

**BRANFORD BOARD OF EDUCATION
POLICY COMMITTEE**

WEDNESDAY 8:00 PM* November 13, 2024	Walsh Intermediate School Collaboration & Innovation Center (Room 112)* 85 Damascus Road, Branford, CT 06405
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***Please Note: Time and Location Change**

To locate agendas and to access/view meetings please go to <https://www.branfordschools.org/>

Community Agreement

The Board of Education is committed to supporting the mission, vision, core values and global learning competencies of the Branford Public Schools. We are here to provide access for all students in close collaboration with the Superintendent and in partnership with the larger community.

A G E N D A

- I. Call to Order**
- II. Public Comments**
- III. Approval of Minutes**
- IV. Discussion/Action Items**
 - A. 5300 – Administration of Medications**
 - B. 5750 – FAFSA Completion Rates**
 - C. 5800 – Student Discipline**
- 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.

11.13.24

Memo

To:

Branford Board of Education
Policy Committee

From:

Allison K. Moran,
Assistant Superintendent of
Schools

Re:

Recommended Policy Revisions

CC:

Christopher Tranberg, Ph.D.,
Superintendent of Schools

Blaize Levitan, Chief Operating
Officer

BPS Administration

Recommended Policy Revisions

The following policy changes include necessary revisions based on statutory and/or regulatory changes, citation updates, and best practices. The changes have been made based upon Shipman's model policies and have been prioritized for November due to their timeliness.

5800 Student Discipline

Notes from Shipman & Goodwin

We have revised this policy to reflect a number of changes made by Public Act 24-45 and Public Act 24-93 related to student discipline. Relevant sections of Public Acts 24-45 and 24-93 are included at the end of this memo.

Public Act 24-45:

- reduces the maximum number of consecutive days for in-school suspensions from ten to five;
- alters the out-of-school suspension requirements for students in preschool through grade two, limiting such out-of-school suspensions to five, rather than ten, consecutive days and permitting them only for behavior that "causes physical harm on school grounds," rather than behavior that was "of a violent or sexual nature;" and
- mandates that upon return to school from an out-of-school suspension, students in these early grades must receive specific intervention services, and the administration must consider whether a Planning and Placement Team (PPT) meeting is required to evaluate the need for potential special education services.

Public Act 24-93:

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- updates the notification requirements for expulsion hearings, stating that parents or guardians must be informed at least five business days before the hearing, excluding the day of the hearing; and
- introduces new parental notification requirements related to behavior intervention meetings requested by a teacher for a student whose behavior caused (1) a serious disruption to other students' instruction, (2) self-harm, or (3) physical harm to the teacher, another student, or staff in the teacher's classroom. We have revised the policy to reflect the new notification requirements.

[COMMITTEE 5800 Student Discipline P&R](#)

[REDLINE 5800 Student Discipline P&R](#)

5750 FAFSA Completion Rates

Notes from Shipman & Goodwin

Pursuant to legislation passed in 2023, beginning with the graduating class of 2025, students were required to meet certain requirements related to the FAFSA in order to graduate. Public Act 24-45 delays these requirements until the graduating class of 2027, and we have revised this policy to reflect this change.

[COMMITTEE 5750 FAFSA Completion Rates P&F](#)

[REDLINE 5750 FAFSA Completion Rates P&R](#)

5300 Administration of Medications

Notes from Shipman & Goodwin

Under Connecticut law, qualified school employees may administer epinephrine with a cartridge injector to a specific student with a medically diagnosed allergic condition that may require prompt treatment to protect the student against serious harm or death either (1) with the written medication order of an authorized prescriber and the written authorization of the student's parent or guardian or (2) in an emergency, without such prior written authorization, provided that a number of conditions are met.

The law previously required qualified school employees who administer epinephrine for purposes of emergency first aid *without prior written authorization* to annually complete the training program developed by the Departments of Education and Public Health in consultation with the School Nurse Advisory Council described in Connecticut General Statutes Section 10-212g. Public Act 24-93 expands this requirement to explicitly include employees who administer epinephrine *with the written authorization* of a parent or guardian and authorized prescriber. We have edited the policy to reflect this change.

[COMMITTEE 5300 Administration of Medication P.pdf](#)

[REDLINE 5300 Administration of Medication P](#)

Public Act 24-25

Sec. 13. Subsections (c) and (d) of section 10-233a of the general statutes are repealed and the following is substituted in lieu thereof (*Effective July 1, 2024*):

(c) "In-school suspension" means an exclusion from regular classroom activity for no more than [ten] five 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.

(d) "Suspension" means an exclusion from school privileges or from transportation services only, [for no more than ten consecutive school days,] provided such exclusion shall not extend beyond the end of the school year in which such suspension was imposed.

Sec. 14. Subsection (g) of section 10-233c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2024*):

(g) On and after July 1, 2015, all suspensions pursuant to this section shall be in-school suspensions, except a local or regional board of education may authorize the administration of schools under its direction to impose an out-of-school suspension on any pupil in (1) grades three to twelve, inclusive, if, during the hearing held pursuant to subsection (a) of this section, (A) the administration determines that the pupil being suspended poses such a danger to persons or property or such a disruption of the educational process that the pupil shall be excluded from school during the period of suspension, or (B) the administration determines that an out-of-school suspension is appropriate for such pupil based on evidence of (i) previous disciplinary problems that have led to suspensions or expulsion of such pupil, and (ii) efforts by the administration to address such disciplinary problems through means other than out-of-school suspension or expulsion, including positive behavioral support strategies, or (2) grades preschool to two, inclusive, if during the hearing held pursuant to subsection (a) of this section, the administration (A) determines that an out-of-school suspension is appropriate for such pupil based on evidence that such pupil's conduct on school grounds is [of a violent or sexual nature that endangers persons] behavior that causes physical harm, (B) requires that such pupil receives services that are trauma-informed and developmentally appropriate and align with any behavioral intervention plan, individualized education program or plan pursuant to Section 504 of the Rehabilitation Act of 1973, as amended from time to time, for such pupil upon such pupil's return to school immediately following the out-of-school suspension, and (C) considers whether to convene a planning and placement team meeting for the purposes of conducting an evaluation to determine whether such pupil may require special education or related services. An out-of-school suspension imposed under subdivision (1) of this subsection shall not exceed ten school days, and an out-of-school suspension imposed under subdivision (2) of this subsection shall not exceed five school days. An in-school suspension may be served in the

school that the pupil attends, or in any school building under the jurisdiction of the local or regional board of education, as determined by such board. Nothing in this section shall limit a person's duty as a mandated reporter pursuant to section 17-101a to report suspected child abuse or neglect.

Public Act 24-93

(3) Unless an emergency exists, no pupil shall be expelled without a formal hearing held pursuant to sections 4-176e to 4-180a, inclusive, and section 4-181a, provided whenever such pupil is a minor, the notice required by section 4-177 and section 4-180 shall also be given to the parents or guardian of the pupil at least five business days before such hearing, not including the day of such hearing. If an emergency exists, such hearing shall be held as soon after the expulsion as possible. The notice shall include information concerning the parent's or guardian's and the pupil's legal rights and concerning legal services provided free of charge or at a reduced rate that are available locally and how to access such services. An attorney or other advocate may represent any pupil subject to expulsion proceedings. The parent or guardian of the pupil shall 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.

Sec. 11. Section 10-236c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2024*):

(a) A school principal or other school administrator shall notify a parent or guardian of a student whose behavior has caused a serious disruption to the instruction of other students, caused self-harm or caused physical harm to a teacher, another student or other school employee not later than twenty-four hours after such behavior occurs. Such notice shall include, but not be limited to, informing such parent or guardian that the teacher of record in the classroom in which such behavior occurred may request a behavior intervention meeting, as described in subsection (b) of this section.



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 extracurricular 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.

Paraeducator 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.

Qualified school employee means a principal, teacher, licensed athletic trainer, licensed physical or occupational therapist employed by a school district, coach or paraeducator.

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 who has been trained in the administration of medication in accordance with Section J of this policy. 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, in accordance with Section J of this policy, 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 paraeducator who has been trained in the administration of medication in accordance with Section J of this policy, 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 paraeducator 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 paraeducator, 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 paraeducator 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 paraeducator annually completes the training program established by the Connecticut State Department of Education and the Association of School Nurses of Connecticut as required by Connecticut General Statutes § 10-212a , 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 paraeducator 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 healthcare 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 Board 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 paraeducator;
 - 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 paraeducator(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, as described in Connecticut General Statutes § 10-212g.
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. filled 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 paraeducator(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* 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 paraeducator 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 paraeducator 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 paraeducators 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 paraeducators 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 paraeducators 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 paraeducator(s) who administer epinephrine pursuant to Sections B and 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, as described in Connecticut General Statutes § 10-212g.
4. The principal(s), teacher(s), licensed athletic trainer(s), licensed physical or occupational therapist(s), coach(es) and/or school paraeducator(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.
6. 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 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.24-93, “An Act Concerning Various and Assorted Revisions to the Education Statutes.”

Section 10-206

Section 10-212

Section 10-212a

Section 10-212g

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:

10/20/2022

**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
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.

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~~ Paraeducator 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.

Qualified school employee means a principal, teacher, licensed athletic trainer, licensed physical or occupational therapist employed by a school district, coach or paraeducator.

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 who has been trained in the administration of medication in accordance with Section J of this policy. 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, in accordance with Section J of this policy, 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~~ paraeducator who has been trained in the administration of medication in accordance with Section J of this policy, 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~~ **paraeducator** 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~~ **paraeducator**, 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~~ **paraeducator** 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~~ **paraeducator** annually completes the training program established by the Connecticut State Department of Education and the

Association of School Nurses of Connecticut as required by Connecticut General Statutes § 10-212a , 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~~ paraeducator 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 Board 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~~ **paraeducator**;
- (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~~ ~~paraeducator~~(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, as described in Connecticut General Statutes § 10-212g.
- (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~~ **paraeducator**(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) ~~(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* 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~~ **paraeducator** 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~~ **paraeducator** 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~~ **paraeducators** 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~~ **paraeducators** 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~~ **paraeducators** 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~~ **paraeducator**(s) who administer epinephrine ~~as emergency first aid~~, pursuant to ~~Section~~ **Sections B and 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, as described in Connecticut General Statutes § 10-212g.
- (4) The principal(s), teacher(s), licensed athletic trainer(s), licensed physical or occupational therapist(s), coach(es) and/or school ~~paraprofessional~~ **paraeducator**(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~~24-93, “An Act Concerning ~~Childhood Mental and Physical Health Services in Schools~~ Various and Assorted Revisions to the Education Statutes.” ”

Section 10-206

Section 10-212

Section 10-212a

~~Section 10-212c~~

Section 10-212g

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: September 20, 2023

10/20/2022

**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
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.

10/2022



Students

5750 P

POLICY TO IMPROVE COMPLETION RATES OF THE FREE APPLICATION FOR FEDERAL STUDENT AID (FAFSA)

The Branford Board of Education (the “Board”) understands that completion of the Free Application for Federal Student Aid (“FAFSA”) is an important step in the path to postsecondary education and is associated with higher rates of college enrollment. The Board is committed to improving the completion rates of the FAFSA for students enrolled in the Branford Public Schools (the “District”).

Program to Improve FAFSA Completion Rates

In order to improve the completion rates of the FAFSA by students enrolled in grade twelve in the District and students enrolled in the District’s adult education program, the District shall develop a systematic program through which students are educated about the purpose and content of the FAFSA, encouraged to complete the FAFSA, and assisted in the completion of the FAFSA, as may be necessary and appropriate. The Board directs the Superintendent or designee to develop administrative regulations in furtherance of this policy. The Board further directs the Superintendent or designee to conduct periodic assessments of such regulations, at least annually, to determine the effectiveness of such regulations in improving completion rates of the FAFSA.

FAFSA Graduation Requirements

Students graduating in 2027 and beyond are required to have satisfied one of the following prior to graduation:

1. completed a FAFSA;
2. for students without legal immigration status, completed and submitted to a public institution of higher education an application for institutional financial aid; or
3. completed a waiver of completion of the FAFSA and/or financial aid application, as applicable, on a form prescribed by the Commissioner of Education, signed by the student’s parent or guardian or signed by the student if the student is eighteen or older.

On and after March 15 of each school year, a principal, school counselor, teacher, or other certified educator may complete the waiver on behalf of any student who has not satisfied the above requirements if such principal, school counselor, teacher, or other certified educator affirms that they have made a good faith effort to contact the parent/guardian or student about completion of such applications.

Confidentiality of FAFSA

Any information contained in a FAFSA, held by the Board, shall not be a public record for purposes of the Freedom of Information Act and thus shall not be subject to disclosure under the provisions of section 1-210 of the Connecticut General Statutes.

Reporting of FAFSA Completion Rates

Each year, the Superintendent or designee will report to the Board the FAFSA completion rate for each high school in the District and for the District's adult education program.

Gifts, Grants and Donations to Implement Policy

The Board may accept gifts, grants and donations, including in-kind donations, to implement the provisions of this policy.

Legal References:

Conn. Gen. Stat. § 10a-11i

Conn. Gen. Stat. § 10-223m

Conn. Gen. Stat. § 10-221a

Conn. Gen. Stat. § 10-221z

Public Act No.24-25, "An Act Concerning Education Mandate Relief, School Discipline, and Disconnected Youth"

ADOPTED: 10-19-2022

REVISED:

8/28/2024

ADMINISTRATIVE REGULATIONS ADDRESSING IMPROVING THE COMPLETION RATES OF FAFSA

In order to improve the completion rates of the Free Application for Federal Student Aid (“FAFSA”) by students enrolled in the Branford Public Schools (the “District”) and students enrolled in the District’s adult education program, the District will:

- Track data from such students regarding FAFSA completion, including date of completion.
- Identify FAFSA coaches who will be assigned a caseload of students to assist students in completing the FAFSA, monitor their completion rates, and make a good faith effort to contact students graduating in 2027 and beyond or such students’ parent/guardian about completing the FAFSA.
- Provide incentives to students who have completed the FAFSA, which may include but are not limited to, spirit days and giveaways, if funding permits.
- Conduct annual presentations to students about the purpose and importance of the FAFSA and the District’s resources available to help students in completing the FAFSA.
- Provide professional development to identified District staff regarding the FAFSA and best practices for supporting students in completing the FAFSA.

Legal Reference:

Conn. Gen. Stat. § 10-221a

Conn. Gen. Stat. § 10-221z

Conn. Gen. Stat. § 10-223m

Public Act No.24-25, “An Act Concerning Education Mandate Relief, School Discipline, and Disconnected Youth”

8/28/2024



Students

5750 P

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In order to improve the completion rates of the FAFSA by students enrolled in grade twelve in the District and students enrolled in the District’s adult education program, the District shall develop a systematic program through which students are educated about the purpose and content of the FAFSA, encouraged to complete the FAFSA, and assisted in the completion of the FAFSA, as may be necessary and appropriate. The Board directs the Superintendent or designee to develop administrative regulations in furtherance of this policy. The Board further directs the Superintendent or designee to conduct periodic assessments of such regulations, at least annually, to determine the effectiveness of such regulations in improving completion rates of the FAFSA.

FAFSA Graduation Requirements

Students graduating in ~~2025~~ 2027 and beyond are required to have satisfied one of the following prior to graduation:

- (1) completed a FAFSA;
- (2) for students without legal immigration status, completed and submitted to a public institution of higher education an application for institutional financial aid; or
- (3) completed a waiver of completion of the FAFSA and/or financial aid application, as applicable, on a form prescribed by the Commissioner of Education, signed by the student’s parent or guardian or signed by the student if the student is eighteen or older.

On and after March 15 of each school year, a principal, school counselor, teacher, or other certified educator may complete the waiver on behalf of any student who has not satisfied the above requirements if such principal, school counselor, teacher, or other certified educator affirms that they have made a good faith effort to contact the parent/guardian or student about completion of such applications.

Confidentiality of FAFSA

Any information contained in a FAFSA, held by the Board, shall not be a public record for purposes of the Freedom of Information Act and thus shall not be subject to disclosure under the provisions of section 1-210 of the Connecticut General Statutes.

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Each year, the Superintendent or designee will report to the Board the FAFSA completion rate for each high school in the District and for the District's adult education program.

Gifts, Grants and Donations to Implement Policy

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Legal References:

Conn. Gen. Stat. § 10a-11i

Conn. Gen. Stat. § 10-223m

Conn. Gen. Stat. § 10-221a

Conn. Gen. Stat. § 10-221z

Public Act No. ~~23-204~~24-25, "An Act Concerning ~~the State Budget for the Biennium Ending~~Education Mandate Relief, School Discipline, and Disconnected Youth"
~~June 30, 2025, and Making Appropriations Therefor, and Provisions Related to Revenue and Other Items Implementing the State Budget"~~

ADOPTED: 10-19-2022

REVISED: 6-5-2024

9/25/2023~~8/28/2024~~

ADMINISTRATIVE REGULATIONS ADDRESSING IMPROVING THE COMPLETION RATES OF FAFSA

In order to improve the completion rates of the Free Application for Federal Student Aid (“FAFSA”) by students enrolled in the Branford Public Schools (the “District”) and students enrolled in the District’s adult education program, the District will:

- Track data from such students regarding FAFSA completion, including date of completion.
- Identify FAFSA coaches who will be assigned a caseload of students to assist students in completing the FAFSA, monitor their completion rates, and make a good faith effort to contact students graduating in ~~2025-2027~~ and beyond or such students’ parent/guardian about completing the FAFSA.
- Provide incentives to students who have completed the FAFSA, which may include but are not limited to, spirit days and giveaways, if funding permits.
- Conduct annual presentations to students about the purpose and importance of the FAFSA and the District’s resources available to help students in completing the FAFSA.
- Provide professional development to identified District staff regarding the FAFSA and best practices for supporting students in completing the FAFSA.

Legal Reference:

[Conn. Gen. Stat. § 10-221a](#)

[Conn. Gen. Stat. § 10-221z](#)

Conn. Gen. Stat. § 10-223m

Public Act No. ~~23-204~~24-25, “An Act Concerning ~~the State Budget for the Biennium Ending June 30, 2025, and Making Appropriations Therefor, and Provisions Related to Revenue and Other Items Implementing the State Budget~~”Education Mandate Relief, School Discipline, and Disconnected Youth”

~~9/25/2023~~8/28/2024



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. Pursuant to this policy, the District shall promote the utilization of consistent discipline practices, both within and across schools in the District, while also promoting the consideration of individual circumstances arising in each student disciplinary matter. Where appropriate, the District implements strategies that teach, encourage and reinforce positive student behavior that do not require engagement with the discipline system.

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 airsoft 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. **Generative Artificial Intelligence ("AI")** refers to a technology system, including but not limited to ChatGPT, capable of learning patterns and relationships from data, enabling it to create content, including but not limited to text, images, audio, or video, when prompted by a user.
- J. **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.

- K. **In-School Suspension** means an exclusion from regular classroom activity for no more than five (5) 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.
- L. **Martial Arts Weapon** means a nunchaku, kama, kusari-fundo, octagon sai, tonfa or chinese star.
- M. **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.
- N. **School Days** shall mean days when school is in session for students.
- O. **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.
- P. **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.
- Q. **Suspension** means the exclusion of a student from school and/or transportation services only, 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.
- R. **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.

- S. 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.
- T. 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 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 may also consider **(5) whether the off-campus conduct involved the illegal use of drugs.**

- D. 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 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 staff members 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), including the use of AI to engage in such conduct.

11. Possession and/or use 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; the unauthorized use of AI for the completion of class assignments; 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, including using AI in a manner that disrupts or undermines the effective operation of the school district or is otherwise seriously disruptive to the educational process.
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 and/or sexual situation or activity for the purposes of recording it by electronic means and/ or recording such situation or activity by electronic means . Reporting recordings to school officials may warrant exceptions from disciplinary action in certain circumstances.
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, AI, 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 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. 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 District 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 IX 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 Behavior that Causes a Serious Disruption

- A. A school principal or other school administrator shall notify a parent or guardian of a student whose behavior has caused a serious disruption to the instruction of other students; caused self-harm; or caused physical harm to a teacher, another student, or other school employee not later than twenty-four (24) hours after such behavior occurs.
- B. Such notice shall include, but not be limited to, informing such parent or guardian that the teacher of record in the classroom in which such behavior occurred may request a behavior intervention meeting.
- C. If the teacher of record in the classroom ultimately requests a behavior intervention meeting with the crisis intervention team for the school, the parent or guardian must be notified that such meeting will occur.
- D. If a behavior intervention meeting occurs, the crisis intervention team shall, not later than seven (7) days after the behavior intervention meeting, provide to the parent or guardian of such student, in the dominant language of such parent or guardian, a written summary of such meeting, including, but not limited to, the resources and supports identified.

VI. 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.

VII. 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 the following: five (5) consecutive school days for an in-school suspension; ten (10) consecutive school days for an out-of-school suspension for students in grades three through twelve, inclusive; or five (5) consecutive school days for an out-of-school suspension for students in grades preschool to two, inclusive. In cases where suspension is contemplated, the following procedures shall be followed.
 - 1. Unless an emergency situation exists, no student shall be suspended prior to having an informal hearing before the responsible administrator or the administrator's designee at which the student is informed of the alleged misconduct 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 student:
 - 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 District 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
 - (i) determines that an out-of-school suspension is appropriate for such students based on evidence that such student's conduct on school grounds is behavior that caused physical harm;
 - (ii) requires that such student receives services that are trauma-informed and developmentally appropriate and align with any behavioral intervention plan, individualized education program ("IEP") or plan pursuant to Section 504 of the Rehabilitation Act of 1973 ("Section 504") for such student upon such student's return to school immediately following the out-of-school suspension; and
 - (iii) considers whether to convene a Planning and Placement Team ("PPT") meeting for the purposes of conducting an evaluation to determine whether such student may require special education or related services.
- 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 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. The Superintendent may delegate this authority to building or program level administrators.
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 VII.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. The Superintendent may delegate this authority to building or program level administrators.
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.

VIII. 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.

IX. 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, not including the day of 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 Superintendent or designee.

- 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 Superintendent or designee.
- 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 Superintendent or designee 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 Superintendent or designee 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 Superintendent or designee 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 Superintendent or designee has presented the Administration's 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 Superintendent or designee, 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 Superintendent or designee, the Presiding Officer and/or by the Board (or the impartial board). Concluding statements will be made by the Superintendent or designee 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 VII.A (9), (10), (11), above, and Section XI, 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 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 or designee 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 Superintendent or designee 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 Superintendent or designee 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.

X. 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 SectionX, and subject to SubsectionX.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 SubsectionsX.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.

XI. 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 District if the student graduates from high school.

In cases where the student's period of expulsion is shortened or waived in accordance with Section IX.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. Except as may be specified by the Board in an expulsion hearing decision, the Board delegates the authority to make decisions pertaining to expungement to the Superintendent.

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. Except as may be specified by the Board in an expulsion hearing decision, the Board delegates the authority to make decisions pertaining to expungement to the Superintendent.

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.

XII. 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. The procedures outlined above in Section VIII are 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 shall be utilized for any hearing conducted under this section.
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. The procedures outlined above in Section IX are 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 shall be utilized for any hearing conducted under this section.
3. *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.

XIII. 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 a responsible administrator 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 responsible administrator 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 XIII.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.

XIV. Procedures Governing Expulsions for Students Identified as Eligible under 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.

5. 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.

XV. 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.

XVI. 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.

XVII. 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.

XVIII. 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 24-45, “An Act Concerning Education Mandate Relief,
School Discipline and Disconnected Youth.”

Public Act 24-93, “An Act Concerning Various and Assorted Revisions
to the Education Statutes.”

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)

U.S. Department of Education Office for Civil Rights, U.S. Department
of Justice Civil Rights Division, Resource on Confronting Racial
Discrimination in Student Discipline (May 2023)

ADOPTED: 10-19-2022

REVISED:

8/14/2024

COMMITTEE NOV 13

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 outlined 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 10-233l]* 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, this notice must be given to the student/parent/guardian at least five (5) business days before the hearing, not including the day of such 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)

8/14/2024



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: _____

Date: _____

NAME OF STUDENT
Student

NAME OF PARENT/GUARDIAN
OF STUDENT

Date: _____

NAME OF PARENT/GUARDIAN
OF STUDENT

Date: _____

5/2/2023

COMMITTEE NOV 13



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):

<input type="checkbox"/> Parent/Guardian: _____	<input type="checkbox"/> Teacher: _____
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<input type="checkbox"/> Parent/Guardian: _____ <input type="checkbox"/> Student: _____ <input type="checkbox"/> Administrator: _____ <input type="checkbox"/> School Counselor: _____	<input type="checkbox"/> Teacher: _____ <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Other (specify): _____
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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: _____
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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 (e.g. current grade, current unit, etc.)

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 (<i>if applicable</i>)
<input type="checkbox"/> Other:

Behavioral Needs
<input type="checkbox"/> See IEP (<i>if applicable</i>)
<input type="checkbox"/> Other:

GOALS

Academic Goals		
<input type="checkbox"/> See IEP (<i>if applicable</i>)	<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 (<i>if applicable</i>)	<input type="checkbox"/> Passing grades on midterm progress reports	<input type="checkbox"/> Passing grades on report card
<input type="checkbox"/> Other:		
Progress monitoring mm/dd/yy:		

Behavioral Goals		
<input type="checkbox"/> See IEP (<i>if applicable</i>)	<input type="checkbox"/> Satisfactory attendance	<input type="checkbox"/> Satisfactory compliance with behavioral expectations and disciplinary policies

☐ Other:

Benchmarks to Measure Progress Toward Behavioral Goals

☐ See IEP (*if applicable*)

☐ Fewer than _____ teacher referrals to administration for disciplinary matters

☐ Fewer than _____ contacts to parents/guardians for disciplinary matters

☐ Attends alternative program _____% or more of scheduled days/sessions.

☐ Other:

Progress monitoring mm/dd/yy:

INTERVENTIONS

Academic Interventions

☐ See IEP (*if applicable*)

☐ See Section 504 Plan (*if applicable*)

☐ Tier 1 _____

☐ Tier 2 _____

☐ Tier 3 _____

☐ Other:

Behavioral Interventions

☐ See IEP (*if applicable*)

☐ See Section 504 Plan (*if applicable*)

☐ Tier 1 _____

☐ Tier 2 _____

☐ Tier 3 _____

☐ Other:

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COMMITTEE NOV 13

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



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. Pursuant to this policy, the District shall promote the utilization of consistent discipline practices, both within and across schools in the District, while also promoting the consideration of individual circumstances arising in each student disciplinary matter. Where appropriate, the District implements strategies that teach, encourage and reinforce positive student behavior that do not require engagement with the discipline system.

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 airsoft 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. **Generative Artificial Intelligence ("AI")** refers to a technology system, including but not limited to ChatGPT, capable of learning patterns and relationships from data, enabling it to create content, including but not limited to text, images, audio, or video, when prompted by a user.
- J. **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.

- K. **In-School Suspension** means an exclusion from regular classroom activity for no more than ~~ten five (10)-(5)~~ 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.
- L. **Martial Arts Weapon** means a nunchaku, kama, kusari-fundo, octagon sai, tonfa or chinese star.
- M. **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.
- N. **School Days** shall mean days when school is in session for students.
- O. **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.
- P. **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.
- Q. **Suspension** means the exclusion of a student from school and/or transportation services ~~for not more than ten (10) consecutive school days~~ only, 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.
- R. **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.

- S. 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.
- T. 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 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 may also consider (5) **whether the off-campus conduct involved the illegal use of drugs.**

- D. 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 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 staff members 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), including the use of AI to engage in such conduct.
11. Possession **and/or use** 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; the unauthorized use of AI for the completion of class assignments; 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, including using AI in a manner that disrupts or undermines the effective operation of the school district or is otherwise seriously disruptive to the educational process.
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 **and/or sexual situation or activity** for the purposes of recording it by electronic means; **and/ or recording such situation or activity** by electronic means ~~acts of violence for purposes of later publication (other than~~ **Reporting recordings to school officials) may warrant exceptions from disciplinary action in certain circumstances.**
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).~~ The unauthorized publication or dissemination of a recording (photographic or audio) of another individual without permission of the individual or a school employee. Reporting recordings may warrant exceptions from disciplinary action in certain circumstances.
37. Using computer systems, including email, remote learning platforms, instant messaging, text messaging, blogging or the use of social networking websites, AI, 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 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. 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 District 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~~ IX 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 Behavior that Causes a Serious Disruption

- A. A school principal or other school administrator shall notify a parent or guardian of a student whose behavior has caused a serious disruption to the instruction of other students; caused self-harm; or caused physical harm to a teacher, another student, or other school employee not later than twenty-four (24) hours after such behavior occurs.
- B. Such notice shall include, but not be limited to, informing such parent or guardian that the teacher of record in the classroom in which such behavior occurred may request a behavior intervention meeting.

- C. If the teacher of record in the classroom ultimately requests a behavior intervention meeting with the crisis intervention team for the school, the parent or guardian must be notified that such meeting will occur.
- D. If a behavior intervention meeting occurs, the crisis intervention team shall, not later than seven (7) days after the behavior intervention meeting, provide to the parent or guardian of such student, in the dominant language of such parent or guardian, a written summary of such meeting, including, but not limited to, the resources and supports identified.

~~V~~.VI. 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.

~~V~~IVII. 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 the following: five (5) consecutive school days for an in-school suspension; ten (10) consecutive school days for an out-of-school suspension for students in grades three through twelve, inclusive; or five (5) consecutive school days for an out-of-school suspension for students in grades preschool to two, inclusive. In cases where suspension is contemplated, the following procedures shall be followed.

1. Unless an emergency situation exists, no student shall be suspended prior to having an informal hearing before the responsible administrator or the administrator's designee at which the student is informed of the ~~charges~~ alleged misconduct 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~~ student:
 - 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 District 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
 - (i.) determines that an out-of-school suspension is appropriate for such students 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; is~~ behavior that caused physical harm;
 - (ii) requires that such student receives services that are trauma-informed and developmentally appropriate and align with any behavioral intervention plan, individualized education program ("IEP") or plan pursuant to Section 504 of the Rehabilitation Act of 1973 ("Section 504") for such student upon such student's return to school immediately following the out-of-school suspension; and
 - (iii) considers whether to convene a Planning and Placement Team ("PPT") meeting for the purposes of conducting an

evaluation to determine whether such student may require special education or related services.

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 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. The Superintendent may

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. The Superintendent may delegate this authority to building or program level administrators.

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

- B. In case of suspension

B.

~~VII~~VIII. 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~~IX. 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, **not including the day of 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 Superintendent or designee.
 - 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 Superintendent or designee.
 - 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 Superintendent or designee 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 Superintendent or designee 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 Superintendent or designee 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 Superintendent or designee has presented the Administration's 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 Superintendent or designee, 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 Superintendent or designee, the Presiding Officer and/or by the Board (or the impartial board). Concluding statements will be made by the Superintendent or designee 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~~~~VII~~.A (9), (10), (11), above, and Section ~~XI~~, 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 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 or designee 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 Superintendent or designee 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 Superintendent or designee 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.

~~IXX.~~ 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 ~~IXX~~, and subject to Subsection ~~IXX~~.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 ~~IXX~~.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.

~~XXI~~. 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 District 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~~X.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. Except as may be specified by the Board in an expulsion hearing decision, the Board delegates the authority to make decisions pertaining to expungement to the Superintendent.

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. Except as may be specified by the Board in an expulsion hearing decision, the Board delegates the authority to make decisions pertaining to expungement to the Superintendent.

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.

XIXII. 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. The procedures outlined above in Section VIII are 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 shall be utilized for any hearing conducted under this section.
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. The procedures outlined above in Section ~~VIII~~ IX are 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 shall be utilized for any hearing conducted under this section.

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.

~~XX~~**XIII.** 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 a responsible administrator 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 responsible administrator 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-
~~XX~~XIII.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.

~~XX~~XIV. 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~~**XV**. 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~~**XVI.** 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~~**XVII.** 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~~**XVIII.** 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 24-45, “An Act Concerning Education Mandate Relief, School Discipline and Disconnected Youth.”

~~Public Act No. 21-46~~ 24-93, “An Act Concerning ~~Social Equity and the Health, Safety and~~ Various and Assorted Revisions to the Education of ~~Children~~ Statutes.”

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)

U.S. Department of Education Office for Civil Rights, U.S. Department of Justice Civil Rights Division, Resource on Confronting Racial Discrimination in Student Discipline (May 2023)

ADOPTED: 10-19-2022

REVISED: 4-24-24

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11/29/2023 8/14/2024

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 10-233l]** 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, this notice must be given to the student/parent/guardian at least five (5) business days before the hearing, not including the day of such 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~~ 8/14/2024



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: _____

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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

☐ Student Success Plan

☐ Report Cards and Current Grades

☐ Individualized Education Program (IEP)

☐ Attendance Records

☐ Behavioral Intervention Plan (BIP)

☐ Disciplinary/Behavioral Records

☐ Section 504 Plan

☐ Other: _____

☐ Individualized Health Care Plan/Emergency Care Plan

☐ Other: _____

ILP Developed Through Collaboration With (check all that apply):

☐ Parent/Guardian: _____

☐ Teacher: _____

<input type="checkbox"/> Parent/Guardian: _____ <input type="checkbox"/> Student: _____ <input type="checkbox"/> Administrator: _____ <input type="checkbox"/> School Counselor: _____	<input type="checkbox"/> Teacher: _____ <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Other (specify): _____
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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: _____
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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 (e.g. current grade, current unit, etc.)

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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
<input type="checkbox"/> Other:		
Progress monitoring mm/dd/yy:		

Behavioral Goals

<input type="checkbox"/> See IEP (<i>if applicable</i>)	<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 _____	

☐ Other:

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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

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