.S.C. § 921 as amended from time to time; or

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2. **off school grounds, possessed a firearm** as defined in 18 U.S.C. § 921, in violation of Conn. Gen. Stat. § 295, or **possessed and used a firearm** as defined in 18 U.S.C. § 921, **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

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3. was engaged **in or off school grounds or school transportation in offering for sale or distribution a controlled substance** (as defined in Conn. Gen. Stat. § 21a-240(9)), whose manufacturing, distribution, sale, prescription, dispensing, transporting, or possessing with intent to sell or dispense, offering or administering is subject to criminal penalties under Conn. Gen. Stat. §§ 21a-277 and 21a-278. **Sale or distribution of less than one (1) kilogram of cannabis is not subject to mandatory expulsion.**

The terms **“dangerous instrument” “deadly weapon” “electronic defense weapon” “firearm,”** and **“martial arts weapon”** are defined above in Section I.

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C. In any preschool program provided by the Board of Education or provided by a regional educational service center or a state or local charter school pursuant to an agreement with the Board of Education, no **student enrolled in such a preschool program** shall be expelled from such preschool program, except an expulsion hearing shall be conducted by the Board of Education in accordance with Section VIII of this policy whenever the Administration has reason to believe that a student enrolled in such preschool program was **in possession of a firearm** as defined in 18 U.S.C. § 921, as amended from time to time, on or off school grounds, on school transportation, or at a preschool program sponsored event. The term **“firearm”** is defined above in Section I.

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

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

- E. In keeping with Conn. Gen. Stat. § 10-233d and the Gun-Free Schools Act, it shall be the policy of the Board to expel a student in grades kindergarten to twelve, inclusive, for one (1) full calendar year for the conduct described in Section IV.B(1), (2) and (3) of this policy and to expel a student enrolled in a preschool program for one (1) calendar year for the conduct described in Section IV.C. For any mandatory expulsion offense, the Board may modify the term of expulsion on a case-by-case basis.

V. Procedures Governing Removal from Class

- A. A student may be removed from class by a teacher or administrator if the student deliberately causes a serious disruption of the educational process. When a student is removed by a teacher, the teacher must send the student to a designated area and notify the responsible administrator or the administrator's principal or the principal's designee at once.
- B. A student may not be removed from class more than six (6) times in one school year nor more than twice in one week unless the student is referred to the responsible administrator or the administrator's 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 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 responsible administrator or the administrator's designee on the administrative staff of the school, shall have the right to suspend a 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 responsible administrator or the administrator's ~~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, except the responsible administrator or the administrator's principal or designee may impose an out-of-school suspension on any pupil:
  - a. in grades three to twelve, inclusive, if, during the informal hearing, (i) the responsible administrator or the administrator's principal or designee determines that the student poses such a danger to persons or property or such a disruption of the educational process that the student he or should be excluded from school during the period of suspension; or (ii) the responsible administrator or the administrator's principal or designee determines that an out-of-school suspension is appropriate based on evidence of (A) the student's previous disciplinary problems that have led to suspensions or expulsion of such student, and (B) previous efforts by the Administration to address the student's disciplinary problems through means other than out-of-school suspension or expulsion, including positive behavioral support strategies, or
  - b. in grades preschool to two, inclusive, if the responsible administrator or the administrator's principal or designee determines that an out-of-school suspension is appropriate for such student/pupil based on evidence that such student's/pupil's conduct on school grounds or on school transportation is of a violent or sexual nature that endangers persons.
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 responsible administrator or the administrator's principal or designee, but only considered in the determination of the length of suspensions.
4. By telephone, the responsible administrator or the administrator's 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 responsible administrator or the administrator's 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 ~~responsible administrator or the administrator's 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 ~~responsible administrator or the administrator's principal or~~ designee shall also notify the Superintendent or designee of the name of the student being suspended and the reason for the suspension.
8. The student shall be allowed to complete any classwork, including examinations, without penalty, which the student missed while under suspension.
9. The 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 expunged disciplinary notice, notwithstanding the fact that such notice may have been expunged from the student's cumulative file, for the limited purpose of determining whether any subsequent

suspensions or expulsions by the student would constitute the student's first such offense.

12. The decision of the responsible administrator or the administrator's principal or designee with regard to disciplinary actions up to and including suspensions shall be final.
  13. During any period of suspension served out of school, the student shall not be permitted to be on school property and shall not be permitted to attend or participate in any school-sponsored activities, unless the responsible administrator or the administrator's designee 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 responsible administrator or the administrator's 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 responsible administrator or the administrator's principal or designee may impose in-school suspension in cases where a student's conduct endangers persons or property, violates school policy or seriously disrupts the educational process as determined by the responsible administrator or the administrator's principal or designee.
- B. In-school suspension may not be imposed on a student without an informal hearing by the responsible administrator or the administrator's building principal or designee.
- C. In-school suspension may be served in the school or program that the student regularly attends or in any other school building within the jurisdiction of the Board.
- D. No student shall be placed on in-school suspension more than fifteen (15) times or for a total of fifty (50) days in one school year, whichever results in fewer days of exclusion.



- E. The parents or guardian of any minor student placed on in-school suspension shall be given notice of such suspension within twenty-four (24) hours of the time of the institution of the period of the in-school suspension.

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 or Conn. Gen. Stat. § 10-233, if applicable, as well as the applicable provisions of the Uniform Administrative Procedures Act, Conn. Gen. Stat. §§ 476e to 4180a, and § 4181a. Whenever an emergency exists, the hearing provided for herein shall be held as soon as possible after the expulsion.

B. ***Hearing Panel:***

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

C. ***Hearing Notice and Rights of the Student and Parent(s)/Guardian(s):***

1. Written notice of the expulsion hearing must be given to the student, and, if the student is a minor, to the student's parent(s) or guardian(s) at least five (5) business days before such hearing.
2. A copy of this Board policy or student discipline shall also be given to the student, and if the student is a minor, to the student's parent(s) or guardian(s), at the time the notice is sent that an expulsion hearing will be convened.
3. The written notice of the expulsion hearing shall form the student of the following:

- a. The date, time, place and nature of the hearing, including if the hearing will be held virtually, via video conference.
- b. The legal authority and jurisdiction under which the hearing is to be held, including a reference to the particular sections of the legal statutes involved.
- c. A short, plain description of the conduct alleged by the 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 an attorney or other advocate of the student's choice at the student's expense or at the expense of the student's parent(s) or guardian(s).
- g. A student is entitled to the services of a translator or interpreter, to be provided by the Board of Education, whenever the student or the student's parent(s) or guardian(s) requires the services of an interpreter because they do not speak the English language or are disabled.
- h. The conditions under which the Board is not legally required to give the student an alternative educational opportunity (if applicable).
- i. Information concerning the parent's(s') or guardian's(s') and the student's legal rights and about free or reduced-rate legal services and how to access such services.
- j. The parent(s) or guardian(s) of the student have the right to have the expulsion hearing postponed for up to one week to allow time to obtain representation, except that if an emergency exists, such hearing shall be held as soon after the expulsion as possible.

D. ***Hearing Procedures:***

1. The hearing will be conducted by the Presiding Officer, who will call the meeting to order, introduce the parties, Board members and ~~others participating in the hearing (if applicable) and~~ briefly explain the hearing procedures, and swear in any witnesses called by the Administration or the student ~~that~~ if an impartial board of more than one person has been appointed, the impartial board shall appoint a Presiding Officer
2. The hearing will be conducted in executive session. A verbatim record of the hearing will be made, either by ~~tape~~ digital recording or by a stenographer. A record of the hearing will be maintained, including the verbatim record, all written notices and documents relating to the case and all evidence received or considered at hearing.
3. The Administration shall bear the burden of production to come forward with evidence to support its case and shall bear the burden of persuasion. The standard of proof shall be a preponderance of the evidence.
4. Formal rules of evidence will not be followed. The Board ~~or the impartial board~~ has the right to accept hearsay and other evidence if it deems that evidence relevant or material to its determination. The Presiding Officer will rule on testimony or evidence as to it being immaterial ~~or irrelevant~~ and/or any other objections to its submission
5. The hearing will be conducted in two (2) parts. In the first part of the hearing, the Board ~~or the impartial board~~ will receive and consider evidence regarding the conduct alleged by the Administration.
6. In the first part of the hearing, the charges will be introduced into the record by the Superintendent or designee.
7. Each witness for the Administration will be called and sworn. After a witness has finished testifying, the witness will be subject to cross-examination by the opposite party or the witness' legal counsel, by the Presiding Officer and by Board members ~~or the impartial board~~
8. The student shall not be compelled to testify at the hearing.

9. After the Administration has presented its case, the student will be asked if the student has any witnesses or evidence to present concerning the charges. If so, the witnesses will be sworn, will testify, and will be subject to cross examination and to questioning by the Presiding Officer and/or by the Board (or the impartial board). The student may also choose to make a statement at this time. If the student chooses to make a statement, the student will be sworn and subject to cross examination and questioning by the Presiding Officer and/or by the Board (or the impartial board). Concluding statements will be made by the Administration and then by the student and/or the student's representative.
10. In cases where the student has denied the allegation, the Board (or the impartial board) must determine whether the student committed the offense(s) as charged by the Superintendent or designee.
11. If the Board (or the impartial board) determines that the student has committed the conduct as alleged, then the Board (or the impartial board) shall proceed with the second portion of the hearing, during which the Board (or the impartial board) will receive and consider relevant evidence regarding the length and conditions of expulsion.
12. When considering the length and conditions of expulsion, the Board (or the impartial board) may review the student's attendance, academic and past disciplinary records. The Board (or the impartial board) may not review notices of prior expulsions or suspensions which have been expunged from the student's cumulative record, except as so provided in Section VI.A (9), (10), (11), above, and Section X, below. The Board (or the impartial board) may ask the Superintendent or designee for a recommendation as to the discipline to be imposed.
13. Evidence of past disciplinary problems that have led to removal from a classroom, suspension or expulsion of a student being considered for expulsion may be considered only during the second portion of the hearing, during which the Board (or the impartial board) is considering length of expulsion and nature of alternative educational opportunity to be offered.
14. Where administrators presented the case in support of the charges against the student, neither such administrative staff nor the Superintendent or designee shall not be present during the deliberations of the Board (or the impartial board) either on

questions of evidence or on the final discipline to be imposed. The Superintendent or designee may, after reviewing the incident with administrators, and reviewing the student's records, make a recommendation to the Board (or the impartial board) as to the appropriate discipline to be applied.

15. The Board (or the impartial board) shall make findings as to the truth of the charges, if the student has denied them; and, in all cases, the disciplinary action, if any, to be imposed. While the hearing itself is conducted in executive session, the vote regarding expulsion must be made in open session and in a manner that preserves the confidentiality of the student's name and other personally identifiable information.
16. Except for a student who has been expelled based on possession of a firearm or deadly weapon as described in subsection IV.B(1) and (2) above, the Board (or the impartial board) may, in its discretion, shorten or waive the expulsion period for a student who has not previously been suspended or expelled, if the student completes a Board-specified program and meets any other conditions required by the Board (or the impartial board). The Board-specified program shall not require the student and/or the student's parents to pay for participation in the program.
17. The Board (or the impartial board) shall report its final decision in writing to the student, or if such student is a minor, also to the parent(s) or guardian(s), stating the reasons on which the decision is based, and the disciplinary action to be imposed. Said decision shall be based solely on evidence presented at the hearing. The parents or guardian or any minor student who has been expelled shall be given notice of such disciplinary action within twenty-four (24) hours of the time of the institution of the period of the expulsion.
18. The hearing may be conducted virtually, via video conference, at the direction of the Board (or the impartial board), in the event school buildings are closed to students or individuals are provided limited access to school buildings due to a serious health or other emergency. Any virtual hearing must provide the student the due process rights identified in this Subsection D.

E. ***Presence on School Grounds, on School Transportation, and Participation in School-Sponsored Activities During Expulsion:***

During the period of expulsion, the student shall not be permitted to be on school property or on school transportation, and shall not be

permitted to attend or participate in any school-sponsored activities, except for the student's participation in any alternative educational opportunity provided by the ~~D~~istrict in accordance with this policy, unless the Superintendent specifically ~~authorizes~~ provides written permission for the student to enter school property or school transportation for a specified purpose or to participate in a particular school-sponsored activity.

F. ***Stipulated Agreements:***

In lieu of the procedures used in this Section, the Administration and the parent(s) or legal guardian(s) of a student facing expulsion may choose to enter into a Joint Stipulation of the Facts and a Joint Recommendation to the Board concerning the length and conditions of expulsion. Such Joint Stipulation and Recommendation shall include language indicating that the parent(s) or legal guardian(s) understand ~~their~~ right to have an expulsion hearing held pursuant to these procedures, and language indicating that the Board, in its discretion, has the right to accept or reject the Joint Stipulation of Facts and Recommendation. If the Board ~~(or the impartial board)~~ rejects either the Joint Stipulation of Facts or the Recommendation, an expulsion hearing shall be held pursuant to the procedures outlined herein. If ~~the~~ student is eighteen years of age or older, the student shall have the authority to enter into a ~~Joint~~ Stipulation and Recommendation on the student's own behalf.

If the parties agree on the facts, but not on the disciplinary recommendation, the Administration and the parents (or legal guardians) of a student facing expulsion may also choose to enter ~~an~~ Joint Stipulation of the Facts and submit only the Stipulation of the Facts to the Board ~~(or the impartial board)~~ in lieu of holding the first part of the hearing, as described above. Such Joint Stipulation shall include language indicating that the ~~parents~~ parents and/or student over the age of 18 understand their right to have a hearing to determine whether the student engaged in the alleged misconduct and that the Board, in its discretion, has the right to accept or reject the Joint Stipulation of Facts. ~~the~~ Board ~~(or the impartial board)~~ rejects the Joint Stipulation of Facts, a full expulsion hearing shall be held pursuant to the procedures outlined herein.

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 student expelled for the first time if the student requests it and if the student agrees to the conditions set by the Board of Education (or the impartial board). Such alternative educational opportunity may include, but shall not be limited to, the placement of a student/pupil who is at least seventeen years of age in an adult education program. Any student/pupil participating in an adult education program during a period of expulsion shall not be required to withdraw from school as a condition to participation in the adult education program.
2. The Board 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 a second, or subsequent, time.
3. The Board of Education shall count the expulsion of a student/pupil when the student was under sixteen (16) years of age for purposes of determining whether an alternative educational opportunity is required for such student/pupil when the student 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. **Content of Alternative Educational Opportunity**

1. For the purposes of Section IX, and subject to Subsection IX.E, below, any alternative educational opportunity to which an expelled student is statutorily entitled shall be (1) alternative education, as defined by Conn. Gen. Stat. § 10-74j and in accordance with the Standards for Educational Opportunities for Students Who Have Been Expelled adopted by the Connecticut State Board of Education ("CSBE"), with an individualized learning plan, if the Board provides such alternative education, or (2) in accordance with the Standards for Educational Opportunities for Students Who Have Been Expelled adopted by the CSBE State Board of Education

2. The Superintendent, or designee, shall develop administrative regulations concerning alternative educational opportunities, which administrative regulations shall be in compliance with the standards adopted by the ~~CSBE~~ State Board of Education. Such administrative regulations shall include, but are not limited to, provisions to address student placement in alternative education; individualized learning plans; monitoring of students placements and performance; and a process for transition planning.
- E. ***Students identified as eligible for services under the Individuals with Disabilities Education Act ("IDEA"):***

Notwithstanding Subsections IX.A. through D. above, ~~the Board of Education~~ 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, and in accordance with ~~the standards for Educational Opportunities for Students Who Have Been Expelled~~ the standards for Educational Opportunities for Students Who Have Been Expelled adopted by the ~~CSBE~~ State Board of Education

- F. ***Students for whom an alternative educational opportunity is not required***

~~The Board of Education~~ The Board of Education may offer an alternative educational opportunity to a ~~student~~ pupil for whom such alternative educational opportunity is not required by law or as described in this policy. In such cases, the Board, or if delegated by the Board, ~~the Administration~~ the Administration, shall determine the components, including nature, frequency and duration of such services, of any such alternative educational opportunity.

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 of a student in grades nine through twelve, inclusive, based upon possession of a firearm or deadly weapon, shall be expunged from the cumulative educational record by the 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(16), above, the Board may choose to expunge the expulsion notice from the cumulative record at the time the student completes the Board-specified program and meets any other conditions required by the Board.



If a student's period of expulsion was not shortened or waived, the Board may choose to expunge the expulsion notice from the student's cumulative record prior to graduation if such student has demonstrated to the Board that the student's conduct and behavior in the years following such expulsion warrants an expungement. In deciding whether to expunge the expulsion notice, the Board may receive and consider evidence of any subsequent disciplinary problems that have led to removal from a classroom, suspension or expulsion of the student.

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 ~~D~~istrict while an expulsion hearing is pending in another public school district, such student shall not be excluded from school pending completion of the expulsion hearing unless an emergency exists, as defined above. The Board shall retain the authority to suspend the student or to conduct its own expulsion hearing.
2. Where a student enrolls in the ~~D~~istrict during the period of expulsion from another public school district, the Board may adopt the decision of the student expulsion hearing conducted by such other school district. The student shall be excluded from school pending such hearing. The excluded student shall be offered an ~~alternative~~ educational opportunity in accordance with statutory requirements. The Board ~~or the impartial board~~ shall make its determination pertaining to expulsion based upon a hearing held by the Board ~~or the impartial board~~ which hearing shall be limited to a determination of whether the conduct which was the basis of the previous public school district's expulsion would also warrant expulsion by the Board.

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 procedure 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 educational placement:

1. Upon the decision by the Administration to recommend expulsion or impose a suspension that would constitute a change in educational placement, the Administration shall promptly notify the parent(s)/guardian(s) of the student of the recommendation of expulsion or the suspension that would constitute a change in educational placement, and provide the parents(s)/guardian(s) a

copy of the special education procedural safeguards either by hand-delivery or by mail (unless other means of transmission have been arranged).

2. The ~~school-D~~istrict shall immediately convene the student's planning and placement team ("PPT"), but in no case later than ten (10) school days after the recommendation for expulsion or the suspension that constitutes a change in placement was made. The student's PPT shall consider the relationship between the student's disability and the behavior that led to the recommendation for expulsion or the suspension which constitutes a change in placement, in order to determine whether the student's behavior was a manifestation of the student's disability.
3. If the student's PPT finds that the behavior was a manifestation of the student's disability, the Administration shall not proceed with the recommendation for expulsion or the suspension that constitutes a change in placement.
4. If the student's PPT finds that the behavior was not a manifestation of the student's disability, the Administration may proceed with the recommended expulsion or suspension that constitutes a change in placement.
5. During any period of expulsion, or suspension of greater than ten (10) days per school year, the Administration shall provide the student with an alternative education program in accordance with the provisions of the IDEA.
6. When determining whether to recommend an expulsion or a suspension that constitutes a change in placement, the ~~responsible building~~ administrator (or designee) should consider the nature of the misconduct and any relevant educational records of the student.

C. ***Removal of Special Education Students for Certain Offenses:***

1. ~~A responsible administrator~~~~School personnel~~ may remove a student eligible for special education under the IDEA to an appropriate interim alternative educational setting for not more than forty-five (45) school days if the student:
  - a. Was in possession of a dangerous weapon, as defined in 18 U.S.C. 930(g)(2), as amended from time to time, on

school grounds, on school transportation, or at a school-sponsored activity, or

- b. Knowingly possessed or used illegal drugs or sold or solicited the sale of a controlled substance while at school, on school transportation, or at a school-sponsored activity; or
- c. Has inflicted serious bodily injury upon another person while at school, on school premises, on school transportation, or at a school function.

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

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

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

- A. Except as provided in subsection B below, notwithstanding any provision to the contrary, if the Administration recommends for expulsion a student identified as eligible for educational accommodations under Section 504 who has violated any rule or code of conduct of the ~~school~~

~~D~~istrict 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 ~~D~~istrict shall immediately convene the student's Section 504 team ("504 team") for the purpose of reviewing the relationship between the student's disability and the behavior that led to the recommendation for expulsion. The 504 team will determine whether the student's behavior was a manifestation of the student's disability.
  3. If the 504 team finds that the behavior was a manifestation of the student's disability, the Administration shall not proceed with the recommended expulsion.
  4. If the 504 team finds that the behavior was not a manifestation of the student's disability, the Administration may proceed with the recommended expulsion.
- B. The Board may take disciplinary action for violations pertaining to the use or possession of illegal drugs or alcohol against any student with a disability who currently is engaging in the illegal use of drugs or alcohol to the same extent that such disciplinary action is taken against nondisabled students. Thus, when a student with a disability is recommended for expulsion based solely on the illegal use or possession of drugs or alcohol, the 504 team ~~shall not be required to meet~~ review the relationship between the student's disability and the behavior that led to the recommendation for expulsion.

#### XIV. Procedures Governing Expulsions for Students Placed in a Juvenile Detention Center

- A. Any student who commits an expellable offense and is ~~substantly~~ placed in a juvenile detention center or any other residential placement for such offense may be expelled by the Board in accordance with the provisions of this section. The period of expulsion shall run concurrently with the period of placement in juvenile detention center or other residential placement.
- B. If a student who committed an expellable offense seeks to ~~return to~~ ~~school~~ ~~D~~istrict after participating in a diversionary program or having been placed in a juvenile detention center ~~or~~ 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 readmission requests to the Superintendent. Students desiring readmission to school shall direct such readmission requests to the Superintendent. The Superintendent has the discretion to approve or deny such readmission requests, and may condition readmission on specified criteria.

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 Documentation and Reporting Requirements

- A. The ~~District Board of Education~~ shall include on all disciplinary reports the individual student's state-assigned student identifier (SASID).
- B. The ~~District Board of Education~~ shall report all suspensions and expulsions to the State Department of Education.
- C. If the ~~Board Board of Education~~ expels a student for sale or distribution of a controlled substance, as defined in Conn. Gen. Stat. § 21a-240(9), whose manufacture, distribution, sale, prescription, dispensing, transporting or possessing with the intent to sell or dispense, offering, or administration is the subject to criminal penalties under Conn. Gen. Stat. §§ 21a-277 and 21a-278, the ~~District 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.
- D. If the Board ~~of Education~~ expels a student for possession of a firearm, as defined in 18 U.S.C. § 921, or deadly weapon, dangerous instrument or martial arts weapon, as defined in Conn. Gen. Stat. § 53a-3, the ~~District Board~~ shall report the violation to the local police.

Legal References:

Connecticut General Statutes:

§ 10-16      Length of school year  
§ 10-74j     Alternative education

- §§ 4-176e through 4-180a and § 4-181a Uniform Administrative Procedures Act
- § 10-222d Safe school climate plans. Definitions. Safe school climate assessments
- §§ 10-233a through 10-233f Suspension and expulsion of students
- § 10-233/ Expulsion and suspension of children in preschool programs
- § 10-253 School privileges for children in certain placements, nonresident children, children in temporary shelters, homeless children and children in juvenile detention facilities. Liaison to facilitate transitions between school districts and juvenile and criminal justice systems.
- § 19a-342a Use of electronic nicotine delivery system or vapor product prohibited. Exceptions. Signage required. Penalties
- § 21a-240 Definitions
- § 21a-277 Penalty for illegal manufacture, distribution, sale, prescription, dispensing
- § 21a-278 Penalty for illegal manufacture, distribution, sale, prescription, or administration by non-drug-dependent person
- §§ 21a-408a through 408p Palliative Use of Marijuana
- § 29-35 Carrying of pistol or revolver without permit prohibited. Exceptions
- § 29-38 Weapons in vehicles
- § 53a-3 Definitions
- § 53-206 Carrying of dangerous weapons prohibited
- § 53-344 Sale or delivery of cigarettes or tobacco products to persons under twenty-one.
- § 53-344b Sale and delivery of electronic nicotine delivery system or vapor products to persons under twenty-one years of age

Public Act No. 21-46, "An Act Concerning Social Equity and the Health, Safety and Education of Children."

*Packer v. Board of Educ. of the Town of Thomaston*, 717 A.2d 117 (Conn. 1998).

*State v. Hardy*, 896 A.2d 755 (Conn. 2006).

*State v. Guzman*, 955 A.2d 72 (Conn. App. Ct. 2008).

Connecticut State Department of Education *Standards for Educational Opportunities for Students Who Have Been Expelled*, adopted January 3, 2018.

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Federal law:

Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq*, as amended by the Individuals with Disabilities Education Improvement Act of 2004, Pub. L. 108446.

Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794(a).

18 U.S.C. § 921 (definition of "firearm")

18 U.S.C. § 930(g)(2) (definition of "dangerous weapon")

18 U.S.C. § 1365(h)(3) (identifying "serious bodily injury")

21 U.S.C. § 812(c) (identifying "controlled substances")

34 C.F.R. § 300.530 (defining "illegal drugs")

Gun-Free Schools Act, 20 U.S.C. § 7961

*Honig v. Doe* 484 U.S. 305 (1988)

ADOPTED: 10-19-2022

REVISED: TBD

~~11/10/2021~~

5/2/2023



**ADMINISTRATIVE REGULATIONS REGARDING ALTERNATIVE EDUCATIONAL OPPORTUNITIES FOR EXPELLED STUDENTS**

I. Applicability of these Administrative Regulations

These administrative regulations shall apply in cases when, pursuant to state law, a student in the Branford Public Schools (the "District") is entitled to an alternative educational opportunity during a period of expulsion.

II. Responsible Personnel

The ~~administrator responsible for a school program ("responsible administrator") building principal of the school~~ from which the student has been expelled, or designee(s), shall maintain responsibility for compliance with these administrative regulations relative to the individual student who is being provided with the alternative educational opportunity.

III. Student Placement Procedures

A. After a student has been expelled, and unless extraordinary circumstances exist, the ~~responsible administrator building principal~~ or designee(s), will take the following steps:

1. Meet with the expelled student's parent(s)/guardian(s) prior to the student's placement in an alternative educational setting to provide information concerning the potentially appropriate alternative educational opportunities for the student and to inform the parent(s)/guardian(s) and student of the right to apply for early readmission to school in accordance with Conn. Gen. Stat. Section 10-233d(j).
2. Consult with relevant school personnel from the school from which the student was expelled, who are knowledgeable about the student, to obtain information regarding the student's academic, social, and behavioral history that will help inform the decision concerning an appropriate alternative educational opportunity. Such information may be gathered by written reports.
3. After placement options have been shared with the parent(s)/guardian(s), convene a placement meeting at which all alternative educational opportunities are explored and a placement decision is made.

- B. The educational programming and placement for expelled students who are eligible to receive special education and related services under the Individuals with Disabilities Education Act (“IDEA”) shall be determined by the student’s Planning and Placement Team (“PPT”). In such case, Subsection A above shall not apply.

#### IV. Individualized Learning Plan

##### A. Development of the Individualized Learning Plan

After the student has been accepted into an alternative educational placement, the ~~responsible administrator~~~~principal~~, or designee, will develop an Individualized Learning Plan (“ILP”) that will govern the programming for the student for the period of expulsion. To develop the ILP, the ~~responsible administrator~~~~principal~~, or designee, will collaborate with school personnel from the school or program from which the student was expelled, the student and the parent/guardian, and will review all relevant student records.

##### B. Contents of the Individualized Learning Plan

1. The ILP will reference student records with information relevant to the provision of an alternative educational opportunity. These records may include:
  - a. Student success plan (for students who have a student success plan as mandated by state law, the student success plan may inform the ILP but does not replace the ILP);
  - b. Individualized education program (“IEP”);
  - c. Section 504 Plan;
  - d. Individualized health care plan or emergency care plan; and/or
  - e. Other relevant academic and behavioral data.
2. The ILP will address the following:
  - a. The student’s academic and behavioral needs and appropriate academic and behavioral goals and interventions, including the student’s core classes at the time of expulsion and the student’s current placement or progress in the curriculum for those classes so that the student has an opportunity to continue to progress in the

- Board's academic program and earn graduation credits, if applicable;
- b. Benchmarks to measure progress towards the goals and ultimately, progress towards graduation;
  - c. Provision for the timing and method for reviewing the student's progress in the alternative educational opportunity and for communicating that progress to the parent/guardian or student. For most students, monitoring and reviewing the student's progress will include monitoring the student's attendance, work completion and progress toward meeting the relevant academic standards for particular coursework, and thus progressing toward graduation, if applicable. The student's progress and grades will be communicated to the parents/guardians or student with the same frequency as similar progress for students in the regular school environment is reported and communicated to parents/guardians or students. The student's progress and grades will also be reported to the school or program from which the student was expelled;
  - d. Provision for the timely transfer of the student's records both from the student's school or program to the alternative educational opportunity provider, and also from the alternative educational opportunity provider to the student's school or program; and
  - e. The possibility of early readmission to the school or program from which the student was expelled and the early readmission criteria, if any, established by the Board of Education or Superintendent, as applicable.

V. Review of Student's Placement in Alternative Educational Opportunity and Individualized Learning Plan

- A. A review of the appropriateness of the placement must occur at least once per marking period.
- B. The placement review must include:
  - 1. Review of the ILP to (1) assess progress and make adjustments as necessary and (2) determine its alignment with the goals of the student's IEP, where applicable; and

2. Consideration of opportunities for early readmission as set forth in the ILP, as established by the Board ~~of Education~~ or Superintendent, as applicable.

VI. Transition Plan for Readmission

- A. Before a student is readmitted to the school or program from which the student was expelled, relevant staff should provide an opportunity to meet with the parents/guardians and student to discuss the student's readmission. As part of the readmission process and the student's ILP, the responsible administrator ~~principal~~, or designee, should consider:
  1. Efforts to readmit the student at a semester starting point (at the high school level);
  2. A plan to transfer the student's credits and records back to the school or program from which the student was expelled:
    - a. The District will award an expelled high school student appropriate high school credit for work satisfactorily completed during the period the student participates in the alternative educational opportunity and will transfer relevant records back to the school or program from which the student was expelled;
    - b. The District will provide an expelled student transferring to a new school district a progress summary of all work completed during the course of the student's expulsion, and will indicate the course credit earned by the student for that work.
  3. The student's need for academic and other supports upon returning to school or program; and
  4. Efforts to connect the returning student with opportunities to participate in extracurricular activities.
- B. In the event the responsible administrator ~~principal~~, or designee, determines that a student's alternative educational opportunity is no longer beneficial to the student, but it remains inappropriate to return the student to the school or program from which the student was expelled, a plan for a different alternative educational opportunity may be developed in accordance with the procedures outlines in these Administrative Regulations.

Legal References:

Connecticut General Statutes:

Conn. Gen. Stat. § 10-233d

Federal law:

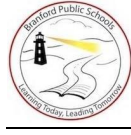
Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.*, as amended by the Individuals with Disabilities Education Improvement Act of 2004, Pub. L. 108446.

Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794(a).

Connecticut State Department of Education *Standards for Educational Opportunities for Students Who Have Been Expelled* (January 3, 2018).

ADOPTED: October 19, 2022  
REVISED: \_\_\_\_\_

~~5/2/2023~~ ~~4/10/2021~~



[BOE LETTERHEAD]

(Date)

CERTIFIED MAIL - RETURN RECEIPT REQUESTED & U.S. MAIL

(Parent) (If the Student is aged 18 or older, this notice should be sent directly to the student, with copies to the parent(s)).

(Parent's/Student's Address)

(Non-custodial Parent, if applicable)

(Parent's Address)

Re: Expulsion Hearing Concerning Student Name; D.O.B.; State Assigned Student Identifier (SASID)

Dear (Parent/Guardian)

In accordance with the (name of district) Board of Education Policy (policy # & title), I am writing to advise you that the (name of district) Board of Education (the "Board") will hold a formal hearing concerning your child, (name of student) to consider the recommendation of (name of administrator) that your child be expelled from school. [In cases where the district uses an impartial hearing board officer, add the following: Please be advised that the Board has appointed Attorney [Name] to serve as an impartial hearing board officer in this matter.] This hearing is being held pursuant to Section 10-233d [In cases where a preschool student is recommended for expulsion, add the following: and Section 10-233j] and Sections 4-76e to 4-180a, inclusive, and Section 4-81a of the Connecticut General Statutes and the (name of district) Board of Education Policy (policy # & title), a copy of which is enclosed. The Board (OR the impartial hearing board officer) intends to conduct the hearing in executive session, due to the confidential nature of this hearing.

The hearing will address the allegations that your child (on or off-campus conduct) violated Board Policy (cite Student Discipline Policy number and any other specific policy number on date) and seriously disrupted the educational process) (and/or, for on-campus conduct) (endangered persons or property) by engaging in the following conduct:

*(The law governing these hearings requires a short, plain statement of the facts to be included within this notice letter, and should be inserted here.)*

**Example: carrying a knife on the school bus on a specified date and brandishing it at other students on the bus).**

**(If the student has admitted to this conduct, note the admission here).**

The hearing has been scheduled for **date, time, place** **(note: unless an emergency exists, the this notice must be given to the student/parent/guardian at least five (5) business days before the hearing).** **(If a manifestation determination must be held prior to the expulsion hearing, add the following language: Prior to the expulsion hearing, your child's [planning and placement (PPT) team OR Section 504 team] will determine if your child's conduct constitutes a manifestation of the child's disability. The expulsion hearing will be canceled if the [PPT OR Section 504 team] determines that the conduct was a manifestation of your child's disability; otherwise, the hearing will proceed as scheduled.)** You and your child are asked to attend this hearing. Your child has the right to be represented by an attorney or other advocate at your expense, has the right to cross-examine administration witnesses, and may present relevant evidence, both documentary and testimonial, concerning the allegations. The hearing will be the parties' sole opportunity to present such evidence. The Board **(OR the impartial hearing board officer)** may also question witnesses. An opportunity will also be given for the administration and your child or your child's representatives to present argument concerning the evidence presented at the hearing. If you need the services of a translator or an interpreter for this hearing, please let me know as soon as possible.

Unless the administration has determined that an emergency exists, you have the right to have the expulsion hearing postponed for up to one week to allow time to obtain representation. If you would like to request a postponement, please let me know as soon as possible.

The administration may recommend expulsion from school for up to one calendar year. The Board **(OR the impartial hearing board officer)** has discretion to adopt any period of expulsion up to one calendar year.

As mentioned above, your child has a right to be represented, at your own expense, by an attorney or other advocate at the expulsion hearing. Obtaining an attorney or other advocate is the responsibility of the family. Very low income families may be able to obtain free or reduced-cost advice or legal representation through Statewide Legal Services, Inc. ("SLS"). To apply for such assistance, those families should contact SLS immediately at 800-453-3320.

In the event your child is expelled as a result of the scheduled hearing and your child is under sixteen (16) years of age, the Board will offer your child an alternative educational opportunity during any period of exclusion from school as determined by the Administration in accordance with applicable law and Board policy. Your child is

between sixteen (16) and eighteen (18) and has not been expelled before, the Board shall also offer to your child an alternative educational opportunity if your child wishes to continue their education. Please know however, that the Board is not required to offer an alternative educational opportunity to any student between sixteen (16) and eighteen (18) years of age who have previously been expelled or to students who are eighteen (18) years of age or older.

If you have any questions, please call my office at *(number)*

Sincerely,

*(Name of Superintendent)*  
*(Name of District)* Public Schools

Cc: *(Name of District)* Chairman, *(Name of District)* Board of Education  
*(Name of Special Education Director, where applicable)*  
*(Name of Responsible Administrator/Principal at school that student attends)*  
*(Name of Board of Education Attorney, where applicable)*  
*(Name of Administration's Attorney, where applicable)*

5/2/2023 ~~4/10/2021~~





## AGREEMENT

NAME OF SUPERINTENDENT, (Superintendent of Schools for NAME OF DISTRICT), NAME OF STUDENT and NAME(S) OF PARENT(S)/GUARDIAN(S) (the parent(s)/guardian(s) of NAME OF STUDENT) agree as follows with respect to the Superintendent's request that NAME OF STUDENT be expelled from \_\_\_\_\_ School:

1. NAME OF STUDENT (D.O.B. \_\_\_\_\_; SASID \_\_\_\_\_) is currently enrolled as a \_\_\_\_\_ grade student at \_\_\_\_\_ School.
2. NAME OF STUDENT admits having engaged in the following conduct *(insert a short, plain statement of the conduct)* or about \_\_\_\_\_, 20\_\_.
3. NAME OF STUDENT's conduct, as described above, violates \_\_\_\_\_ Board of Education Policy \_\_\_\_\_ (Student Discipline) *(cite other policies here as appropriate)* and is considered by the district administration to be seriously disruptive of the educational process *(conduct that occurs on school grounds, school transportation or at a school-sponsored activity, you may alternatively or additionally state whether such conduct is considered to endanger persons or property). (If the student has admitted to this conduct, note the admission here).*
4. Students are notified of applicable Board policies regarding prohibited conduct by publication in the student handbook.
5. *(Optional Section for students with disabilities)* A manifestation determination was made on *(date)* concerning this conduct and it was determined that the conduct was not a manifestation of the student's disability.
6. Students are notified of applicable Board policies regarding prohibited conduct by publication in the student handbook.
7. Subject to the approval of the \_\_\_\_\_ Board of Education (the "Board"), NAME OF STUDENT shall be expelled, effective \_\_\_\_\_, 20\_\_ and continuing through \_\_\_\_\_, 20\_\_, under the following conditions:
  - a) During the period of expulsion, the Board will provide NAME OF STUDENT with an alternative education opportunity deemed appropriate by the Administration in accordance with applicable law and Board policy.

**(Optional alternative language if the parties agree to an alternative educational opportunity other than that required by the state standards:**

The NAME OF PARENT(S) and NAME OF STUDENT understand and acknowledge that, pursuant to Section 10-233d of the Connecticut General Statutes, NAME OF STUDENT is entitled to an alternative educational opportunity during the Expulsion Period which shall be (1) alternative education, as defined by Section 10-74j of the Connecticut General Statutes, with an individualized learning plan, if the Board provides such alternative education, or (2) in accordance with the standards adopted by the State Board of Education, pursuant to section 3 of public act 17-220 (a "Statutory Alternative Educational Opportunity"). The NAME OF PARENT(S) and NAME OF STUDENT hereby waive NAME OF STUDENT's right to a Statutory Alternative Educational Opportunity and accordingly waive the application of the *Standards of Educational Opportunities for Students Who Have Been Expelled* adopted by the Connecticut State Board of Education, and the Board's Administrative Regulations concerning the implementation of said standards. In lieu of a Statutory Alternative Educational Opportunity, the NAME OF PARENT(S) and NAME OF STUDENT agree that during the Expulsion Period, the Board will provide NAME OF STUDENT with an alternative educational opportunity as follows:

*[Describe alternative educational opportunity agreed to by parties.]*

If NAME OF STUDENT becomes ineligible to attend the \_\_\_\_\_ Public Schools pursuant to Board Policy and/or if the Parents withdraw NAME OF STUDENT from enrollment as a student at [name of school], the Board will have no obligation to provide NAME OF STUDENT with the alternative educational opportunity described herein.

- b) During the period of expulsion, NAME OF STUDENT will not be permitted to be on school grounds or school transportation, and will not be permitted to attend or participate in any school-sponsored activities, except as authorized in writing in advance by the Superintendent of Schools.

*(Optional Sections regarding early readmission):*

- c) Prior to \_\_\_\_\_, the Superintendent will review NAME OF STUDENT's conduct, attendance and effort level in the alternative educational opportunity [list other conditions as applicable], for the purpose of determining, in the Superintendent's sole discretion, whether NAME OF STUDENT should be readmitted to school on or about \_\_\_\_\_.
- d) If the Superintendent determines that NAME OF STUDENT should be readmitted to school early in accordance with the preceding section, and if NAME OF STUDENT subsequently commits any offense that would warrant suspension and/or expulsion under the policies of the Board, the Superintendent may reinstate NAME OF STUDENT's expulsion for the remainder of the expulsion period, through (date) without the need for any further proceedings before the Board.

*(Optional Section for expungement if the expulsion is the student's first expulsion):*

- e) Prior to *(date)* the Superintendent will review NAME OF STUDENT's conduct, attendance and effort level since the expulsion, for the purpose of determining, in the Superintendent's sole discretion, whether the expulsion hearing record of NAME OF STUDENT should be expunged from NAME OF STUDENT's educational record as *(date)*
8. All parties to this Agreement request that this Agreement be presented to the Board for the Board consideration, in lieu of the submission of any other evidence by the Superintendent and/or NAME OF STUDENT or NAME OF STUDENT's parents, and they agree that this Agreement is sufficient for the Board to expel NAME OF STUDENT from school.
9. NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) understand and acknowledge that, pursuant to Section 10-203d of the Connecticut General Statutes and Board Policy, NAME OF STUDENT is entitled to an expulsion hearing before the \_\_\_\_\_ Board of Education to contest NAME OF STUDENT's proposed expulsion from the \_\_\_\_\_ Public Schools. NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) further understands and acknowledges that at such hearing NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) would have the right to call witnesses and to introduce documentary evidence, to cross examine witnesses called by the Administration, and to be represented by an attorney or other advocate at their own expense. Accordingly, NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) waive NAME OF STUDENT's right to an expulsion hearing pursuant to Section 10-203d of the Connecticut General Statutes.
10. The Superintendent, NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) understand that this Agreement is subject to the approval of the Board. In the event that the Board does not approve this Agreement, the Superintendent, NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) agree that the expulsion hearing concerning NAME OF STUDENT shall be rescheduled to a mutually agreed date for the purposes of conducting an evidentiary hearing before the Board concerning the Superintendent's expulsion request. NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) agree that NAME OF STUDENT will remain out of school until the evidentiary hearing has been completed. NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) also agree that the Board's consideration of this proposed Agreement will not disqualify any member of the Board from serving as a Board member in the evidentiary hearing, and they hereby waive any right to make such a claim in any proceeding in any forum.
11. NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) enter into this Agreement voluntarily and with a full understanding of the provisions of this Agreement.

\_\_\_\_\_  
 NAME OF SUPERINTENDENT  
 Superintendent of Schools

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

\_\_\_\_\_  
 NAME OF STUDENT  
 Student

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

\_\_\_\_\_  
NAME OF PARENT/GUARDIAN  
OF STUDENT

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

\_\_\_\_\_  
NAME OF PARENT/GUARDIAN  
OF STUDENT

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

| 5/2/2023~~11/10/2021~~



**Note: This is a sample Individualized Learning Plan drafted in accordance with the Standards for Educational Opportunities for Students Who Have Been Expelled, which was approved by the State Board of Education on January 3, 2018. The specific goals and benchmarks can be customized to meet the needs of individual students.**

### Branford Public Schools Individualized Learning Plan

Student Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_ Gr. \_\_\_\_\_

School/Program Prior to Expulsion: \_\_\_\_\_ SASID: \_\_\_\_\_

Does the student have an Individualized Education Program?  Yes  No

Does the student have a Section 504 Plan?  Yes  No

#### Records Reviewed with Relevant Information for the Provision of an Alternative Educational Opportunity

<input type="checkbox"/> Student Success Plan	<input type="checkbox"/> Report Cards and Current Grades
<input type="checkbox"/> Individualized Education Program (IEP)	<input type="checkbox"/> Attendance Records
<input type="checkbox"/> Behavioral Intervention Plan (BIP)	<input type="checkbox"/> Disciplinary/Behavioral Records
<input type="checkbox"/> Section 504 Plan	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Individualized Health Care Plan/Emergency Care Plan	<input type="checkbox"/> Other: _____

#### ILP Developed Through Collaboration With (check all that apply):

Parent/Guardian: \_\_\_\_\_  Teacher: \_\_\_\_\_

<input type="checkbox"/> Parent/Guardian: _____	<input type="checkbox"/> Teacher: _____
<input type="checkbox"/> Student: _____	<input type="checkbox"/> Other (specify): _____
<input type="checkbox"/> Administrator: _____	<input type="checkbox"/> Other (specify): _____
<input type="checkbox"/> School Counselor: _____	<input type="checkbox"/> Other (specify): _____

**Records Transferred**

Date of transfer of relevant student records from the student's school/ <u>program</u> to provider of alternative educational opportunity: _____	Date of transfer of records from provider of alternative educational opportunity to the student's school/ <u>program</u> : _____
--	--

**Records Distribution and Storage**

Copies of the Individualized Learning Plan will be distributed to the following locations and/or individuals and stored in accordance with the District's student records policy:

Student's cumulative file

The Student's receiving school or alternative educational placement

Student's parent/guardian

*[Note: Districts should insert or delete locations where this record may be kept in accordance with their student records policies and practices]*

**Student's Classes Prior to Expulsion**

Core Class	Placement/Progress in Class at Time of Expulsion <i>(e.g. current grade, current unit, etc.)</i>

**Note: If the student receives special education and related services, the alternative educational opportunity provider must also refer to the student's IEP.**

**NEEDS**

Academic Needs	
<input type="checkbox"/> See IEP (if applicable)	
<input type="checkbox"/> Other:	

Behavioral Needs	
<input type="checkbox"/> See IEP (if applicable)	
<input type="checkbox"/> Other:	

**GOALS**

Academic Goals		
<input type="checkbox"/> See IEP (if applicable)	<input type="checkbox"/> Satisfactory work completion	<input type="checkbox"/> Satisfactory progress in coursework and toward meeting relevant academic standards
<input type="checkbox"/> Other:		

Benchmarks to Measure Progress Toward Academic Goals		
<input type="checkbox"/> See IEP (if applicable)	<input type="checkbox"/> Passing grades on midterm progress reports	<input type="checkbox"/> Passing grades on report card reports
<input type="checkbox"/> Other:		
Progress monitoring mm/dd/yy:		

Behavioral Goals		
<input type="checkbox"/> See IEP (if applicable)	<input type="checkbox"/> Satisfactory attendance	<input type="checkbox"/> Satisfactory compliance with behavioral expectations and disciplinary policies
<input type="checkbox"/> Other:		

Benchmarks to Measure Progress Toward Behavioral Goals		
<input type="checkbox"/> See IEP ( <i>if applicable</i> )	<input type="checkbox"/> Fewer than ____ teacher referrals to administration for disciplinary matters	<input type="checkbox"/> Fewer than ____ contacts to parents/guardians for disciplinary matters
<input type="checkbox"/> Attends alternative program ____% or more of scheduled days/sessions.		<input type="checkbox"/> Other:
Progress monitoring mm/dd/yy:		

**INTERVENTIONS**

Academic Interventions	
<input type="checkbox"/> See IEP ( <i>if applicable</i> )	<input type="checkbox"/> See Section 504 Plan ( <i>if applicable</i> )
<input type="checkbox"/> Tier 1 _____	<input type="checkbox"/> Tier 2 _____
<input type="checkbox"/> Tier 3 _____	
<input type="checkbox"/> Other:	

Behavioral Interventions	
<input type="checkbox"/> See IEP ( <i>if applicable</i> )	<input type="checkbox"/> See Section 504 Plan ( <i>if applicable</i> )
<input type="checkbox"/> Tier 1 _____	<input type="checkbox"/> Tier 2 _____
<input type="checkbox"/> Tier 3 _____	
<input type="checkbox"/> Other:	



## Review and Communication of Progress to Parents/Guardians or Student

**Method of monitoring and review:** *(for most students, monitoring and reviewing progress will include monitoring the student's attendance, work completion, and progress toward meeting the relevant academic standards for particular coursework, and thus progressing toward graduation, if applicable)*

- Monitoring attendance
- Monitoring work completion
- Monitor progress toward meeting relevant academic standards
- Review and monitor progress in accordance with IEP and/or BIP (if applicable)
- Other: \_\_\_\_\_

**Timing for communication of progress to parents/guardians or student:** *(Progress must be communicated to the parent/guardian or student with the same frequency as similar progress for students in the regular school environment is reported and communicated to parents/guardians or students)*

- Each marking period
- Other: \_\_\_\_\_

## Early Readmission

The expulsion decision contains the following early readmission criteria:

- The student may apply to the Board of Education for early readmission and such readmission shall be at the discretion of the Board of Education.
  - The student applied to the Board of Education for early readmission on \_\_\_\_\_ and the Board of Education granted the request and has conditioned such early readmission on the following criteria:
    - The student applied to the Board of Education for early readmission on \_\_\_\_\_ and early readmission was not granted.
- The student may apply to the Superintendent for early readmission and such readmission shall be at the discretion of the Superintendent.

- The student applied to the Superintendent for early readmission on \_\_\_\_\_ and the Superintendent granted the request and has conditioned such early readmission on the following criteria:
- The student applied to the Superintendent for early readmission on \_\_\_\_\_ and early readmission was not granted.

### Review of Placement and ILP:

A review of the appropriateness of the placement must occur at least once per marking period. Such review must include:

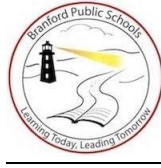
- Review of the ILP to (1) assess progress and make adjustments as necessary and (2) determine its alignment with the goals of the student's IEP, where applicable.
- Consideration of opportunities for early readmission as set forth in the ILP (see Early Readmission section)

### Transition Plan for Readmission:

The following has been considered and, where appropriate, addressed:

- Efforts to readmit the student at a semester starting point (at the high school level)
- A plan to transfer the student's credits and record back to the student's school program
- The student's need for academic and other supports upon returning to school program
- Efforts to connect the student with opportunities to participate in extracurricular activities

5/2/2023



## **Instruction**

**6150 P**

### **WEIGHTED GRADING AND CALCULATION OF GRADE POINT AVERAGES**

The Branford Board of Education (the “Board”) understands the importance of parents and students understanding the manner in which grade point averages are calculated within the Branford Public Schools (the “District”). In accordance with Connecticut law, this policy shall explain the manner in which grade point averages are calculated within the District.

#### **I. Calculation of Grade Point Average and Class Rank Percentile for Purposes of the Connecticut Automatic Admissions Program**

The Board understands its obligation under state law to identify students in the District who are eligible for the Connecticut Automatic Admissions Program (“CAAP”).

In accordance with state law, for each student who completes eleventh grade, the District will: (1) calculate a grade point average using the standardized method established by the Board of Regents for Higher Education (“BOR”) for purposes of the CAAP (“CAAP GPA”), and (2) determine whether such student’s class rank percentile is above or below the minimum established by the BOR. The District shall share a student’s CAAP GPA and whether the student is above or below the minimum class rank percentile for the CAAP with the student, the student’s parent or guardian, the Connecticut State Department of Education (“CSDE”), and, upon request, a participating institution for purposes of applying to such institution under the CAAP.

The District shall notify each student enrolled in the student’s final year of high school, and the parent or guardian of such student, whether the student may be admitted to at least one participating institution under the CAAP based on the academic threshold established by such institution.

The District shall calculate each student’s CAAP GPA, identify institutions to which students are eligible for automatic admission under the CAAP, and generate student letters in accordance with guidance issued by the CSDE, as such guidance may be amended from time to time.

#### **II. Calculation of Calculating Grade Point Averages For All Other Purposes**

The Board believes that, due to the rigorous nature of certain classes, the grades earned in such classes deserve additional weight for purposes of calculating grade point average and determining class rank. These rigorous classes include the following: honors classes, advanced placement classes, dual credit or early college. Therefore, it

is the policy of the Board to grant grades earned in such courses additional weight for the aforementioned purposes.

A student's grade point average shall be calculated in the following manner:

Official Grade Point Average (GPA) will be determined at the end of the seventh semester. Only grades earned in Branford High School will be included in calculating weighted and unweighted GPA. Students must be enrolled in Branford High School for at least three semesters (including junior year) and have earned 7.5 credits in "core academic courses" in order to receive a GPA.

Courses will be designated "Standard," "Honors," or "AP," the last to include advanced placement classes, dual credit or early college credits. Grades of a C or lower will not be weighted differently depending on the course designation. Grades of a C+ or higher will receive different weighting depending on the course designation, with grades in courses identified as "AP" receiving the greatest weight. The precise weighting of grades shall be provided on annual basis in the Student Handbook.

The Superintendent or designee shall be responsible for implementing this policy and developing procedures in furtherance of this policy, if necessary.

Legal Reference:

Connecticut General Statutes § 10-220g

Connecticut General Statutes § 10-220q

Connecticut General Statutes § 10a-11h

Connecticut State Department of Education, *Information and Resources to Support Connecticut School for the Connecticut Automatic Admissions Program (CAAP)*, available at <https://portal.ct.gov/SDE/Performance/Information-and-Resources-to-Support-Connecticut-Schools-for-CT-Automatic-Admissions-Program>

ADOPTED: 10-19-2022

REVISED:

12/22/2023



Instruction

6150 P

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~~Connecticut General Statutes § 10-220q~~

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~~Connecticut State Department of Education, Information and Resources to Support Connecticut School for the Connecticut Automatic Admissions Program (CAAP), available at <https://portal.ct.gov/SDE/Performance/Information-and-Resources-to-Support-Connecticut-Schools-for-CT-Automatic-Admissions-Program>~~

~~Public Act 21-199, "An Act Concerning Various Revisions and Additions to the Statutes Relating to Education and Workforce Development"~~

ADOPTED: 10-19-2022

REVISED:

| 12/22/2023~~7/15/2021~~