HARTFORD PUBLIC SCHOOLS

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HARTFORD PUBLIC SCHOOLS

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Students

Concepts and Roles in Student Policies

The focus of the school system is on the learner, the student. The student's educational development toward the school's goals is the central concern of the Board of Education's policies and the administrator's regulations.

Every child shall be given an equal opportunity. However, children vary widely. Therefore, no two can be treated exactly alike if the fullest development of each is to be achieved.

Discrimination among students attending our schools with respect to race, color, religious creed, national origin, ancestry, age, sex, sexual orientation, gender identity or expression, disability, marital status, present or past history of mental disorder, mental retardation, learning disability or physical disability, or abilities unrelated to performance is prohibited.

Legal Reference: Title IX of the Education Amendments of 1972 (42 U.S.C. 1134n et seq.)
Section 504, U.S. Rehabilitation Act. 1973, 29 U.S.C. § 794
Connecticut General Statutes 10-15c Discrimination in public schools prohibited.
PA 11-55 Discrimination on account of gender identity or expression

Policy adopted: September 14, 1999
Policy updated: November 1, 2005
Policy revised: May 21, 2013

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students

Admission/Placement

The schools shall be open to all children five years of age and over on or before January 1 of the enrolling year. First grade children must be six years old on or before January 1 of the enrolling year. Exceptions from routine admission may be made by the Superintendent of Schools or designee on the basis of supporting evidence from physical and psychological examinations.

Children who apply for initial admission to the district's schools by transfer from nonpublic schools or from schools outside the district will be placed at the grade they would have reached elsewhere pending observation and evaluation by classroom teachers, guidance personnel, and the school principal. After such observations and evaluations have been completed, the principal will determine the final grade placement of the child.

Students entering the Hartford Public Schools for the first time must present a birth certificate or other legal evidence of age as determined by the Superintendent.

Student grade placement shall be determined at the school level by the appropriate administrator. The decision shall be based on the student's general achievement, and the mental, physical, emotional and social maturity of the child.

(cf. 5117 - Non-Resident Attendance)
(cf. 5153 - Health Assessments and Immunizations)

Legal Reference: Connecticut General Statutes
10-15 Towns to maintain schools.
10-15c School attendance by five year olds.
10-261 Definitions.
State Board of Education Regulations
10-76d-7 Admission of student requiring special education (referral).

Policy adopted: September 14, 1999
Policy updated: November 1, 2005

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students

Admissions - New Residents

Requirements

1. The requirements for new students, other than kindergarten and beginning first grade students, transferring to the Hartford schools from outside the Hartford district schools, shall be:

    a. Reliable evidence of date of birth and Hartford residency (except in the case of tuition students).
    b. Proper documentation of required health assessments and immunizations unless conditions of existing policies regarding these assessments are met. While students who are obviously of school age should not be refused entrance pending their submitting evidence of date of birth, they may not be enrolled unless they present evidence of residing in Hartford and of proper immunization and health assessment as required. For students other than kindergarten and beginning first grade students, any required health assessments and immunizations can be provided by the school with signed authorization by the parents or guardians.
    c. Certification from sending school regarding grade placement or other acceptable evidence, such as the child's last report card or promotion card.
    d. The social security number of the student.

2. The requirements for new kindergarten and beginning first grade students entering the Hartford schools from other than Hartford schools shall be:

    a. Reliable evidence of date of birth, Hartford residency, and proper enrollment health assessment and adequate immunization, as described above and the child's social security number.
    b. Children who are under-age for kindergarten may not be enrolled at that level and will be referred to a Pre-K program, unless assessment procedures as have been followed and the ability to perform successfully in kindergarten have been demonstrated. Individual assessments must be completed to determine such competence and placement in kindergarten. Assessment will consist of psychological, language and speech, and developmental evaluations. Parents must submit a written request for the assessment to the office of Early Childhood Education. Children who have attended- first grade elsewhere, but who are underage for first grade, may be enrolled in the first grade, subject to their ability to do the work at this level. If it can be proven that a child has been in a school elsewhere for the purpose of circumventing the Hartford school district's age rule, admission to first grade will not be granted.

3. The requirements for new students entering high school from other Hartford schools shall be:

    a. Same as 1.a.

Students

Admissions-New Residents

Requirements (continued)

Kindergarten

There will be pre-registration. Proper documentation of date of birth, health assessment and immunization must be presented before the child is accepted for school entrance. Social Security numbers will be requested of all new registrants.

In cases of students not registered in April, every effort should be made by parents to enroll the child in kindergarten as soon as possible prior to the beginning of school. Early registration will take place in August at centralized locations in the district. Applicants who apply after the beginning of the school year may be accepted providing they meet the requirements.

The specific requirements for kindergarten children entering school for the first time shall be:

1. **Age** - Children who reach the age of five (5) years on or before January 1 of current school year. Those children who will not attain their fifth birthday by January 1 but who have demonstrated abilities, as ascertained by standardized measures, may be considered for enrollment in kindergarten. Individual assessments must be completed to determine such competence and placement in kindergarten. Further, based upon determination that these children will profit from a kindergarten experience, a specific, individual education plan will be developed and monitored annually.

2. **Reliable evidence of date of birth** - The parent or guardian must present one of the following as acceptable evidence of date of birth:

    a. Official birth certificate obtainable from the department of health;
    b. Notice of birth registration sent by the department of health to parents showing the registration of the child's birth;
    c. Notarized statement as to date of birth;
    d. Certificate of baptism o r other church registry o r record entered in the family Bible soon after the time of the child's birth.
    e. Passport, in the case of a foreign-born child.

3. **Health assessment and immunizations -** Documentation required by Connecticut General Statutes (Sec. 10-206 and sec. 10-204a) that the child has had a pre-kindergarten enrollment health assessment, including adequate immunization against diphtheria, pertussis, tetanus, poliomyelitis, measles, mumps and rubella. (Pertussis immunization is required only of children who have not passed their sixth birthday). The pre-kindergarten enrollment health assessment is the sole responsibility of the parent or guardian.

Students

Admissions - New Residents

Kindergarten (continued)

4. **State of Connecticut Department of Education Health Assessment Record -** Prior to school enrollment (blue) form (provided to the parent by the school) must be completed by the parent or guardian and the child's doctor and be presented to the school nurse before the child can begin school. The health assessment must be conducted within one year prior to the student's entry and shall be conducted by a legally qualified practitioner of medicine.

5. **The child's social security number**.

Legal Reference: Connecticut General Statutes
10-15 Towns to maintain schools
10-15c Discrimination in public schools prohibited. School attendance by five-year olds, as amended by P.A. 97-247
10-76a - 10-76g re special education
10-184 Duties of parents
10-186 Duties of local and regional boards of education re school attendance. Hearings. Amended by PA 96-26, An Act Concerning Graduation Requirements and Placement of Older Students
Appeals to state board. Establishment of hearing board
10-233a - 10-233f Inclusive; re: suspend, expel, removal of pupils
10-233c Suspension of pupils
10-233d Expulsion of pupils
State Board of Education Regulations
10-76a-1 General definitions (c) (d) (q) (t)

Students

Foreign Exchange Students

The Board encourages international studies. To that end, it allows foreign exchange students on one year student visas, who are residing with families in Hartford to enroll on a non-tuition basis in the local schools. Only students who do not have the equivalent of a high school diploma from a foreign school system may apply. Further, they must meet those criteria established by the administration in the areas of language competency, residency, and deportment. Only foreign exchange students sponsored by organizations screened by the administration will be accepted.

Students entering the United States on F-1 visas may enter the local school system and only upon payment of the full, unsubsidized public education costs before entering the United States. Further, students on F-1 visas may remain in the United States for no more than twelve (12) months. The local district is prohibited by law from waiving the tuition fee of students on F-1 visas.

Legal Reference: Illegal Immigration Reform and Immigration Responsibility Act of 1996

Connecticut General Statutes

100-27 International studies, exchange programs. Advisory Committee (amended by PA 04-153, An Act Encouraging International Students Programs)

Policy adopted: September 14, 1999
Policy updated: November 1, 2005

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students

Foreign Exchange Students

In order for a foreign exchange student to be eligible for enrollment in the Hartford Public Schools, the following criteria must be met:

a. The student may not be a graduate of the school system in the country in which he/she is a native.
b. The student must be sufficiently fluent in English so that he/she would not require any special services such as ESL.
c. The application for admission must be reviewed by the appropriate school administrator of the school year for which the student wishes to enroll and receive approval from the appropriate assistant superintendent.
d. The school must ascertain that the living situation that the student would be living in the local community is appropriate.
e. The school must have room for the student and be able to accommodate him/her without incurring additional costs or burden.
f. The student may not be enrolled more than one year.
g. The student may be eligible to play sports if he/she meets the CIAC criteria.
h. If the student is not participating in and attending the school program or is disruptive to the smooth and efficient operation of the school, the student may be dis-enrolled.
i. This program is designed for foreign students who enter the country on one-year J-1 visas through established exchange programs such as Youth for Understanding, American Field Service and Rotary.

Note: Students entering the United States on F-1 visas may attend schools in the district only at the secondary level and only upon full payment of tuition before entering the United States. This tuition fee may not be waived due to federal legislation. Furthermore, the board of education will not issue F-1 signed forms for visa obtainment.

Policy adopted: September 14, 1999
Policy updated: November 1, 2005

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students
Ages of Attendance

The Hartford Public Schools shall be open to all children five years of age and older and under twenty-one years of age who have not graduated from a high school or vocational school, except as provided in Connecticut General Statutes 10-233c and 10-233d.

Required Ages of Attendance
Parents and those who have care of children between the ages of five and over and under eighteen inclusive, are obligated by Connecticut law to cause any such child to attend public schools , regularly during the hours and terms the public school in the district in which such child resides is in session unless such child is a high school graduate or the parent or person le having control of such child is able to show that the child is elsewhere receiving equivalent instruction in the studies taught in the public schools or the child is excluded pursuant to the Connecticut Statutes, sections 10-233c or 10-233d.

The parent or person having control of a child seventeen years of age may consent to such child's withdrawal from school. The parent or person shall exercise this option by personally appearing at the school district office to sign a withdrawal form. Such withdrawal form shall include an attestation from a guidance counselor or school administrator of the school that this district has provided the parent or person with information on the educational opportunities options available in the school system and in the community.

The parent or person having control of a child five years of age shall have the option of not sending the child to school until the child is six years of age. The parent or person having control of a child six years of age shall have the option of not sending the child to school until the child is seven years of age. The parent or person shall exercise such option by personally appearing at the school district office and signing an option form. The district shall provide the parent or person with information on the educational opportunities available in the school system.

(cf. 5121 – Promotion/Retention Intervention)

Legal Reference: Connecticut General Statutes
10-15 Towns to maintain schools
10-15c Discrimination in public schools prohibited. School attendance by five-year-olds
10-76a - 10-76g re special education
10-184 Duties of parents School Attendance age requirements
10-186 Duties of local and regional boards of education re school attendance. Hearings. Appeal to state board. Establishment of hearing board. Readmission. Transfers
10-233a - 10-233f Inclusive; re: suspend, expel, removal of pupils
10-233c Suspension of pupils
10-233d Expulsion of pupils
State Board of Education Regulations
10-76a-1 General definitions (c) (d) (q) (t)

Policy adopted: September 14, 1999
Policy updated: November 1, 2005
Policy updated: January 19, 2016

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students

Minimum Entry Age

1. Kindergarten

Children must be five years of age on or before January first following their entrance into kindergarten, except that children whose fifth birthday occurs between January 1 and March 1 may be eligible for kindergarten entrance under the following conditions:

a. Parents make a written request to the principal for kindergarten placement prior to the May 1 preceding the requested entrance date. Exception will be made for new residents who come to Hartford after May 1.

b. The child participates in the "Child Study Evaluation" held for all pre-kindergartners preceding requested kindergarten entrance.

c. If readiness is questionable,

    i. an individual evaluation be made by pupil services staff
    ii. a conference including parent, principal, and pupil services staff be held to make known to parent the decision of the professional staff as to whether early placement in kindergarten will be approved.

d. If the child is approved for early placement but there is no room in the local school, the child may be enrolled in another elementary school where there is a place, provided that the parents accept the responsibility for the child's transportation.

2. First Grade

Children must be six years of age before January first following their entrance into the first grade, unless (1) extraordinary circumstances warrant a different placement as approved by the school principal or (2) the child was accepted for and attended kindergarten in Hartford on the basis of early admission as described above, and was subsequently promoted to the first grade.

Policy adopted: September 14, 1999
Policy updated: November 1, 2005

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students

Attendance

Regular and punctual student attendance in school is essential to the educational process. Classroom learning experiences are the basis for public school education. Time lost from class is lost instructional opportunity.

The Board of Education requires that accurate records be kept of the attendance of each child. Students should not be absent from school without parental knowledge and consent. Connecticut state law places responsibility for assuring that students attend school with the parent or other person having control over the child. To assist parents and other persons in meeting this responsibility, the Board of Education, through its Superintendent will adopt and maintain regulations to implement this policy.

The Board of Education shall follow the guidance adopted by the State Board of Education regarding "excused" and "unexcused" absences. The Superintendent shall report to the Board of Education a summary regarding attendance, each year in October, January, and June. A truancy summary report shall be provided to the Board annually.

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

Legal References:

Connecticut General Statutes §10-220
Connecticut General Statutes §10-184
Connecticut General Statutes §10-186
Connecticut General Statutes §10-198a
Public Act 15-225, "An Act Concerning Chronic Absenteeism"
Guidelines for Reporting Student Attendance in the Public School Information System (Connecticut State Department of Education, January 2008)
Connecticut State Department of Education Circular Letter C-2, *Utilizing Local Support Resources Prior to Referral of Students for Family with Service Needs* (August 4, 2009)
Connecticut State Board of Education
Memorandum, *Definitions of Excused and Unexcused Absences* (June 27, 2012)
Connecticut State Department of Education, *Guidelines for Implementation of the Definitions of Excused and Unexcused Absences and Best Practices for Absence Prevention and Intervention* (April 2013)

Policy adopted: September 14, 1999
Policy updated: November 1, 2005
Policy revised: June 18, 2013
Policy revised: January 19, 2016

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students

Administrative Regulations Regarding Attendance and Chronic Absenteeism

I. Attendance and Truancy

A. Definitions for Section I

1. "Absence" - any day during which a student is not considered "in attendance" at his/her assigned school, or on a school sponsored activity (e.g. field trip), for at least one half of the school day.

2. "Disciplinary Absences" - Absences that are the result of school or district disciplinary action. Any student serving an out-of-school suspension or expulsion should be considered absent. Such absence is not considered excused or unexcused for attendance and truancy purposes.

3. "Educational evaluation" - for purposes of this policy, an educational evaluation is an assessment of a student's educational development, which, based upon the student's presenting characteristics, would assess (as appropriate) the following areas: health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status and motor abilities.

4. "Excused~~-~~Absence" - A student's absence* from school shall be considered excused if written documentation** of the reason for the absence has been submitted within ten school days of the student's return to school~~-~~, or if the child has been excluded from school in accordance with Section 10-210 of the Connecticut General Statutes (regarding communicable diseases), and meets the following criteria:

   a. For absences one through nine, a student's absences from school are considered excused when the student's parent/guardian approves such absence and submits appropriate written documentation in accordance with this regulation.

   b. For the tenth absence and all absences thereafter, a student's absences from school are, with appropriate documentation in accordance with this regulation, considered excused for the following reasons:

      1) student illness verified by an appropriately licensed medical professional~~;~~

      2) student's observance of a religious holiday;

      3) funeral or death in the student's family, or other emergency beyond the control of the student's family;

4) mandated court appearances (additional documentation required);

5) the lack of transportation that is normally provided by a district other than the one the student attends (no parental documentation is required for this reason); or

6) extraordinary educational opportunities pre-approved by district administrators and in accordance with Connecticut State Department of Education guidance and this regulation.

c. A student, age five to eighteen, whose parent or legal guardian is an active duty member of the armed forces who has been called for duty, is on leave from or has immediately returned from deployment to a combat zone or combat support posting, shall be granted ten (10) days of excused absences in any school year, and, in the discretion of the administration, additional excused absences to visit such student's parent or legal guardian with respect to the parent's leave or deployment. In the case of such excused absences, the student and parent or legal guardian are responsible for obtaining assignments from the student's teacher prior to any period of excused absence, and for ensuring that such assignments are completed by the student prior to his or her return to school.

5. "In Attendance" - any day during which a student is not considered to be absent from his/her assigned school, or from an activity sponsored by the school (e.g. field trip), for at least one half of the school day.

6. "Student" - a student enrolled in the Hartford Public Schools.

7. "Truant" - is defined as a student age five to eighteen, inclusive, who has four (4) unexcused absences from school in one month or ten (10) unexcused absences in a school year.

8. "Unexcused Absences"- any absence from a regularly scheduled school day for at least one half of the school day, unless they-one of the following criteria is met:

A. the absence meets the definition for an excused absence (including documentation requirements); or

B. the absence meets the definition of a disciplinary absence.

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

B. Written Documentation Requirements for Absences

1. Written documentation must be submitted for each incidence of absence within ten (10) school days of the student's return to school. An incidence of absence is considered consecutive days of absence.

2. The first nine (9) days of absence will be excused upon receipt of a signed note from the student's parent/guardian, a signed note from a school official that spoke in person with the parent/guardian regarding the absence, or a note confirming the absence by the school nurse or by a licensed medical professional, as appropriate.

3. For the student's 10th absence, and all absences thereafter, documentation of the absence must be submitted in accordance with paragraphs 1 and 2 above, and must also include the reason for the absence and the following additional information:

   a. student illness:

      (1) signed note from a medical professional, who may be the school nurse, who has evaluated the student confirming the absence and giving an expected return date; or

      (2) signed note from school nurse who has spoken with the student's medical professional and confirmed the absence, including the date and location of the consultation.

   b. religious holidays: none.

   c. mandated court appearances:

      (1) a police summons;

      (2) a subpoena;

      (3) a notice to appear;

      (4) a signed note from a court official; or

      (5) other official, written documentation of the legal requirement to appear in court.

   d. funeral or death in the family, or other emergency beyond the control of the student's family: written document must explain the nature of the emergency.

   e. extraordinary educational opportunity pre-approved by the district administrators and in accordance with Connecticut State Department of Education guidance and this policy: written pre-approval from the administration, in accordance with this regulation.

f. lack of transportation that is normally provided by a district other than the one the student attends: none.

4. Neither e-mail nor text message shall serve to satisfy the requirement of written documentation. In rare and extraordinary circumstances, a building administrator may, in his/her own discretion, accept the delivery of written documentation through a scanned copy sent by e-mail.

5. The Hartford Public Schools reserves the right to randomly audit written documentation received, through telephone and other methods of communication, to determine its authenticity.

6. Any absence that is not documented in accordance with this regulation within ten (10) school days after the incidence of absence will be recorded as unexcused. If documentation is provided within ten (10) school days, but is incomplete, the building principal may, at his/her own discretion, grant up to a five (5) school day extension for provision of the completed documentation.

7. Schools should take steps to allow non-English speaking parents/guardians to submit documentation in their native language

C. Extraordinary Educational Opportunities

1. To qualify as an extraordinary educational opportunity, the opportunity must:

   a. be educational in nature and must have a learning objective related to the student's course work or plan of study;

   b. be an opportunity not ordinarily available for this exemption;

   c. be grade and developmentally appropriate; and

   d. include content that is highly relevant to the student; while some opportunities will be relevant to all students, others will contain very specific content that would limit their relevance to a smaller group of students.

2. Family vacations do not qualify as extraordinary educational opportunities.

3. All requests for approval of extraordinary educational opportunities must:

   a. be submitted to the building principal in writing prior to the opportunity, but no later than ten (10) school days prior to the opportunity except in exceptional circumstances at the discretion of the building administrator;

   b. contain the signatures of both the parent/guardian and the student;

c. include an outline of the learning objective of the opportunity and include detail as to how the objective is linked to the student's coursework or plan of study; and

d. include additional documentation, where available, about the opportunity.

4. The building principal shall provide a response in writing and include the following:

   a. either approval or denial of the request;

   b. brief reason for any denial;

   c. any requirements placed upon the student as a condition of approval;

   d. the specific days approved as excused absences for the opportunity;

   e. the understanding that the building administrator may withdraw its approval if the opportunity is canceled or the student fails to meet the agreed-upon requirements of the approval.

5. All decisions of the building principal relating to extraordinary educational opportunities shall be final.

6. Students who are granted excusal from school to participate in extraordinary educational opportunities are expected to share their experiences with other students and/or school staff when they return.

7. Approval for an extraordinary educational opportunity is determined on a case-by-case basis and the analysis of individualized factors. An opportunity approved for one student may not be approved for another.

D. Truancy Exceptions:

1. A student five (5) or six (6) years of age shall not be considered truant if the parent or person having control over such student has appeared personally at the school district office and exercised the option of not sending the child to school at five (5) or six (6) years of age.

2. A student seventeen (17) years of age shall not be considered truant if the parent or person having control over such student consents to such student's withdrawal from school. Such parent or person shall personally appear at the school district office and sign a withdrawal form indicating such consent. Such withdrawal form must include an attestation from a guidance counselor or school administrator from the school that the district provided the parent (or person having control of the child) with information on the educational options available in the school system and community.

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

E. Readmission to School Following Voluntary Withdrawal

1. Except as noted in paragraph 2 below, if a student voluntarily withdraws from school (in accordance with Section D.2, above) and subsequently seeks readmission, the Board may deny school accommodations to the student for up to ninety (90) school days from the date of the student's withdrawal from school.

2. If a student who has voluntarily withdrawn from school (in accordance with Section D.2, above) seeks readmission within ten (10) school days of his/her withdrawal, the Board shall provide school accommodations to the student not later than three (3) school days after the student requests readmission.

F. Determinations of Whether a Student is "In Attendance":

1. A student serving an out of school suspension or expulsion shall be reported as absent unless he or she receives an alternative educational program for at least one half of the regular school day. In any event, the absence is considered a disciplinary absence, and will not be designated as excused or unexcused.

2. On early dismissal days and days shortened due to inclement weather, the regular school day for attendance purposes is considered to be the amount of instructional time offered to students on that day. For example, if school is open for four hours on a shortened day scheduled, a student must be present for a minimum of two hours in order to be considered "in attendance."

3. Students placed on homebound instruction due to illness or injury in accordance with applicable regulations and requirements are counted as being "in attendance" for every day that they receive instruction from an appropriately certified teacher for an amount of time deemed adequate by the administration so as to ensure that the student is able to successfully return to the regular classroom setting.

G. Administrative Procedures:

1. Annually at the beginning of the school year and upon any enrollment during the school year, the administration shall notify the parent or other person having control of each child enrolled in the Hartford Public Schools the obligations of the parent or such other person regarding attendance policy and regulations.

2. Annually at the beginning of the school year and upon any enrollment during the school year, the administration shall obtain from the parent or other person having control of each child in a Hartford Public School a telephone

number or other means of contacting such parent or such other person during the school day.

3. Each school shall implement a system of monitoring individual unexcused absences of students, which shall provide that whenever a student enrolled fails to report to school on a regularly scheduled school day and no indication has been received by school personnel that the child's parent or other person having control of the child is aware of the pupil's absence, a reasonable effort to notify, by telephone, the parent or such other person shall be made by school personnel. All parent outreach efforts must be documented. When the school in which a child is enrolled receives no notification from a parent or other person having control of the child is aware of the child's absence, a reasonable effort shall be made by school personnel or volunteers under the direction of school personnel to notify by telephone and by mail such parent or other person having control of the child.

   The required mailed notice shall include a warning that two unexcused absences from school in one month or five unexcused absences in a school year may result in a complaint filed with the Superior Court alleging the belief that the acts or omissions of the child are such that the child's family is a family with service needs. Any person who, in good faith, gives or fails to give such notice shall be immune from liability, civil or criminal, which might otherwise be incurred or imposed and shall have the same immunity with respect to any judicial proceeding which results from such notice or failure to give notice.

4. When a student is truant,-the building principal or his/her designee shall schedule a meeting with the parent of each child who is a truant, or other person having control of such child, and appropriate school personnel to review and evaluate the reasons for the child being a truant, provided such meeting shall be held not later than ten school days after the child's fourth unexcused absence in a month or tenth unexcused absence in a school year. Notice and meetings must be in a language understandable to the parent.

5. If the parent or other person having control of a child who is a truant fails to attend the meeting or fails to cooperate with the school in attempting to solve the truancy problem, the superintendent of schools shall, within fifteen (15) calendar days of such failure, file for each such truant enrolled in the schools under his or her jurisdiction a written complaint with the Superior Court pursuant to section 46b-149 alleging the belief that the acts or omissions of the child are such that his family is a family with service needs.

6. When a student is truant, the superintendent or designee, shall coordinate services and/or referrals of children to community agencies that provide child and family services. The district shall document efforts to contact and include families and to provide early intervention in truancy matters.

7. In addition to the procedures specified, a regular education student who is experiencing attendance problems shall be referred to the building

intervention Student Study Team (i.e. SST, SAT) or other appropriate body, for review and assistance. The team will review the student's need for referral for a Planning and Placement Team (PPT) meeting. A special education student who is experiencing attendance problems must be referred for a PPT meeting for program review.

8. If a family with service needs ("FWSN") petition is filed and the court orders an educational evaluation of the student, the district shall conduct an appropriate educational evaluation if no such evaluation has been performed within the preceding year.

    a. For a regular education student, the educational evaluation will be conducted or arranged for by appropriate school personnel and coordinated through the Child Study Team [or other appropriate school based team]. Upon completion of the evaluation of a regular education student, the Child Study Team [or other appropriate school based team] shall review the evaluations and make appropriate recommendations for alternative procedures, programs or interventions. Such recommendations may include a referral of the student for further evaluation and/or consideration for special education eligibility.

    b. In the case of a student who requires or may require special education and related services, the district shall convene a PPT to determine what evaluations may be appropriate to assess any specific areas of concern. The PPT shall reconvene to review the evaluations and make appropriate recommendations regarding the student's need for special education services and the need, if any, to write and/or revise the student's individualized education program ("IEP").

H. Attendance Records

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

II. Chronic Absenteeism

A. Definitions for Section II

1. "Chronically absent child" - a child who is enrolled in a school under the jurisdiction of the Hartford Board of Education and whose total number of absences at any time during a school year is equal to or greater than ten percent (10%) of the total number of days that such student has been enrolled at such school during such school year;

2. "Absence" - (a) an excused absence, unexcused absence or disciplinary absence, as those terms are defined by the State Board of Education pursuant to section 10-198b of the general statutes and these administrative

regulations, or (b) an in-school suspension, as defined in section 10-233a of the general statutes, that is greater than or equal to one-half of a school day;

3. “District chronic absenteeism rate” - the total number of chronically absent children under the jurisdiction of the Hartford Board of Education in the previous school year divided by the total number of children under the jurisdiction of the Board of Education for such school year; and

4. “School chronic absenteeism rate” - the total number of chronically absent children for a school in the previous school year divided by the total number of children enrolled in such school for such school year.

B. Establishment of Attendance Review Teams

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

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

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

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

C. Composition and Role of Attendance Review Teams

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

Each attendance review team shall be responsible for reviewing the cases of truants and chronically absent children, discussing school interventions and community referrals for such truants and chronically absent children and making any additional

recommendations for such truants and chronically absent children and their parents or guardians. Each attendance review team shall meet at least monthly.

D. State Chronic Absenteeism Prevention and Intervention Plan

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

III. Reports to the State Regarding Truancy Data

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

Regulations revised: January 19, 2016

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students

Attendance

Request for Early Dismissal

Request for release of a student during the school day originating outside the schools must be handled by the administration to ensure maximum provisions for the safety and welfare of the student.

Parents requesting dismissal before the normal end of the school day must make a written request, come into the school office to pick the student up and sign the student out.

Early dismissal should be requested only in emergency or unusual situations.

Legal Reference: Connecticut General Statutes
10-184 Duties of parents
10-199 through 10-202 Attendance, truancy in general.
10-202e-f Policy on dropout prevention and grant program.
10-221(b) Board of education to prescribe rules.
Campbell v New Milford, 193 CT 93 (1984).

Policy adopted: September 14, 1999
Policy updated: November 1, 2005

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students

School Attendance Areas

The board shall establish, upon recommendation of the superintendent, transportation zones that define areas of the city from within which students will have schools to choose from at the various grade levels. Changes from the current system to an “all choice” system of schools shall be designed and planned so as to provide adequate time for implementation and minimum disruption to the educational process and a maximum variety of choices to students and their parents. Every effort will be made to significantly expand the choice of schools available to parents

Magnet/Choice Options

Hartford Public Schools will proviede two types of choice schools to students and parents in the district: Inter-district magnet schools will have a determined percentage of city and suburban students; Intra-district choice schools will provide preference to neighborhood residents but also allow a determined percentage of students to enroll within tranpsortation zones. Feeder schools shall enroll students from all transportation zones.

Legal Reference: Connecticut General Statutes
10-55 Pupils to attend regional school
10-226a Pupils of racial minorities
10-226b Existence of racial imbalance
10-226c Plan to correct imbalance
10-226d Approval of plan by State board

Policy adopted: September 14, 1999
Policy updated: November 1, 2005
Policy updated: March 20, 2007

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

REQUEST FOR TRANSFER DUE TO SPECIAL CIRCUMSTANCES
(Solicitud de transferencia debido a circunstancias especiales)
HARTFORD PUBLIC SCHOOLS
Central Registration Office
(Oficina Central de Registración)
960 MAIN STREET
HARTFORD, CT 06103
TEL 695-8740/FAX 722-8547

TODAY'S DATE _____
(Fecha de hoy)

CHILD'S NAME _____ **GRADE** _____
(Nombre del niño) ***(Grado)***

PARENT'S NAME _____
(Nombre del padre)

ADDRESS _____**TEL** _____
(Dirección)

SPECIAL EDUCATION _____ **FULL TIME** _____ **RESOURCE**_____
(Educación especial) ***(Tiempo completo)*** ***(Recurso)***

BILINGUAL _____ **DATES FROM**_____ **TO** _____
(Bilingüe) ***(Fechas de)*** ***(a)***

DISTRICT SCHOOL _____
(Escuela local)

ALTERNATE SCHOOL _____
(Escuela alternativa)

REASON FOR REQUEST _____
(Razón por esta petición)
_____

PARENT/GUARDIAN NAME: _____

PARENT/GUARDIAN SIGNATURE: _____

Bring or mail this form, completed in its entirety, to the Assistant Superintendent for Student Support Services. You will be contacted regarding approval or denial.

(Envié este formulario, llenado completamente, a la oficina del asistente del superintendente de servicios de soporte al estudiante. Nos comunicaremos con usted acerca de la probación o negación de esta petición.)

APPROVED _____ **DENIED** _____ **DATE** _____
(Aprobado) ***(Negado)*** ***(Fecha)***

_____ _____
Superintendent (or designee) Signature ***Date***
(Firma del superintendente o designado) ***(Fecha)***

(Transportation for Special Circumstance Transfer is NOT provided.)
(No hay transportación para transferencia debido a circunstancias especiales)

Students

Resident and Non-Resident Students

Resident Students

A. Children of school age who are bona fide residents of Hartford are entitled to school accommodations provided by the Hartford Board of Education without payment of tuition.

B. A bona fide resident for purpose of this policy is defined as:

1. Any child who is residing with his or her parents or parent who is a bona fide resident of Hartford.

2. Any child who is residing with a legally appointed guardian who is a bona fide resident of Hartford.

3. A legally emancipated minor or a child eighteen years of age or older who is residing in Hartford with the intent to reside on a permanent basis.

Non-Resident Students

A. Non-resident students who are accepted through the Hartford host magnet schools lottery are not required to pay tuition

B. Children of school age who are not residents of Hartford but who are residing with adult relatives or non-relatives who are bona fide residents of Hartford may be entitled to school accommodations provided by the Hartford board of education without payment of tuition, provided that the child's residence in Hartford, according to Connecticut General Statutes Section 10-253:

1. is to be permanent. For the purpose of this policy, the term "permanent" shall be defined as the intent by the non-resident student, the Hartford relative or non-relative, and the student's parent or guardian that said student intends to reside in Hartford indefinitely;

2. is provided by the Hartford relative or non-relative without payment or compensation by the child's parent or legal guardian, and

3. not for the sole purpose of attending Hartford public schools.

The superintendent shall require that affidavits shall be executed by both the child's parent or legal guardian and the Hartford relative or non-relative attesting to the child's residence in Hartford. The superintendent may also require any other supporting documentation as she/he deems necessary.

Students

Resident and Non-Resident Students

Non-Resident Students (cont.)

C. Except as provided above, children who are not bona fide residents of Hartford may be permitted to attend Hartford public schools at the discretion of the Hartford Board of Education, or the superintendent, or their designees, upon such terms as said board shall establish on a space available basis. Said terms may include the payment of appropriate tuition as determined by the board of education. Non-resident students who are permitted to attend Hartford schools shall be responsible to provide their own transportation to and from school.

D. When a family moves from Hartford during the school year, a child may continue to attend the Hartford school he/she was attending for the remainder of the school year under the following terms and conditions:

   1. The family will be required to pay tuition on a pro-rated basis for the balance of the school year if the family moves from Hartford prior to May 1st of any school year. Seniors who have attended the Hartford Public Schools since grade 9 may be allowed to complete their senior year without payment of tuition if the family moves on or after the second semester.

      Exceptions for hardship cases may be made at the discretion of the superintendent.

   2. The family will not be required to pay tuition for the balance of the school year if the family moves from Hartford on or after May 1st of any school year.

   3. In all cases where a student continues in attendance in the Hartford public schools after his/her family moves from Hartford, responsibility for transportation to and from Hartford must be provided by the family.

E. Children who are citizens of a foreign country may be permitted to attend the Hartford public schools without payment of tuition, if they are participants in a foreign student exchange program, reside in Hartford and are approved by the Superintendent.

F. The decision regarding the residency status of any child shall be made by the superintendent. At the end of each school year, the superintendent will review the status of each non-resident child enrolled pursuant to this policy for approval or denial for the ensuing school year.

Students

Resident and Non-Resident Students

Non-Resident Students (cont.)

G. The superintendent shall require that parents or guardians of a child provide appropriate proof of residency in Hartford prior to enrollment of their child in Hartford's public schools. The superintendent shall also require that parents or guardians of a child already enrolled in the Hartford public schools provide appropriate proof of residency in Hartford when there is:

1. Change of residence; address;
2. Return of school mailing by the U.S. Postal Services because addressee unknown at the address given to school;
3. Report of non-resident status of student enrolled in Hartford;
4. Other indications of non-residency.

Upon the suspicion of non-residency, an investigation which may include:

1. Study of documentation previously submitted by parent/guardian;
2. Requirement to submittal documents verifying a residency;
3. An investigation of tax records to determine residency;
4. Additional investigation if deemed necessary.

In the event it is determined by the superintendent that a child is not a legal resident of Hartford and is not entitled to be provided free school accommodations by the Hartford board of education, the parent or guardian of the child or the legally emancipated minor or child over the age of eighteen (18) shall be notified in writing pursuant to C.G.S. Section 10-186 of the right to request a hearing before the board of education, or a committee of the board, regarding this issue.

In the event it is determined that a child is not legally entitled to be provided school accommodation by the Hartford board of education without the payment of tuition, the board of education may, pursuant to C.G.S. Section 10-186 assess the child's parent or guardian for tuition for that period of time that the child was not legally entitled to attend the Hartford Public Schools and may seek civil remedies to collect any unpaid assessments of tuition.

Legal Authority: Connecticut General Statute 10-253, 10-186

Policy adopted: September 14, 1999
Policy updated: November 1, 2005

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students

Tuition for Faculty Children

The children of faculty/staff members who reside outside the school district may attend district schools on the following conditions:

In order to be eligible, a faculty member must have completed a minimum of four years of teaching/service in the school district.

Students will be approved or denied on an individual basis by the superintendent after a complete review of the student's record.

This program is instituted on a space-available basis.

There will be no Tuition charge for children of faculty/staff members. Transportation costs will be faculty/staff member's responsibility.

Any student accepted into this program will be given all of the rights, privileges, responsibilities and requirements of any other student in the school district.

It is clearly understood that the superintendent, in conjunction with the principal of the school at which the student attends, can, with a minimum of two weeks notice, terminate the program with an individual student for just and appropriate causes as determined by the superintendent.

Request for participation in this program must be made annually by the teacher/staff on behalf of their child and, therefore, would require the annual review and approval of the superintendent prior to continuing the following year.

Policy adopted: September 14, 1999
Policy updated: November 1, 2005

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students

Promotion, Retention, Intervention Policy

The Hartford Public School System is dedicated to the continuous academic, social, emotional and physical development of all students. The school system will provide qualified staff with a well articulated curriculum where students are expected to achieve acceptable performance standards at each grade level. These standards are determined by the Hartford Public Schools taking into consideration the benchmarks set by the Connecticut State Department of Education.

The promotion of students will be directly related to their demonstrated proficiency or developmentally appropriate progress toward achieving performance standards. In an effort to support all students, an emphasis should be placed on the early identification of students who are experiencing difficulty academically and providing those students with the appropriate supports and supplemental services. Each school will be responsible for providing supports and supplemental services to each child who is not demonstrating proficiency in achieving these performance standards through the use of Scientific Based Researched Interventions (SRBI). SRBI is defined as an instructional approach that focuses on assessing current and on-going academic and behavioral performance and responding with targeted, appropriate instruction and supports.

The decision to retain a student is made by a team that includes the principal, teacher/s, support staff, and the parent or guardian of the student. The decision to retain a student should be made only when the appropriate interventions have been utilized, and all other alternatives to retention have been considered.

If the team decision is to retain the student, a developmentally appropriate academic intervention plan must be developed and implemented to meet the student's individual needs. Student progress must be monitored by the team throughout the plan implementation.

The Promotion, Retention, Intervention Administrative Regulations will be reviewed annually from date of implementation to ensure alignment with the Connecticut Core Standards and current educational research.

Legal Reference: Connecticut General Statutes 10-221(b) and 10-223(a)

Policy adopted: March 2, 1999
Policy updated: November 1, 2005
Policy revised: June 17, 2014

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students - Progress

Reporting to Parents

Reports will be made to parents or guardians periodically by teachers through conferences and written reports. The teacher will discuss his/her evaluation of each student's progress. Final assessment and grading of student performance will be the sole responsibility of the teacher.

The administration will create a system to assign grades to students and to determine their class rank.

Policy adopted: September 14, 1999
Policy updated: November 1, 2005

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students

Parent/Guardian-Teacher Communication

The Hartford Board of Education recognizes that a child's education is a responsibility shared by the school and family during the entire period the child spends in school. To support the goal of the school district to educate all students effectively, schools and parents/guardians must work as knowledgeable partners. The Board believes that parents/guardians are most knowledgeable when they have regular communication with teachers. Schools will take the lead in developing and sustaining effective partnerships.

Therefore, it is the policy of the Board of Education to encourage parent/guardians-teacher communication. The Superintendent, or his/her designee, shall be responsible for developing procedures in furtherance of this policy. This may include, but is not limited to, district wide and/or school-based parental engagement strategies or other initiatives.

The Superintendent is further required to include information about parental/guardian involvement and actions taken to improve parental/guardian involvement, in the strategic school profile he or she submits annually to the Board of Education and Commissioner of Education. Such actions to improve parental/guardian involvement may include methods to engage parents/guardians in the planning and improvement of school programs and to increase support to parents/guardians working at home with their children on learning activities. The policy and procedures may include monthly newsletters, required regular contact with all parents/guardians, drop-in hours for parents/guardians, home visits and the use of technology such as homework hot lines to allow parents/guardians to check on their children's assignments and students to get assistance if needed. The policy and procedures shall require the district to conduct at least two parent/guardian-teacher conferences for each school year.

Legal Reference: Connecticut General Statutes:

§ 10-220(c) Duties of Boards of Education

§ 10-221(f) Boards of Education to prescribe rules, policies and procedures

Policy adopted: September 14, 1999 HARTFORD PUBLIC SCHOOLS
Policy updated: November 1, 2005
Revised: June 21, 2016 Hartford, Connecticut

Students

CONFIDENTIALITY AND ACCESS TO EDUCATION RECORDS

I. POLICY

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

II. DEFINITIONS

A. Access is defined as the right to inspect or review a student's education records or any part thereof. Access may include the right to receive copies of records under limited circumstances.

B. Authorized representative means any entity or individual designated by the Board, a State educational authority, or an agency headed by an official listed in 34 C.F.R. § 99.31(a)(3), to conduct -- with respect to Federal- or State-supported education programs -- any audit or evaluation, or any compliance or enforcement activity in connection with Federal legal requirements that relate to these programs.

C. Biometric record, as used in the definition of personally identifiable information, means a record of one or more measurable biological or behavioral characteristics that can be used for automated recognition of an individual, such as fingerprints, retina and iris patterns, voiceprints, DNA sequence; facial characteristics and handwriting.

D. De-identified education record means education records or information from education records from which all personally identifiable information has been removed, and for which the district has made a reasonable determination that a student's identity is not personally identifiable, whether through single or multiple releases, taking into account other reasonably available information.

E. Directory Information includes information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. Directory information includes, but is not limited to, the parent's name, address and/or e-mail address; the student's name, address, telephone number, e-mail address, photographic, computer and/or video images, date and place of birth, major field(s) of study, grade level, enrollment status (full-time; part-time), participation in school-sponsored activities or athletics, weight and height (if the student is a member of an athletic team), dates of attendance, degrees, honors and awards received, the most recent previous school(s) attended, and student identification numbers for the limited purposes of displaying a student identification card. The student identification number, however, will not be the only identifier used when obtaining access to education records or data.

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

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

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

H. Education Records

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

2. Education records do not include:

a) private, personal, or working notes in the sole possession of the maker thereof, and which are not accessible or revealed to any other individual except a "substitute";

b) records maintained by a law enforcement unit of the school district that were created by that unit for the purpose of law enforcement;

c) employment records used only in relation to the student's employment by the school district that are 1) made and maintained in the normal course of business, 2) relate exclusively the student's capacity as an employee, and 3) are not made available for any other purpose;

d) records on an eligible student (i.e. over 18 or attending a postsecondary educational institution) that are considered "treatment records" as they meet the following criteria: 1) the records are maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional capacity or assisting in a paraprofessional capacity, 2) the records are made in connection with the treatment of the student and 3) the records are disclosed only to individuals providing such treatment (treatment does not include remedial educational activities or activities that are part of the program or

instruction of the school district); however, the school district must, upon request, permit an eligible student to have a physician or other appropriate professional of the student's choice review his/her treatment records;

e) records created or received by the school district after an individual is no longer a student in attendance and that are not directly related to the individual's attendance as a student; and

f) grades on peer-graded papers before they are collected and recorded by a teacher.

I. Eligible Student is a student or former student who has reached 18 years of age or is attending an institution of post-secondary education or is an emancipated minor.

J. Legitimate Educational Interest means the need for a school official to review an education record in order to fulfill his or her professional responsibilities.

K. Parent is defined as a parent or parents of a student, including a natural parent, a guardian, or surrogate parent, or an individual acting as a parent in the absence of a parent or guardian. The rights of a parent shall transfer to an eligible student; however, a parent of a student who claims that student as a dependent under Section 152 of the Internal Revenue Code of 1986 is entitled to access to the student's education records without the eligible student's consent.

L. Personally Identifiable Information includes, but is not limited to, the student's name; the name of the student's parent or other family members; the address of the student or his/her family; a personal identifier, such as the student's social security number, student number or biometric record; other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name; other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or information requested by a person who the school district reasonably believes knows the identity of the student to whom the education record relates.

M. School Official is a person employed by the District as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Board of Education; a volunteer, contractor or consultant or other party who performs an institutional service or function for the District-(such as an attorney, auditor, medical consultant, therapist, or school resource officer); or a parent or student serving on an official committee, such as a disciplinary or grievance committee; or a parent, student or other volunteer assisting another school official in performing his or her tasks.

N. Signed and Dated Written Consent to disclose personally identifiable student information from a student's education records must specify the records to be disclosed, the purpose of disclosure and the party to whom such records should be provided. Consent may include a record and signature in electronic form provided that the consent identifies and authenticates a particular person as the source of electronic consent.

III. ANNUAL NOTIFICATION OF RIGHTS / RELEASE OF DIRECTORY INFORMATION

A. On an annual basis, the school district will notify parents and/or eligible students currently in attendance of their rights regarding a student's education records. This notice will be published in all student handbooks in the District and will also be published in the school district~~'s~~ guide to Pupil Personnel **[or Special Education]** Services and will be published in any other manner "reasonably likely" to inform such parents and eligible students of their rights. The school district will take steps to ensure that parents or eligible students whose primary or home language is not English or who are disabled will also be notified of their rights regarding a student's education records.

B. On an annual basis, the school district will also notify parents and/or eligible students currently in attendance of any categories of information designated as **directory information**. This notice will provide such individuals with an opportunity to object to such disclosure. An objection to the disclosure of directory information shall be good for only one school year. Parents and/or eligible students may not use the right to opt out of directory information disclosures to prohibit the school district from requiring students to wear or display a student identification card.

C. In the annual notification, the school district will also provide notice to parents and/or eligible students that the district is legally obligated to provide military recruiters, institutions of higher education, or school choice programs, upon request, with the names, addresses and telephone numbers of secondary school students, unless the secondary student or the parent of the student objects to such disclosure in writing. Such objection must be in writing and shall be effective for one school year.

IV. CONFIDENTIALITY OF EDUCATION RECORDS

A. All school officials are directed to maintain the confidentiality of personally identifiable information contained in a student's education records. Each person who has access to education records is responsible for ensuring personally identifiable information is protected from disclosure at collection, storage, disclosure, and destruction stages. Disclosure of information is permitted only in accordance with Board policy and administrative regulations and in a manner consistent with state and federal law.

B. Education records are not public records and any disclosure other than to persons authorized to receive the records without prior consent of a parent or an eligible student violates the law and Board policy, except as provided in federal and state statutes.

C. The school district shall use reasonable methods, including administrative policies and procedures, as well as physical and technological access controls, to ensure that school officials obtain access to only those education records in which they have a legitimate educational interest.

D. The district shall use reasonable methods to identify and authenticate the identity of parents, students, school officials and other parties to whom the district discloses personally identifiable information from education records.

E. The district shall require contractors and other outside agencies with access to education records to certify their compliance with the confidentiality requirements of this policy, as well as applicable state and federal law.

V. ACCESS TO EDUCATION RECORDS

A. Parents and/or an eligible student have the right to inspect and review all education records of the student unless such rights have been waived under Section XI, below. Parents' rights of inspection and review are restricted to information dealing with their own child. In the case of an eligible student, the right to inspect and review is restricted to information concerning the student. All requests for access to education records must be in writing.

B. When submitting a written request to inspect or review education records, the request must identify the record or records being sought. The school district will notify the parent or eligible student of the date, time, and location where the records may be inspected and reviewed.

C. The parents or eligible students may designate in writing a representative to inspect and review the records. Consent for disclosure of education records to a designated representative must be signed and dated by the parent or eligible student.

D. A school professional shall be present at all such inspections and reviews and shall respond to reasonable requests for explanations and interpretations of the records.

E. For the records of **regular education students**, the Board will make education records available for inspection and review by parents or eligible students within a reasonable period of time, but in any event, no more than forty-five (45) calendar days from the receipt of a written request.

F. For **students requiring special education**, the Board will comply with a request to review and inspect the child's education records without unnecessary delay and before any meeting regarding an IEP or any due process hearing or resolution session held in accordance with the IDEA; otherwise, the Board will comply with such request not later than ten (10) school days of such request.

G. Parents of students eligible to receive special education and related services (or the eligible student) have the right to receive **<u>one free copy</u>** of their child's (his/her) education records. The request for the free copy must be in writing and the Board will comply with the written request within ten (10) school days of the request. Notwithstanding the fact that a test instrument or portion of a test instrument may meet the criteria of an "education record" under the Family Educational Rights and Privacy Act, 20 USC 1232g, any test instrument or portion of a test instrument for which the test manufacturer asserts a proprietary or copyright interest in the instrument shall not be copied. The parent or eligible student retains the right to review and inspect such information and the Board shall respond to reasonable requests from the parent or eligible student for explanations and interpretations of the student's education record, which may include reviewing copyrighted testing instruments.

H. Aside from a parent or eligible student, staff members, school employees and other school officials may access a student's education records **only if** they have been determined by the school system to have a legitimate educational interest in accessing the information contained in such records. Disclosures to any other parties, may only be made in accordance with the exemptions and provisions set forth in Section VII, below.

I. Pursuant to the procedures set forth in Section VI, below, the district maintains a record of all parties that have requested access to education records, including access to education records found in computer memory banks.

J. <u>Non-custodial Parents</u>:

1. Divorced Parents

   A parent does not lose his or her right to access to education records upon divorce. Non-custodial parents retain their rights to review their child's education records unless the school district has been provided with evidence that there is a court order, state statute, or legally binding document relating to such matters as divorce, separation, or custody that specifically revokes the non-custodial parent's rights. School notices shall be mailed to the non-custodial parent/guardian requesting the notices at the same time that they are provided to the custodial parent/guardian. Any requests by the non-custodial parent/guardian to receive school notices shall be effective for as long as the child remains in the school the student is attending at the time of the request.

2. Incarcerated Parents

   Nothing in this Policy shall be construed to limit a parent who is incarcerated from being entitled to knowledge of and access to all educational, medical, or similar records maintained in the cumulative record of any minor student of such incarcerated parent, except that such incarcerated parent shall not be entitled to such records if:

(a) such information is considered privileged under Conn. Gen. Stat. § 10-154a, regarding a communication made privately and in confidence by a student to a professional employee in the course of the professional employee's employment concerning alcohol or drug abuse or any alcoholic or drug problem of such student;

(b) such incarcerated parent has been convicted in Connecticut or any other state sexual assault in violation of Conn. Gen. Stat. §§ 53a-70, 53a-70a, 53a-71, 53a-72a, 53a-72b, or 53a-73a; or

(c) such incarcerated parent is prohibited from knowledge of or access to such student's cumulative record pursuant to a court order.

K. Unaccompanied Youth:

Notwithstanding anything in this Policy to the contrary, an unaccompanied youth shall be entitled to knowledge of and have access to all educational, medical or similar records in the cumulative record of such unaccompanied youth maintained by the school district. For the purposes of this provision, the term "unaccompanied youth" shall mean a homeless child or youth not in the physical custody of a parent or guardian.

L. Copies of Education Records/Fees:

1. The school district cannot charge a fee to search for or to retrieve the education records of a student. As noted above, if a student has been identified as requiring special education and related services, the parents' (or eligible student's) right to inspect and review the child's records shall include the right to receive **one free copy** of those records. The request for the free copy shall be made in writing. The Board shall comply with such request as stated above. A charge will be levied for additional copies; in no case will the charge exceed **[50¢]** per page.

2. In addition to the provision above regarding special education students, if circumstances effectively prevent the parent or eligible student from exercising the right to inspect and review the student's education records, the district shall:

   a. provide the parent or eligible student with a copy of the records requested, or
   b. make other arrangements for the parent or eligible student to inspect and review the requested records.

3. The Board reserves the right to charge for additional copies of a student's education records. Such charge will not exceed 50¢ per page.

VI. RECORD KEEPING REQUIREMENTS/DOCUMENTATION OF ACCESS TO EDUCATION RECORDS

A. The school district will appoint an individual to be responsible for the care and upkeep of all education records. Education records are kept by categories, each of which encompasses a specific type of data collected during a student's educational career. These categories also determine how long the school district must maintain the records. The school district will provide to parents, on request, a list of the categories and locations of education records collected, maintained, or used by the school district.

B. Except as provided below, a record (log) will be kept documenting each request for, and disclosure of, personally identifiable information from the education records of each student, including information found in computer memory banks. The record log shall contain:

1. the name of any individual, agency, or organization that requested or obtained access to the student's records;

2. the date of the request for access;

3. whether access was given;

4. the purpose for which the party was granted access to the records;

5. the names of additional parties to whom the receiving party may disclose the information on behalf of the school district; and

6. the legitimate educational interest in obtaining the information.

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

1. a parent or eligible student;

2. a party seeking directory information;

3. a party who has a signed and dated written consent from the parent and/or eligible student;

4. school officials from the school district in which the student is currently enrolled who have a legitimate educational interest in the information contained in the student's record; or

5. persons seeking or receiving the information as directed by a Federal grand jury, other law enforcement subpoena, or ex parte order of the Attorney General of the United States (provided that the information requested is not to be redisclosed).

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

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

1. the articulable and significant threat to the health and safety of a student or other individuals that formed the basis for disclosure; and

2. the parties to whom the district disclosed the information.

VII. THE RELEASE OF RECORDS OR PERSONALLY IDENTIFIABLE INFORMATION

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

B. To be effective, the written consent must be signed and dated and must specify the records that may be disclosed, state the purpose of the disclosure, and identify the party or class of parties to whom the disclosure may be made.

C. Personally identifiable information may be released **without consent** of the parents, or the eligible student, only if the disclosure meets one of the criteria set forth below:

1. School Officials:

a) The disclosure is to other school officials within the district, including teachers, who have been determined by the school district to have legitimate educational interests in the education records.

b) A contractor, consultant, volunteer, or other party to whom the district has outsourced institutional services or functions, provided that the party:

1) performs an institutional service or function for which the district would otherwise use employees;

2) is under the direct control of the district with respect to the use and maintenance of education records and

3) is subject to the requirements of FERPA with respect to the use and redisclosure of personally identifiable information from education records.

c) The Board shall comply with the below Subsection I of this Section VII prior to the provision of student records, student information or student-generated content to any school official who is a consultant or operator, as those terms are defined in Subsection I.

3. Transfer Students:

a) The disclosure is to officials of another school, including other public schools, charter schools, and post-secondary institutions, in which the student seeks or intends to enroll, or where the student is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer. Disclosure of personally identifiable information will be made only upon condition that the student's parents be notified of the transfer, receive a copy of the record if desired, and have an opportunity for a hearing to challenge the content of the record pursuant to Section X.

b) When a student enrolls in a new public school district (including public charter school), the receiving school district must send written notice of such enrollment to the school the student previously attended not later than two (2) business days after the student enrolls. Not later than ten (10) days after receipt of such notice, the sending school shall transfer the student's records to the new school district.

c) Upon notification by the Department of Children and Families of a decision to change the school placement for a student attending district schools who is placed in out-of-home care by DCF pursuant to an order of temporary custody or an order of commitment, in accordance with section 46b-129 of the Connecticut General Statutes, the Board shall transmit to the receiving school, not later than one (1) business day after receipt of such notification from DCF, all essential education records for the student, including, but not limited to, the student's individualized education program ("IEP") and behavioral intervention plan, if any, and all documents necessary for the receiving school to determine appropriate class placement and to provide educational services. The Board shall transfer nonessential records to the receiving school in accordance with subsection b) above.

4. The disclosure is to authorized representatives of the U.S. Comptroller, the U.S. Attorney General, the U.S. Secretary of Education, or State or local educational authorities. Disclosures of this nature may be made only in connection with an audit or evaluation of Federal or State supported education programs, or for the enforcement of or compliance with the Federal legal requirements that related to these programs. These entities may make further disclosures of personally identifiable information that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf, if applicable requirements are met.

5. The disclosure is made in connection with a student's application for, or receipt of, financial aid, if such information is necessary to determine eligibility for, the amount of, or the conditions for financial aid, or to enforce the terms and conditions of financial aid.

6. The disclosure is to state and local officials or authorities within the juvenile justice system as long as the officials and authorities to whom the records are disclosed certify in writing to the school district that (a) the information is required by the court, (b) will not be disclosed to any other party without the prior, written consent of the parent of the student, except as provided under State law. Disclosure shall be permitted for information relating to the student's school attendance, adjustment and behavior, as well as the student's IEP and related documents if the student receives special education services. If a student is placed on probation by the juvenile court, school officials may issue their own recommendation concerning the conditions of the student's probation.

7. The disclosure is to organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction, so long as:

   a) the study does not permit personal identification of parents or students by individuals other than representatives of the organization,

   b) the information is destroyed after it is no longer needed for the purposes for which the study was conducted, and

   c) the Board enters into a written agreement with the organization conducting the study that satisfies the requirements of 34 C.F.R. § 99.31(a)(6).

8. The disclosure is to accrediting organizations in order to carry out their accrediting functions.

9. The disclosure is to parents of an eligible student who claim that student as a dependent student as defined in Section 152 of the Internal Revenue Code of 1986.

10. The disclosure is to comply with a judicial order or lawfully issued subpoena, provided that the educational agency makes a reasonable effort to notify the parent or the eligible student in advance of compliance, unless such disclosure is in compliance with

    a) a federal grand jury subpoena and the court has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed;

b) any other subpoena issued for a law enforcement purpose and the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed; or

c) an ex parte order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning the investigation or prosecution of terrorism crimes specified in sections 2332b(g)(5)(B) and 2331 of title 18, U.S. Code.

11. If the school district initiates legal action against a parent or student, the school district may disclose to the court, without a court order or subpoena, the education records of the student that are relevant for the school district to proceed with the legal action as plaintiff.

12. If a parent or eligible student initiates legal action against the school district, the school district may disclose to the court, without a court order or subpoena, the student's education records that are relevant for the school district to defend itself.

13. The disclosure is to appropriate parties, including parents of an eligible student, in connection with a health and safety emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals. In making a determination regarding the disclosure of education records without consent in a health and safety emergency, the district may take into account the totality of the circumstances pertaining to the threat to the health or safety of a student or other individuals. If the district reasonably determines that there is an articulable and significant threat to the health or safety of a student or other individuals, it may disclose information from education records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other individuals, provided, however, that the district record such disclosure in accordance with Section VI. D, above.

14. The disclosure is to the parent of a student who is under 18 years of age or to the student.

15. The disclosure concerns sex offenders and other individuals required to register under Section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. 14071, and the information was provided to the district under 42 U.S.C. 14071 and applicable federal guidelines.

16. The disclosure is to the Secretary of Agriculture or an authorized representative from the Food and Nutrition Service, or contractors acting on its behalf, for the purposes of conducting program monitoring, evaluations, and performance measurements of state and local educational and other agencies and institutions receiving funding or providing benefits of one or more federal meal or nutrition programs in order to report aggregate results that do not identify any individual. Such disclosures may only be made if:

a) the data collected will be protected to prevent the personal identification of students and their parents by other than the authorized representatives of the Secretary of Agriculture, and

b) any personally identifiable data will be destroyed when they are no longer needed for program monitoring, evaluations, and performance measurements.

17. The disclosure is to an agency caseworker or other representative of the Department of Children and Families ("DCF") or other child welfare agency or tribal organization who has the right to access a student's case plan when the agency or organization is legally responsible for the care and protection of the student. The agency or organization may not disclose the education records or personally identifiable information contained in such records, except to an individual or entity engaged in addressing the student's educational needs and authorized by the agency or organization to receive such disclosure. Any disclosures made by the agency or organization must comply with applicable confidentiality laws for student education records.

D. **Directory Information**

The school district will notify parents (of students currently enrolled within the district) or eligible students (currently enrolled in the district) annually of any categories of information designated as directory information. This notice will provide such individuals with an opportunity to object to such disclosure. An objection to the disclosure of directory information shall be good for only one school year.

1. School districts are legally obligated to provide military recruiters or institutions of higher education, upon request, with the names, addresses and telephone numbers of secondary school students, unless the secondary student or the parent of the student objects to such disclosure in writing. Such objection must be in writing and shall be effective for one school year.

2. In all other circumstances, information designated as directory information will not be released when requested by a third party unless the release of such information is determined by the administration to be in the educational interest of the school district and is consistent with the district's obligations under both state and federal law.

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

4. An objection to the disclosure of directory information shall not prevent the school district from disclosing or requiring a student to disclose the student's name, identified or institutional email address in a class in which the student is enrolled. Parents and/or eligible students may not use the right to opt out of

directory information disclosures to prohibit the school district from requiring students to wear or display a student identification card.

5. The school district will not use the student's social security number or other non-directory information alone or combined with other elements to identify or help identify the student or the student's records.

E. **De-identified Records and Information**

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

2. The school district may release de-identified education records including student level data from education records for the purpose of education research by attaching a code to each record that may allow the recipient to match information received from the same source, provided that:

   a) the district does not disclose any information about how it generates and assigns a record code, or that would allow a recipient of the information to identify a student based on the record code;

   b) the record code is used for no purpose other than identifying a de-identified record for the purposes of education research and cannot be used to ascertain personally identifiable information about a student; and

   c) the record code is not based on a student's social security number or other personal information.

F. **Disciplinary Records**:

Nothing in this policy shall prevent the school district from:

1. Including in the education records of a student appropriate information concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community.

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

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

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

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

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

I. Except as set forth in subsection I.5, below, the Board shall enter into a written contract with a consultant or operator any time the Board shares or provides access to student information, student records, or student-generated content with such consultant or operator.

1. The provisions of said contract shall comply with the requirements of Conn. Gen. Stat. §§ 10-234aa to 10-234dd.

2. The district shall maintain and update an Internet web site with information relating to all contracts entered into pursuant to Subsection I, above. On or before September first of each school year, the Board shall electronically notify students and the parents or legal guardians of students of the address of such Internet website. Not later than five (5) business days after executing a contract pursuant to this subsection, the Board shall post notice of such contract on the Board's website. The notice shall:

a. State that the contract has been executed and the date that such contract was executed;

b. Provide a brief description of the contract and the purpose of the contract; and

c. State what student information, student records or student-generated content may be collected as a result of the contract.

3. For purposes of this subsection, upon receipt of notice of a breach of security that results in the unauthorized release, disclosure or acquisition of directory information, student information, student records or student-generated content, the Board shall electronically notify, not later than two business days after receipt of such notice, the student and the parents or guardians of the student whose information is involved in such breach. The Board shall thereafter post notice of such breach on the Board's Internet web site. The Internet posting shall comply with the requirements of FERPA. All questions and concerns relative to breach of security shall be referred to the Superintendent and/or designee.

4. For purposes of this subsection, the following definitions are applicable:

   a. Consultant means a professional who provides non-instructional services, including but not limited to, administrative, planning, analysis, statistical or research services, to the Board pursuant to a contract with the Board.

   b. Operator means any person who (a) operates an Internet web site, online service or mobile application with actual knowledge that such Internet web site, online service or mobile application is used for school purposes and was designed and marketed for school purposes, to the extent it is engaged in the operation of such Internet web site, online service or mobile application, and (b) collects, maintains or uses student information.

   c. School Purposes means purposes that customarily take place at the direction of a teacher or the Board, or aid in the administration of school activities, including but not limited to instruction in the classroom, administrative activities and collaboration among students, school personnel or parents or legal guardians of students.

   d. Student means a person who is a resident of the state and (a) enrolled in a preschool program participating in the state-wide public school information system, pursuant to Conn. Gen. Stat. 10-10a; (b) enrolled in grades kindergarten to twelve, inclusive, in a school under the jurisdiction of the Board; (c) receiving special education and related services under an individualized education program; or (d) otherwise the responsibility of the Board.

   e. Student Information means personally identifiable information or material of a student in any media or format this is not publicly available and is any of the following:

      1) Created or provided by a student or the parent or legal guardian of a student, to the operator in the course of the student, parent or legal guardian using the operator's Internet web site, online service or mobile application for school purposes;

      2) Created or provided by an employee or agent of the Board to an operator for school purposes;

3) Gathered by an operator through the operation of the operator's Internet web site, online service or mobile application and identifies a student, including but not limited to, information in the student's records or electronic mail account, first or last name, home address, telephone number, date of birth, electronic mail address, discipline records, test results, grades, evaluations, criminal records, medical records, health records, Social Security number, biometric information, disabilities, socioeconomic information, food purchases, political affiliations, religious affiliations, text messages, documents, student identifiers, search activity, photographs, voice recordings, survey responses or behavioral assessments.

f. Student Record means any information directly related to a student that is maintained by the Board or any information acquired from a student through the use of educational software assigned to the student by a teacher or employee of the Board, except student record does not include de-identified student information allowed under the contract to be used by the consultant or operator to:

1) Improve educational products for adaptive learning purposes and customize student learning;

2) Demonstrate the effectiveness of the contractor's products in the marketing of such products; and

3) Develop and improve the consultant's or operator's products and services.

5. Notwithstanding anything in this Subsection to the contrary, the Board may use an operator's or consultant's services without entering into a contract as described above, if the use of an Internet web site, online service or mobile application operated by a consultant or an operator is unique and necessary to implement a child's individualized education program or plan pursuant to Section 504 of the Rehabilitation Act of 1973 and such Internet website, online service or mobile application is unable to comply with the provisions of Conn. Gen. Stat. § 10-234bb, provided:

a. Such Internet web site, online service or mobile application complies with FERPA and the Health Insurance Portability and Accountability Act of 1996, P.L. 104-191, as amended from time to time;

b. The Board can provide evidence that it has made a reasonable effort to:

1) enter into a contract with such consultant or operator to use such Internet web site, online service or mobile application, in accordance with the provisions of Conn. Gen. Stat. §§ 10-234bb; and

2) find an equivalent Internet web site, online service or mobile application operated by a consultant or an operator that complies with the provisions of Conn. Gen. Stat. §§ 10-234bb;

c. The consultant or operator complies with the provisions of Conn. Gen. Stat. § 10-234cc for such use; and

d. The parent or legal guardian of such child, and, in the case of a child with an individualized education program, a member of the planning and placement team, sign an agreement that:

1) acknowledges such parent or legal guardian is aware that such Internet web site, online service or mobile application is unable to comply with the provisions of Conn. Gen. Stat. §§ 10-234bb; and

2) authorizes the use of such Internet web site, online service or mobile application.

e. The Board shall, upon the request of a parent or legal guardian of a child, provide the evidence described in subsection 5.b, above.

VIII. REDISCLOSURE OF EDUCATION RECORDS

A. The school district may disclose personally identifiable information from an education record only on the conditions that:

1. the party to whom the information is disclosed will not subsequently redisclose the information to any other party without the proper consent of the parent or eligible student, and

2. the officers, employees, and agents of a party that receives such information may only use the information for the purposes for which disclosure was made.

B. Notwithstanding the provisions of Section A. above, the school district may disclose personally identifiable information from an education record with the understanding that the information may be redisclosed by the recipient of the information as long as prior written consent for disclosure is not required, for one of the reasons listed in Article VII, Section C. above, and at least one of the following conditions is met.

1. The record of the original disclosure includes the names of the parties to whom redisclosure is being made and the legitimate interests each such party has in requesting or obtaining the information.

2. The original disclosure was to a state or local educational authority or federal official or agency as set forth in Article VII, Section C., and such state or local educational authority or federal official or agency has complied with the requirements of 34 CFR 99.32(b)(2).

3. In the case of disclosures made pursuant to a court order or lawfully issued subpoena, the district has made a reasonable effort to notify the parent or eligible student in advance of compliance with the subpoena (except if such subpoena meets the criteria set forth above in Article VII, Section C. (10)).

4. Disclosure is made to a parent, an eligible student, or the parent of an eligible student.

5. The information is considered directory information.

C. In the event that the Family Policy Compliance Office determines that a third party outside of the school district has improperly redisclosed personally identifiable information from education records in violation of FERPA, the school district may not allow that third party access to personally identifiable information from education records for at least five (5) years.

IX. AMENDMENT OF EDUCATION RECORDS

A. If a parent or an eligible student believes that information in the student's education records is inaccurate, misleading or in violation of the student's right to privacy, he/she is entitled to:

1. Request in writing that the school district amend the records;

2. Receive within a reasonable period of time a decision from the school district with respect to its decision on the amendment(s) requested by the parent or eligible student.

B. If the school district decides to amend the records, the school district shall promptly take such steps as may be necessary to put the decision into effect with respect to the requested amendments, and shall inform the parent or eligible student of the amendment.

C. If the school district decides that an amendment of the records in accordance with the request is not warranted, it shall so inform the parent or eligible student and advise him/her of the right to a hearing pursuant to this policy.

X. HEARING RIGHTS AND PROCEDURES

A. Rights

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

2. If, as a result of the hearing, the school district decides that information contained in the education records of a student is inaccurate, misleading, or otherwise in violation of the privacy rights of the student, the records shall be amended, and the parent or eligible student shall be informed in writing.

3. If, as a result of the hearing, the school district decides that information contained in the education records of a student is not inaccurate, misleading, or otherwise in violation of the privacy rights of the student, the parent or eligible student shall be informed of the right to place in the student's education records a statement commenting on the contested information or stating why he or she disagrees with the district's decision, or both.

    a. Any statement placed in the records of the student shall be maintained by the school system as part of the records of the student as long as the record or contested portion is maintained by the school system.

    b. If the contested portion of the education record is disclosed by the school system, the statement of disagreement by the parents and/or eligible student shall also be disclosed.

B. Procedures

1. The hearing shall be held within a reasonable time after the school system has received the request, unless the parent or eligible student requests a delay.

2. The parent or eligible student shall be given notice of the date, place, and time of the hearing, within a reasonable time in advance of the hearing.

3. The hearing will be conducted by a person or persons appointed by the Superintendent of Schools. This person(s) shall be knowledgeable of the policies relating to confidentiality and shall not have a direct interest in the outcome of the hearing.

4. The parent or eligible student and the school system shall have the right to be represented by person(s) of their choosing at their own expense, to cross-examine witnesses, to present evidence, and to receive a written decision of the hearing.

5. The decision reached through the hearing shall be made in writing within a reasonable period of time after the hearing. The decision will be based solely upon the evidence presented at the hearing and shall include a summary of the evidence and the reasons for the decision.

XI. WAIVER OF RIGHTS

A. A student who is an applicant for admission to an institution of post-secondary education or is in attendance at an institution of post-secondary education, may waive his or her right to inspect and review confidential letters and confidential statements of recommendations with the following limitations:

1. The student is notified, upon request, of the names of all individuals providing the letters or statements.

2. The letters or statements are used only for the purpose for which they were originally intended.

3. The waiver is not required by the district as a condition of admission to or receipt of any other service or benefit from the district.

4. The waiver is in writing and executed by the student, regardless of age, rather than by the parent.

B. A waiver may be revoked with respect to any actions occurring after the revocation.

C. Revocation of a waiver must be in writing.

XII. SPECIAL CONFIDENTIALITY PROCEDURES FOR HIV-RELATED INFORMATION

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

1. Confidential HIV-Related Information

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

2. Health Care Provider

   "Health Care Provider" means any physician, dentist, nurse, provider of services for the mentally ill or persons with intellectual disabilities, or other person involved in providing medical, nursing, counseling, or other health care, substance abuse or mental health service, including such services associated with, or under contract to, a health maintenance organization or medical services plan.

3. Protected Individual

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

4. Release of confidential HIV-related information

   "Release of confidential HIV-related information" means a written authorization for disclosure of confidential HIV-related information which is signed by the protected individual, if an eligible student, or a person authorized to consent to health care for the individual and which is dated and specifies to whom disclosure is authorized, the purpose for such disclosure and the time period during which the release is to be effective. A general authorization for the

release of medical or other information is not a release of confidential HIV-related information, unless such authorization specifically indicates its dual purpose as a general authorization and an authorization for the release of confidential HIV-related information.

5. School Medical Personnel

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

B. Confidentiality of HIV-related Information

1. All school staff must understand that no person who obtains confidential HIV-related information regarding a protected individual may disclose or be compelled to disclose such information. Each person who has access to confidential HIV-related information is responsible for ensuring that confidential HIV-related information is protected from disclosure and/or redisclosure.

2. Confidential HIV-related information is not public information and any disclosure, other than to persons pursuant to a legally sufficient release or to persons authorized by law to receive such information without a legally sufficient release, violates the law and Board policy.

C. Accessibility of Confidential HIV-related Information

1. No school staff member who obtains confidential HIV-related information may disclose or be compelled to disclose such information, except to the following:

a) the protected individual, his/her legal guardian or a person authorized to consent to health care for such individual;

b) any person who secures a release of confidential HIV-related information;

c) a federal, state or local health law officer when such disclosure is mandated or authorized by federal or state law;

d) a health care provider or health facility when knowledge of the HIV-related information is necessary to provide appropriate care or treatment to the protected individual or when confidential HIV-related information is already recorded in a medical chart or record and a health care provider has access to such record for the purpose of providing medical care to the protected individual;

e) a medical examiner to assist in determining cause of death; or

f) any person allowed access to such information by a court order.

D. Procedures

1. If a school staff member, other than school medical personnel, is given confidential HIV-related information regarding a protected individual who is also a student from the student's legal guardian or the student, the school staff member shall attempt to secure a release of confidential HIV-related information for the sole purpose of disclosing such information to school medical personnel.

2. If a school medical personnel member is given confidential HIV-related information regarding a protected individual, who is also a student, by a student's legal guardian, or by the student, and the legal guardian or the student requests accommodations to the student's program for reasons related thereto, the school medical personnel member shall inform the legal guardian or the student, if an eligible student, that a release of confidential HIV-related information is necessary before such information may be disclosed to other educational personnel capable of assessing the need for and implementing appropriate accommodations to the student's program.

3. Any school staff member who obtains confidential HIV-related information from a source other than the protected individual or his/her legal guardian, shall keep such information confidential and shall not disclose such information.

4. No school staff member may disclose confidential HIV-related information to other school staff members without first obtaining a release of confidential HIV-related information.

5. Any record containing confidential HIV-related information shall be maintained in a separate file, and shall not be subject to the provisions of this policy regarding accessibility of general student records.

6. If school medical personnel determine that the health and safety of the student and/or others would be threatened if a release of confidential HIV-related information is not obtained, the school medical personnel may seek a court order authorizing disclosure. In such cases, such confidential HIV-related information may be disclosed as set forth in and subject to any limitation of such court order.

E. Disclosures Pursuant to a Release

1. Any disclosure pursuant to a release shall be accompanied by a notice in writing stating, "This information has been disclosed to you from records whose confidentiality is protected by state law. State law prohibits you from making any further disclosure of it without the specific written consent of the person to whom it pertains, or as otherwise permitted by said law. A general authorization for the release of medical or other information is NOT sufficient for this purpose."

2. Oral disclosures must be accompanied or followed by the above notice within ten (10) days.

3. Except for disclosures made to a federal, state or local health officer when such disclosure is mandated or authorized by federal or state law, a notation of all disclosures shall be placed in the medical record or with any HIV-related test result of a protected individual, who shall be informed of such disclosures on request.

XIII. CHILD ABUSE REPORTING

Nothing in this policy shall limit a mandated reporter's responsibility to report suspected child abuse or neglect under the Board's Child Abuse and Neglect Reporting Policy, Number 4118.21.

XIV. RIGHT TO FILE A COMPLAINT

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

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, DC 20202-8520

Legal References:

State Law:

Public Act -18-125, "An Act Concerning Revisions to the Student Data Privacy Act"

Conn. Gen. Stat. § 1-210 *et seq*.
Conn. Gen. Stat. § 10-220h
Conn. Gen. Stat. § 10-15b
Conn. Gen. Stat. § 10-233d
Conn. Gen. Stat. § 10-234aa
Conn. Gen. Stat. § 10-234bb
Conn. Gen. Stat. § 10-234cc
Conn. Gen. Stat. § 10-234dd
Conn. Gen. Stat. § 10-220d
Conn. Gen. Stat. § 10-253
Conn. Gen. Stat. § 17-16a
Conn. Gen. Stat. § 17a-28
Conn. Gen. Stat. § 17a-101k
Conn. Gen. Stat. § 19a-581 *et seq*.
Conn. Gen. Stat. § 46b-134

Regs. Conn. State Agencies § 10-76d-18

State Department of Education, Guidance on Civil Rights Protections and Supports for Transgender Students, June 2017

State Department of Education, Guidance on Civil Rights Protections and Supports for Transgender Students: Frequently Asked Questions, June 2017

State Department of Education memorandum dated December 21, 2010, on school choice recruitment

Office of the Public Records Administrator, Retention Schedule M8-Education Records, Revised 2/2005, available at http://ctstatelibrary.org/wp-content/uploads/2015/07/M8.pdf

Federal Law:

Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. §§ 1232g
USA Patriot Act of 2001, Pub. L. 107-56
Every Student Succeeds Act, Pub. L. No. 114-95
Healthy, Hunger-Free Kids Act of 2010, Pub. L. 111-296
The McKinney-Vento Homeless Education Assistance Act, 42 U.S.C. §§ 11431 *et seq.*, as amended by Every Student Succeeds Act, Pub. L. 114-95.
34 CFR 99.1 - 99.67
34 CFR 300.560-300.576

Balancing Student Privacy and School Safety: A Guide to the Family Educational Rights and Privacy Act for Elementary and Secondary Schools, U.S. Department of Education (October 2007), available at http://www.ed.gov/policy/gen/guid/fpco/ferpa/safeschools/.

Policy adopted: September 14, 1999
Policy updated: November 1, 2005
Policy updated: April 16, 2019

HARTFORD PUBLIC SCHOOLS

Hartford, Connecticut

Students

Privacy Policies and Procedures

The Hartford Public Schools (HPS) is committed to protecting the privacy and confidentiality of Protected Health Information (PHI). This Policy describes the patient's rights and certain obligations **HPS** has regarding our privacy practices and the use and disclosure of PHI. PHI is information about the patient including demographic information that may identify the patient and that relates to the patient's past, present or future physical or mental health or condition and related health care services.

USES AND DISCLOSURE OF PHI MADE WITHOUT PATIENT'S AUTHORIZATION

The following describes different ways that **HPS** will use and disclose PHI without specific patient authorization.

Treatment

HPS will use PHI to provide the patient with medical treatment or services and to coordinate and manage the patient's care and related services. PHI will be disclosed to hospitals, nursing facilities, doctors, nurses, technicians, medical students and other personnel who are involved in the patient's care. **HPS** will disclose information to people outside **HPS** who are involved in the patient's care, such as designated family members. **HPS** will also disclose PHI to providers or facilities that are involved in the patient's care after the patient leaves our office or our care. This would include, for example when the patient's physician consults with a specialist or the patient's primary care physician, regarding the patient's condition or coordinates services the patient may need, such as lab work or x-rays.

Payment

HPS will use and disclose PHI for the purpose of billing and receiving payment for the treatment and services the patient receives. For billing and payment purposes **HPS** may disclose the patient's PHI to an insurance company, Medicare, Medicaid or any other third party payer. **HPS** may also disclose information to other healthcare providers to assist them in obtaining payment for services they have provided to the patient. **HPS** may provide information about the patient's health plan before payment for health care services that are recommended for the patient in order to, for example, make a determination of eligibility or coverage (or insurance benefits, preauthorization for services. **HPS** may also disclose PHI for the purposes of assisting determinations about medical necessity or utilization review.

Health Care Operations

HPS will use and disclose PHI in a number of different ways for the purposes of **HPS's** operations and to ensure that all patients receive quality care. For example, **HPS** may use PHI to review treatment and services and to evaluate the performance of providers in caring for the patient. **HPS** may also disclose PHI to doctors, nurses, technicians, and medical students for review and learning purposes. PHI may also be disclosed for activities relating to protocol development, case management and care coordination, renewing qualifications of physicians, clinical trials and conducting or arranging for other business operations of our practice. **HPS** will disclose PHI by leaving messages on the patient's answering machine or at the patient's place of employment when the contact phone number or name is given as a method of reaching the patient. **HPS** will also call the patient by name when the patient is in our practice. **HPS** will disclose information to computer technology and support technicians in our office. If **HPS** shares office space with other healthcare providers, we may disclose PHI when we call the patient's name or store the patient's information at a shared location.

HPS will disclose PHI with third party "business associates" that perform various business activities such as transcription services, answering services, attorney/legal services, consultants or accountants, risk managers) for our practice. Whenever an arrangement with a business associate involves the use or disclosure of PHI, we will have a written contract that contains terms that will protect the privacy of the PHI.

Parents and Guardians
HPS will provide PHI to the parents and guardians of our patients who are under eighteen years of age.

Appointment Reminders/Sign in Sheets
HPS will use and disclose PHI to contact the patient as a reminder that the patient has an appointment or to see the physician or to schedule follow up appointments. We may ask the patient to sign in upon arrival at our office. We may call the patient's name when we are ready to see the patient. We may display photo images, which the patient has sent us, such as birth announcements, greeting cards, any of which may have the patient's name or the names and images of other members of the patient's family.

***Marketing/Health-Related Benefits and* Services** HPS may use and disclose PHI to tell the patient about health-related benefits and services to the patient's treatment, case management or care coordination or recommend possible treatment options or alternatives that may be of interest to the patient or to provide the patient with small gifts. HPS may also encourage the patient to purchase a product and services when we see the patient. In addition, we may use and disclose the patient's PHI for certain marketing activities, such as, using the patient's name and address to send the patient a newsletter about our office and the services we offer.

***Fundraising* Activities** HPS may use PHI about the patient in order to contact the patient for fundraising activities supported by us. Only the patient's name, address and phone number and the date the patient received treatment or services from us would be used.

Individuals Involved in Patient Care
HPS will disclose to one of the patient 's family members, to a relative, to a close personal friend or to any other person identified by the patient, PHI that is directly relevant to the person's involvement with the patient's care. In addition, we may disclose PHI to notify, identify or locate a member of the patient's family, the patient's personal representative, another person responsible for the patient's care of the patient's location, general condition or death. In the case of a communication barrier, we may disclose PHI to an interpreter.

Emergencies/Disaster Relief
HPS may use or disclose PHI to a public or private agency (like the American Red Cross) for emergencies or disaster relief purposes.

Required By Law
HPS will disclose PHI when required to do so by federal, state or local law.

To Avert a Serious Threat to Health or Safety
HPS will use and disclose PHI about the patient when necessary to prevent a serious threat to the

patient's health and safety or the health and safety of the public or another person. Military and Veterans If the patient is a member of the armed forces, HPS may release PHI about the patient as required by military command authorities. We may also release PHI about foreign military personnel to the appropriate foreign military authority.

National Security and Intelligence Activities HPS may release PHI about the patient to authorized federal officials for intelligence, counterintelligence, and other national security activities authorized by law. President, other authorized persons or foreign heads of state or conduct special investigations.

Inmates

If the patient is an inmate of a correctional institution or under the custody of a law enforcement official, **HPS** may release PHI to the correctional institution or law enforcement official.

Workers' Compensation HPS may release PHI for workers' compensation or similar programs. These programs provide benefits for work-related injuries or illness.

Public Health Records HPS may disclose PHI for public health activities to a public health authority that is permitted by law to collector receive the information. The disclosure will be made for the purpose of controlling disease, injury or disability. HPS may disclose the patient's PHI, if directed by the public health authority, to a foreign government agency that is collaborating with the public health authority.

Health Oversight Activities

HPS may disclose PHI to a health oversight agency for activities authorized by law. These oversight activities include, for example, audits, investigations, inspections, and licensure. These activities are necessary for the government to monitor the health care system, government programs, and compliance with civil rights laws.

Communicable Diseases

HPS may disclose PHI, if authorized by law, to a person who may have been exposed to a communicable disease or may otherwise be at risk of contracting or spreading the disease or condition.

Food and Drug Administration

HPS will disclose PHI to a person or company required by the Food and Drug Administration to report adverse events, product defects or problems, biologic product deviations, track products; to enable product recalls; to make repairs or replacements, or to conduct post marketing surveillance, as required.

Law Enforcement

HPS may disclose PHI for certain law enforcement purposes, including, but not limited to:

In response to a court order, subpoena, warrant, summons or similar process;
To identify or locale a suspect, fugitive, material witness, or missing person;
About the victim of a crime if, under certain limited circumstances, we are unable to obtain the person's agreement;
About a death we believe may be the result of criminal conduct;
About criminal conduct at the hospital; and
In emergency circumstances to report a crime: the location of the crime victims; or the identity, description of location of the person who committed the crime.

Coroners, Medical Examiners and Funeral Directors, Organ/Tissue Donation Organization
HPS will release PHI to a coroner or medical examiner. This may be necessary, for example, identify a deceased person or determine the cause of death. **HPS** may also release PHI to funeral directors as necessary carry out their duties. If the patient is an organ donor, we will release PHI to organizations that handle organ procurement or organ, eye or tissue transplantation or to an organ donation bank, as necessary to facilitate organ or tissue donation and transplantation.

Other use or disclosure of Phi will be made only with written authorization of adult patients or their parent or guardian.

Under any circumstances other than those listed above, **HPS** will request that adult patients or their parents or guardians provide us with a written authorization for use and disclose PHI.

Authorization for use or disclosure may be revoked at any time.

Patient Rights Regarding Phi

The patient has the following rights regarding PHI:

Right to Inspect and Copy
Upon a written request, adult patients or their parents or guardians have the right to inspect and obtain a copy of the patient's PHI that is contained in a designated record set for as long as we maintain the PHI. A "designated record set" contains medical and billing records and other records that **HPS** uses for making decisions. Under federal law, however, the patient may not inspect of copy the following records: psychotherapy notes, information compiles in reasonable anticipation of, or use in, a civil, criminal or administrative action or proceeding, and other PHI that is protected by law.

In order to request inspection or copying, adult patients or their parents or guardians must submit a written request detailing the information requested the Privacy Officer. **HPS** may charge a reasonable fee as allowed by the law for copying, mailing or other supplies associated with the request.

HPS may deny request to inspect or copy in certain circumstances. If the patient is denied access to PHI, adult patients or their parents or guardians may request that the denial be reviewed. A licensed health care professional selected by **HPS** will review the request and the denial **HPS** will comply with the outcome of the review.

Right to Amend
Adult patients or their parents or guardians also have the right to request amendment of PHI contained a designated record set if they believe it to be incorrect or incomplete.

The request for amendment must be made in writing and submitted to the Privacy Officer. The request must explain the reasons for the claim that the information is inaccurate or incomplete and requested amendment.

The Privacy Officer may deny the request for an amendment if it is not in writing or does not include a reason to support the request. In addition, the Privacy Officer may deny the request if the patient requests amendment of information that:

- Was not created by **HPS**, unless the person or entity that created the information is no longer available to make the amendment;

- Is not part of the PHI kept by or for HPS:
- Is not part of the information which the patient would be permitted to inspect and copy; or
- Is accurate and complete, in our opinion.

If the Privacy Officer denies the request for amendment, a written denial notice will be provided, including reasons for the denial and explain that the patient has the right to submit a written statement disagreeing with the denial. The letter of disagreement will be attached to the patient's medical record.

Right to an Accounting of Disclosures

Adult patients or parents and guardians have the right to request an "accounting (report) of certain disclosures". This is a list of the disclosures we made of PHI that we were required to account for under law.

Adult patients or parents or guardians must submit a written request for an accounting of disclosures to the Privacy Officer. The request must state a time period involved, may not be longer than six years, and may not include dates before April 14, 2003. The request should indicate the form of list requested (for example: on paper or electronically), and if readily producible, HPS will comply. The first list requested within a 12-month period will be free. For additional lists, HPS may charge for the costs of providing the list. **HPS** will notify the requester of the cost involved and the requestor may choose to withdraw or modify the request at that time before any costs are incurred.

Right to Request Restrictions

Adult patients or parents or guardians have the right to request a restriction or limitation on use or disclosure of PHI for treatment, payment or health care operations or disclosure to those who are involved in the patient's care or the payment for the patient's care, like a family member or friend. For example, a request might ask that we not use or disclose information about a procedure the patient had. If for any reason, the restriction or limitation of PHI results in non-payment, denial of claim, the patient or parent or guardian will be financially responsible for payment of all services rendered to the patient associated with requested restriction or limitation.

HPS is not required to agree to** the **request. If we do agree, **HPS** will comply with the request unless the information is needed to provide the patient with emergency treatment.

To request restrictions, the patient or parent or guardian must make the request in writing to Privacy Officer. The request should include (1) what information should be limited; (2) whether the limit applies **HPS** use, disclosure or both; and (3} to whom the limits should apply (for example, disclosures to a spouse).

Right to Request Confidential Communications

Adult patients or parents and guardians have the right to request that **HPS** communicate with about medical matters in a certain way or at a certain location. For example, the request can ask that **HPS** only contact a parent at work or by mail.

Such requests must be made in writing to Privacy Officer. No reasons are required for the request. **HPS** will accommodate all reasonable requests.

Right to a Paper Copy of this Policy

Patients and parents and guardians of minor patients have the right to a paper copy of this Policy Statement. To obtain a paper copy of this Notice contact the Privacy Officer.

Special Rules Regarding Disclosure of Psychiatric, Substance Abuse and HIV Related Information
Special restrictions apply to disclosures of health information that relates to care for psychiatric conditions, substance abuse or HIV related testing and treatment. This information may not be disclosed without the specific written permission or adult patients or the parents or guardians of minor patients, except as may be specifically required or permitted by law. The following are examples of disclosures that may be made without the patient's specific written permission:

Psychiatric information; **HPS** may disclose psychiatric information to a mental health program if needed for the patient's diagnosis or treatment. We may also disclose very limited psychiatric information for payment purposes.

HIV Related information: **HPS** may disclose HIV related information for purposes of treatment or payment.

Substance abuse information: **HPS** may disclose information obtained from a substance abuse program in an emergency.

STAFF TRAINING REGARDING THIS POLICY
HPS will train all staff members employed in its practice and all volunteers concerning this Policy is on an annual basis.

PRIVACY OFFICER
HPS's Privacy Officer is:

Kurt J. Myers M.D.
Medical Director Hartford Public Schools
960 Main Street
Hartford, CT 06103
Telephone: (860) 695-8460
Fax: (860) 722-8630

Changes to this policy
HPS reserves the right to change the terms of this Policy and to make the new provisions of the Policy effective for all records we maintain. A current copy of the Policy shall be posted in this practice's main office and all satellite offices.

Complaints (The patient will not be penalized for filing a complaint)
If adult patients or the parents or guardians of minor patients believe that privacy rights have been violated, they may file a complaint with the Privacy Officer. All complaints must be in writing. To file a complaint with the government the patient may contact:

Office of Civil Rights
U.S. Department of Health and Human Services
200 Independence Ave. SW Room 509F
Washington, DC 20201

Legal Reference: Connecticut General Statutes
1-19(b)11I) Access to public records. Exempt records
10-15b Access of parent or guardians to student's records
10-154a Professional communications between teacher or nurse and student.
10-209 Records not to be public
46b-56(e) Access to Records of Minors

Connecticut Public Records Administration Schedule V – Disposition of Education Records (Revised 1986)

Regulations adopted: November 1, 2005
:

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

FORMS

1. Privacy Policy (handout)
2. General Policy Statement (handout)
3. Notice of Privacy Practice (handout)
4. Acknowledgement of Receipt of Notice of Privacy Practices (for parent/guardian completion
5. Authorization for Exchange of Health and Education Information (for HPS staff completion)
6. Authorization for Release of Health Information (for RN completion)
7. Authorization to Release Information (for SBHC staff completion ***only***)
8. Authorization to Release Psychiatric Information (for SBHC MHC completion ***only***)

Health Services, Health Education, Prevention and Attendance
960 Main Street, 8th Floor
Hartford, CT 06103
Tel: (860) 695-8460 Fax: (860) 722-8630

Robert Henry
Superintendent of Schools
LaVerne Terry, Ed.D.
Deputy Superintendent
Leah O'Neill Fichtner
Senior Director
Health Services, Health Education, Prevention and Attendance

Privacy Policy

Pursuant to Section 264 of the Health Insurance Portability and Accountability Act of 1996, (HIPAA) the Hartford Public Schools (HPS) has developed an Information Security/Privacy Policy. If you are a student of the HPS, your **Protected Health Information** (PHI) is that information contained within the medical/mental health records at the HPS.

All confidential health, personnel, and financial information of HPS students are restricted to employees of the HPS on a need-to-know basis.

We do not sell or provide your information to any outside agency, except through a specific release of information signed by your parent or guardian. We do provide some PHI to our affiliated laboratories when you have blood or urine sent for analysis. These laboratories have provided their privacy policy to us for your review if you request.

You may request to review your medical record and we will provide a supervised period of time for you to do that within 30 days.

Questions relating to this Privacy Policy may be directed to:

Kurt J. Myers, M.D.
Medical Director

HPS Staff _____

Leah O'Neill Fichtner
Senior Director of Health Services

5125(h)
Form #1

Health Services, Health Education, Prevention and Attendance
960 Main Street, 8th Floor
Hartford, CT 06103
Tel: (860) 695-8460 Fax: (860) 722-8630

Robert Henry
Superintendent of Schools
LaVerne Terry Ed.D.
Deputy Superintendent forf Curriculum & Instruction
Leah O'Neill Fichtner
Senior Director
Health Services, Health Education, Prevention and Attendance

Póliza de Privacidad

De acuerdo con la Sección 264 del Acta del 1996 sobre Portabilidad y Responsabilidad sobre el seguro de Salud, (HIPAA) las escuelas Públicas de Hartford, (HPS) han desarrollado una Póliza de información de Seguridad/Privacidad. Si Usted es un estudiante de las escuelas públicas de Hartford (HPS), su **Información Protegida de Salud** (PHI) es esa información contenida en los archivos médicos/mentales en HPS (escuelas públicas de Hartford).

Toda información de salud, personal y financiera de los estudiantes de HPS, esta restringida para los empleados de HPS en base a necesidad-de-saber.

Nosotros no vendemos o proveemos su información a ninguna agencia de afuera, excepto por un permiso especifico firmado por su padre o encargado. Nosotros sí proveemos alguna PHI (información de salud) a nuestros laboratorios afiliados cuando usted envia su sangre u orina para análisis. Estos laboratorios nos han proveido su póliza de privacidad la cual Usted puede revisar si asi lo desea.

Usted puede pedir revisar su archivo médico y nosotros proveeremos un periodo supervisado de tiempo de 30 dias para que usted lo haga.

Cualquier pregunta relacionada con la Póliza de Privacidad puede ser dirigida a:

Kurt J. Myers, M.D.
Director Médico

Personal de HPS _____

Leah O'Neill Fichtner
Director Principal de Servicios de Salud

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960 Main Street, 8th Floor
Hartford, CT 06103
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Robert Henry
Superintendent of Schools
LaVerne Terry, Ed.D.
Deputy Superintendent for Curriculum & Instruction
Leah O'Neill Fichtner
Senior Director
Health Services, Health Education, Prevention and Attendance

General Policy Statement

Hartford Public Schools (hereinafter HPS) is committed to providing a high standard of care. HPS is committed to ensuring the confidentiality of HPS protected health information (PHI).

Pursuant to Section 264 of the Health Insurance Portability and Accountability Act of 1996 (HIPAA), HPS has developed an Information Security/Privacy Policy. The PHI is that information contained within the medical/mental health records at the HPS.

All confidential health, personnel, and financial information of HPS are restricted to employees of the HPS on a need-to-know basis. Staff are aware of the policies and procedures which are included in the general Clinic Policy and Procedures Manual located at all clinic sites.

Business associates of the HPS granted access to PHI must sign contracts agreeing to protect that information.

All HPS staff will receive in-service on means to protect this information.

All patients of the HPS will receive a notice of privacy practices for the HPS.

Disposal of PHI will be ensured using paper shredding.

Employees who violate this policy are subject to disciplinary action and/or dismissal.

Questions relating to this Privacy Policy may be directed to:

Kurt J. Myers, M.D.
Medical Director

Leah O'Neill Fichtner
Senior Director of Health Services

Health Services, Health Education, Prevention and Attendance
960 Main Street, 8th Floor
Hartford, CT 06103
Tel: (860) 695-8460 Fax: (860) 722-8630

Robert Henry
Superintendent of Schools
LaVerne Terry, Ed.D.
Deputy Superintendent for Curriculum & Instruction
Leah O'Neill Fichtner
Senior Director
Health Services, Health Education, Prevention and Attendance

Declaración General de Póliza

Las escuelas Públicas de Hartford (de ahora en adelante HPS) estan comprometidas a proveer un cuidado de alto nivel. HPS estan comprometidas a asegurar la confidencialidad de la información sobre la salud (PHI), de las escuelas públicas de Hartford (PHS).

De acuerdo con la Sección 264 del Acta de responsabilidad y portabilidad del 1996 sobre los seguros de Salud (HIPAA), HPS ha desarrollado una Póliza de Información sobre Seguridad/Privacidad. La información de Salud (PHI), es esa información contenida en los archivos de Salud médicos/mentales en las escuelas públicas de Hartford (HPS).

Toda información confidencial de salud, personal y financiera de HPS esta restringida para los empleados de HPS en base a necesidad-de-saber. El personal esta al corriente de las pólizas y procedimientos los cuales estan incluidos en el manual de pólizas clínicas generales localizado en todas las clínicas de las escuelas.

Los Asociados de HPS a los que se le otorga acceso al PHI deben firmar contratos en los que acuerdan proteger esta información.

Todo el personal de HPS recibirá entrenamiento de servicio interno en miras a proteger esta información.

Los pacientes de HPS recibirán una notificación sobre las prácticas de privacidad de las HPS.

El desecho de PHI se asegurará usando desfibradora de papeles.

Los empleados que violen esta póliza estan sujetos a una acción disciplinaria y/o despido.

Preguntas relacionadas con esta Póliza de Privacidad pueden ser dirigidas a:

Kurt J. Myers, M.D.
Senior Director de Servicios de Salud

Leah O'Neill Fichtner
Director Médico

Notice of Privacy Practice

Pursuant to Section 264 of the Health Insurance Portability and Accountability Act of 1996 (HIPAA), the Hartford Public Schools (HPS) has developed an Information Security and Privacy Policy. This is to notify patients of the existence and basic elements of that Policy.

HPS will maintain all patient identifiable information contained in its medical/mental health records concerning patients as Protected Health Information (PHI).

PHI will be accessed and used by HPS staff members for the purposes of treatment of patients and health care operations.

In addition, we will provide PHI to our affiliated laboratories to conduct analysis of patient blood, urine and similar samples. These affiliated laboratories have provided their privacy policies to us and those policies are available for review upon request.

We will also provide PHI to the parents and guardians of our patients who are under eighteen years of age.

We will also provide PHI to outside agencies or persons if we are required to do so by federal or state law, including laws requiring us to report child abuse or neglect, or by a court or administrative order. We will also provide PHI to outside agencies or persons if it is necessary to prevent a serious threat to the health or safety of the patient or others.

Except as noted above, we will not sell or provide patient identifiable PHI to any outside agency or person except with the written individual authorization of the patient (if eighteen or over) or parent or guardian for disclosure to a specific recipient for a specific purpose.

Patients also have the right to review their medical record and we will provide a supervised period of time to so within 30 days of a request. Patients also have the right to request an amendment to their medical record in accordance with our procedure. Patients may also request information about this procedure.

Questions relating to this notice or our Privacy Policy for Information Security may be directed to our Privacy Officer by contacting: **Kurt J. Myers, M.D. Medical Director 860-695-8460.**

5125(h)
Form #3

Notificación sobre la Práctica de Privacidad

De acuerdo con la sección 264 del Acta sobre la responsibilidad y portabilidad de seguro Médico (HIPAA), las escuelas Públicas de Hartford (HPS) han desarrollado una Póliza de información de Seguridad y Privacidad. Esta es para notificar a los pacientes de la existencia y elementos básicos de esa Póliza.

HPS mantendrá toda información identificable del paciente contenida en los archivos médicos/mentales concernientes a los pacientes, como Información de Salud Protegida (PHI).

PHI se accederá y será usado por los miembros del personal de HPS para los propósito de tratamiento de los pacientes y el manejo del cuidado de su salud.

En adición, nosotros proveeremos el PHI a nuestros laboratorios afiliados para llevar a cabo análisis de sangre del paciente, orina y muestras similares. Estos laboratorios afiliados nos han proveido sus pólizas de privacidad y esas pólizas estan disponibles para revisión si asi lo desea.

Tambien le proveeremos el PHI a los padres o encargados de nuestros pacientes menores de diesiocho años de edad.

También le proveeremos el PHI a personas o agencias de afuera si se nos requiere por ley federal o estatal, incluyendo leyes que requieran que reportemos abuso de niños o negligencia, o por la corte u orden administrativa. También le proveeremos el PHI a personas o agencias de afuera si es necesario para prevenir una amenaza seria a la salud o la seguridad del paciente u otras personas.

Excepto en las condiciones nombradas arriba, nosotros no venderemos ni proveeremos identificable información de salud (PHI) del paciente a ninguna persona o agencia de afuera excepto con la autorización escrita individual del paciente (si tiene diesiocho años o más), o del padre o encargado para divulgación a un recipiente específico para un propósito específico.

Los pacientes también tienen el derecho de revisar sus archivos médicos y nosotros le proveeremos un periodo de tiempo supervisado para hacerlo de 30 dias a partir del pedido. Los pacientes también tienen derecho a solicitar una enmienda a sus archivos médicos en conformidad con nuestro procedimiento. Los pacientes también pueden solicitar información sobre este procedimiento.

Preguntas relacionadas con esta notificación o nuestra Póliza de Privacidad para seguridad de Información pueden ser dirigidas a nuestro oficial de privacidad contactando a: **Kurt J. Myers, M.D. Director Médico 860-695-8460.**

5125(h)
Form #4

Acknowledgement of Receipt of Notice of
Privacy Practices

Kurt J. Myers M.D.
Medical Director
Hartford Public Schools
960 Main St.
Hartford, CT 06103

Name of Patient:_____

I hereby acknowledge that I received a copy of Hartford Public Schools Notice of Privacy and that I may request a copy of any amended Notice of Privacy.

Signed:_____ Date:_____

Print Name:_____

If not signed by patient, please complete below:

Relationship to Patient: Check below

☐ Parent ☐ Legal Guardian ☐ Conservator ☐ Patient's Representative

---

For Office Use Only:

Acknowledgement Refused:

Efforts to obtain:_____

_____

Reasons for refusal:_____

_____

5125(h)
Form #4

Certificación de Notificación recibida sobre Prácticas de Privacidad

Kurt J. Myers M.D.
Director Médico
Escuelas Públicas de Hartford
960 calle Main
Hartford, CT 06103

Nombre del paciente:_____

Por la presente certifico que recibí una copia de la Notificación de Privacidad de las escuelas Públicas de Hartford y que puedo solicitar una copia de cualquier notificación de privacidad enmendada.

Firma:_____ Fecha: _____

Nombre en letra de molde: _____

Si no esta firmado por el paciente, por favor llene abajo:

Relación con el paciente: Marque abajo

☐ Padres ☐ Encargado ☐ Protector ☐ Representante del paciente

---

Para uso de oficina solamente:

Certificación rechazada:

Esfuerzos para obtener:_____

_____

Razones para rechazo:_____

_____

5125(h)
Form #5

Hartford Pubic Schools
Authorization for Exchange of Health and Education Information

Patient/Student Name_____**Date of Birth**_____

I hereby authorize _____*[insert health care provider name & title]*

and _____*[insert name & title of school official]* to exchange health

and education information/records for the purpose listed below.

_____*[insert address & telephone of school/school district]*

_____*[insert address & telephone of health care provider]*

Description:
The health information to be disclosed consists of:

The education information to be disclosed consists of:

Purpose: This information will be used for the following purpose(s):
1. Educational evaluation and program planning.
2. Health assessment and planning for health care services and treatment in school.
3. Medical evaluation and treatment.
4. Other:_____

_____

Authorization
This authorization is valid for one calendar year. It will expire on _____ *[insert date].* I understand that I may revoke this authorization at any time by submitting written notice of the withdrawal of my consent. I recognize that health records, once received by the school district, may not be protected by the HIPAA Privacy rule, but will become education records protected by the Family Educational rights and Privacy Act. I also understand that if I refuse, such refusal will not interfere with my child's ability to obtain health care.

_____
Parent Signature Date

_____
Student Signature* Date

*If a minor student is authorized to consent to health care without parental consent under federal or state law, only the student shall sign this authorization form. In Connecticut, a competent minor, depending on age, can consent to outpatient mental health care, alcohol and drug abuse treatment, testing for HIV/AIDS, and reproductive health care services.

Copies: Parent or student.*
Physician or other health care provider releasing the protected health information.
School official requesting the protected health information.

5125(h)
Form #5

Hartford Pubic Schools
Autorización para el Intercambio de Información y educación sobre la salud

Paciente/nombre de estudiante_____Fecha de nacimiento

_____

Yo autorizo a_____*[inserte nombre y título del proveedor de cuidado de salúd]*

y a _____ *[inserte nombre y título del oficila escolar] a intercambiar* archivos de educación y salúd para el propósito enumerado abajo.

_____*[inserte dirección y teléfono de la escuela/distrito escolar]*

_____ *[inserte dirección y teléfono del proveedor de salud]*

Descripción:
La información de salud que se revelará consiste de:

La información de educación que se revelará consiste de:

Propósito: Esta información se usará para el/los siguiente(s) propósito(s):

1. Evaluación Educacional y planificación del programa.
2. Evaluación y planificación para servicios de cuidado de salud y tratamiento en la escuela.
3 Evaluación médica y tratamiento.
4. Otro:_____
_____

Autorización:
Esta autorización es válida por el año escolar. Expirará en _____*[inserte fecha].* Entiendo que puedo revocar esta autorización en cualquier momento sometiendo una notificación por escrito retirando mi consentimiento. Reconozco que los archivos de salud, una vez recibidos por el distrito escolar, puede no ser protegido por la regla de privacidad del HIPAA, pero serán archivos de educación protegidos por los derechos de educación de la familia y el Acta de Privacidad. También entiendo que si me niego, tal negación no interferirá con la habilidad de mi hijo/a para obtener cuidado de salud.

_____
Firma padre/encargado Fecha

_____
Firma del estudiante* Fecha

*Si un estudiante menor de edad es autorizado para consentir a cuidado de salud sin el consentimiento de los padres bajo la ley Federal o del Estado, sólo el estudiante firmará este formulario de permiso. En Connecticut, un menor competente, dependiendo de la edad, puede consentir a cuidado como paciente externo de salud mental, tratatamiento de alcohol y abuso de drogas, exámen del HIV/SIDA, y servicios de salud reproductivos.

Copias: Padres o Estudiante.*
Médico u otro proveedor de salud autorizando la entrega de la información de salud protegida.
Oficial de la escuela que reclama la información de salud protegida.

5125(h)
Form #6

Hartford Pubic Schools
Authorization for Release of Health Information

Patient/Student Name_____**Date of Birth**_____
_____

I hereby authorize _____*[insert health care provider name, address and telephone]* to release my/my child's health information/records for the purpose listed below to:

_____*[insert name of school official]*

_____*[insert name of school/school district]*

_____*[insert school address & telephone]*

Description:
The information to be disclosed consists of:

Purpose:
This information will be used for the following purpose(s):

Authorization

This authorization is valid for one calendar year. It will expire on _____ *[insert date].* I understand that I may revoke this authorization at any time by submitting written notice of the withdrawal of my consent. I recognize that health records, once received by the school district, may not be protected by the HIPAA Privacy rule, but will become education records protected by the Family Educational rights and Privacy Act. I also understand that if I refuse, such refusal will not interfere with my child's ability to obtain health care.

_____
Parent Signature Date

_____
Student Signature* Date

*If a minor student is authorized to consent to health care without parental consent under federal or state law, only the student shall sign this authorization form. In Connecticut, a competent minor, depending on age, can consent to outpatient mental health care, alcohol and drug abuse treatment, testing for HIV/AIDS, and reproductive health care services.

Copies: Parent or student.*
Physician or other health care provider releasing the protected health information.
School official requesting the protected health information.

5125(h)
Form #6

Hartford Pubic Schools
Autorización para la entrega de Información sobre la Salud

Paciente/nombre de estudiante_____ Fecha de nacimiento_____

Yo autorizo a _____ *[inserte nombre, dirección y teléfono del proveedor de cuidado de salúd]* a entregar los archivos médicos/información de salud mios/de mi hijo(a) para el propósito enumerado abajo a:

_____ *[inserte nombre del oficial escolar]*

_____ *[inserte el nombre de la escuela/distrito escolar]*

_____ *[inserte dirección y teléfono de la escuela]*

Descripción:
La información que se revelará consiste de:

Propósito:
Esta información se usará para el/los siguiente(s) propósito(s):

Autorización:
Esta autorización es válida por el año escolar. Expirará en _____*[inserte fecha].* Entiendo que puedo revocar esta autorización en cualquier momento sometiendo una notificación por escrito retirando mi consentimiento. Reconozco que los archivos de salúd, una vez recibidos por el distrito escolar, puede no ser protegido por la regla de privacidad del HIPAA, pero serán archivos de educación protegidos por los derechos de educación de la familia y el Acta de Privacidad. También entiendo que si me niego, tal negación no interferirá con la habilidad de mi hijo/a para obtener cuidado de salud.

_____
Firma padre/encargado Fecha

_____
Firma del estudiante* Fecha

*Si un estudiante menor de edad es autorizado para consentir a cuidado de salud sin el consentimiento de los padres bajo la ley Federar o del Estado sólo el estudiante firmará este formulario de permiso. En Connecticut, un menor competente, dependiendo de la edad, puede consentir a cuidado como paciente externo de salud mental, tratatamiento de alcohol y abuso de drogas, exámen del HIV/SIDA, y servicios de salud reproductivos.

Copias: Padres o Estudiante.*
Médico u otro proveedor de salud autorizando la entrega de la información de salud protegida.
Oficial de la escuela que reclama la información de salud protegida.

5125(h)
Form #7

Hartford Pubic Schools
Authorization to Release Information

I hereby authorize _____ to release medical, psychiatric, drug and alcohol
Name of individual or facility
abuse records of: _____ , _____
Patient Name Date of Birth

to: _____
Address

for the purpose of (please check one):

- ق Continuing Care
- ق Determining Eligibility for Disability Benefits
- ق Legal Representation
- ق Insurance Claim
- ق Other (specify) _____

_____

Covering the period(s) of hospitalization and/or treatment from:

Date of Admission:_____ Date of Discharge:_____

This authorization disclosure of the following information:

- ق Admissions Notification/Progress Update
- ق Psychiatric Assessments & Evaluation
- ق Psychological Assessment
- ق Discharge Summary/Letter
- ق Lab Reports
- ق Physical Exam
- ق Other (specify) _____

Method of Disclosure: ___Facsimile ___Mail ___Verbal

With facsimile disclosure: Received by: _____ Date: _____

Unless specified below, authorization will expire in one year. Specifications of the date, event of condition upon which this consent expires: _____

I understand that refusal to grant consent will in no way jeopardize the right to obtain present or future treatment except where disclosure of such communications and records is necessary for treatment. I understand that this consent can be revoked at any time except to the extent that disclosure made in good faith has already occurred in reliance on this consent. Consent may be withdrawn at any future time in writing addressed to the Medical Director. I understand the reasonable benefits and disadvantages of my decision concerning release of the information specified above.

Date: _____ Signed: _____

Witness: _____

5125(h)
Form #7

Hartford Public Schools
Autorización para la entrega de Información

Por este medio autorizo a _____para que entregue los archivos
nombre de individuo o facultad

médicos, psiquiatricos, abuso de droga o alcohol de_____, _____
Nombre paciente *fecha de nacimiento*

a:
_____
Dirección

Para el propósito de (por favor marque uno):
☐ Cuidado continuo
☐ Reclamo do Seguro
☐ Determinar Elegibilidad para incapacitación Beneficios
☐ Representación Legal
☐ Otro (especifique)
_____
_____

Cubriendo el periodo de hospitalización y/o tratamiento desde:

Fecha de Admisión:_____ Fecha de Alta:_____

Esta autorización revela la siguiente información:
☐ Notificaciones de Admisiones/Resumen de Progreso
☐ Reportes del Laboratorio
☐ Evaluaciones psiquiátricas
☐ Sumario/carta de alta
☐ Exámen Físico
☐ Evaluaciones psicológicas
☐ Otra (especifique)
_____

Método de divulgación: ___Facsimil ___Correo ___Verbal

Si por Facsimil: Recibido en:_____Fecha:_____

A menos que se especifique abajo, la autorización expirará en un año. Especificaciones de la fecha, condición del evento por el cual este consentimiento expira:

_____

Yo entiendo que el rehusar dar consentimiento en ninguna forma pondrá en riesgo el derecho a obtener tratamiento presente o futuro excepto donde la divulgación de tal comunicación y archivos sea necesario para tratamiento. Yo entiendo que este consentimiento puede ser revocado en cualquier momento excepto a tal grado que la divulgación hecha de buena fe ya haya ocurrido en confianza con este consentimiento. El consentimiento puede ser retirado en un futuro dirigiéndome por escrito al Director Médico. Yo entiendo los beneficios razonables y las desventajas de mi decisión concerniente a la divulgación de la información especificada arriba.

Fecha: _____
Firma:_____

Testigo:_____

5125(h)
Form #8

Hartford Public Schools
Authorization to Release Psychiatric Information

I hereby authorize _____ to release psychiatric
and drug Name of individual or facility

and alcohol abuse treatment records of: _____,_____
Name of individual or facility *Date of Birth*

to:_____
Address

For the purpose of (please check one):

- ☐Continuing Care
- ☐Determining Eligibility for Disability
- ☐Benefits
- ☐Legal representation
- ☐Insurance Claim
- ☐Other (specify) _____

Covering the period(s) of hospitalization and/or treatment from:

Date of Admission:_____ Date of Discharge:_____

This authorization is for disclosure of the following information:

- ☐Admissions Notification/Progress Update
- ☐Psychiatric Assessments & Evaluation
- ☐Psychological Assessment
- ☐Discharge Summary/Letter
- ☐Lab Reports
- ☐Physical Exam
- ☐Other (specify) _____

Method of Disclosure: ___Facsimile ___Mail ___Verbal

With facsimile disclosure: Received by:_____Date:_____

Authorization
Unless specified below, authorization will expire in one year. Specifications of the date, event of condition

upon which this consent expires:_____

I understand that refusal to grant consent will in no way jeopardize the right to obtain present or future treatment except where disclosure of such communications and records is necessary for treatment. I understand that this consent can be revoked at any time except to the extent that disclosure made in good faith has already occurred in reliance on this consent. Consent may be withdrawn at any future time in writing addressed to the Medical Director. I understand the reasonable benefits and disadvantages of my decision concerning release of the information specified above.

Date:_____ Signed:_____

Witness:_____

5125(h)
Form #8

Hartford Public Schools
Autorización para entregar información psiquiátrica

Por este medio autorizo a_____ a entregar los archivos
nombre de individuo o facilidad

psiquiátricos y de abuso de drogas y alcohol de _____ ,_____
nombre del individuo o facilidad *fecha de nacimiento*

a _____
Dirección

Para el propósito de (por favor marque uno):

☐ Cuidado continuo
☐ Reclamo do Seguro
☐ Determinar Elegibilidad para incapacitación Beneficios
☐ Representación Legal
☐ Otro (especifique)
_____
_____

Cubriendo el periodo de hospitalización y/o tratamiento desde:

Fecha de Admisión:_____ Fecha de Alta:_____

Esta autorización revela la siguiente información:

☐ Notificaciones de Admisiones/Resumen de Progreso
☐ Reportes del Laboratorio
☐ Evaluaciones psiquiátricas
☐ Sumario/carta de alta
☐ Exámen Físico
☐ Evaluaciones psicológicas
☐ Otra (especifique)
_____
_____

Método de divulgación: ___Facsimil ___Correo ___Verbal

Si por Facsimil: Recibido en:_____Fecha:_____

Autorización:
A menos que se especifique abajo, la autorización expirará en un año. Especificaciones de la fecha, condición del evento por el cual este consentimiento expira:

_____

Yo entiendo que el rehusar dar consentimiento en ninguna forma pondrá en riesgo el derecho a obtener tratamiento presente o futuro excepto donde la divulgación de tal comunicación y archivos sea necesario para tratamiento. Yo entiendo que este consentimiento puede ser revocado en cualquier momento excepto a tal grado que la divulgación hecha de buena fe ya haya ocurrido en confianza con este consentimiento. El consentimiento puede ser retirado en un futuro dirigiéndome por escrito al Director Médico. Yo entiendo los beneficios razonables y las desventajas de mi decisión concerniente a la divulgación de la información especificada arriba.

Fecha: _____ Firma: _____

Testigo:_____

Students

Awards for Achievement

The Board of Education encourages the professional staff to maintain a set of criteria and procedures for presenting suitable awards to students for scholarship and distinguished service in any school activity. In all cases, the relationship between the award and the relevant goal or goals of the schools should be indicated.

The professional staff is authorized to review and approve, or reject, proposed trophies, prizes, scholarships or other awards from non-school donors. Acceptance will require affirmative answers to at least the following questions:

1. Can the proposed award be considered free from motives of personal or corporate gain and publicity?
2. Are the criteria for making the award under the control of the professional staff, or acceptable to the staff?
3. Are the purposes, either implied or explicit, of the proposed award consistent with the schools' goals?

Policy adopted: September 14, 1999
Policy adopted: November 1, 2005

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

I. Definitions

A. **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.

B. **Deadly Weapon** means any weapon, whether loaded or unloaded, from which a shot may be discharged, or a switchblade knife, gravity knife, billy, blackjack, bludgeon or metal knuckles. A weapon such as a pellet gun and/or air soft pistol may constitute a deadly weapon if such weapon is designed for violence and is capable of inflicting death or serious bodily harm. In making such determination, the following factors should be considered: design of weapon; how weapon is typically used (e.g. hunting); type of projectile; force and velocity of discharge; method of discharge (i.e. spring v. CO2 cartridge) and potential for serious bodily harm or death.

C. **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.

D. **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.

E. **Exclusion** means any denial of public school privileges to a student for disciplinary purposes.

F. **Expulsion** means the exclusion of a student from public school privileges for more than ten (10) consecutive school days. The expulsion period may not extend beyond one (1) calendar year.

G. **Firearm**, as defined in 18 U.S.C § 921, means (a) any weapon that will, is designed to, or may be readily converted to expel a projectile by the action of an explosive, (b) the frame or receiver of any such weapon, (c) a firearm muffler or silencer, or (d) any destructive device. The term firearm does not include an 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 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 or any device from which a destructive device may

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

H. **In-School Suspension** means an exclusion from regular classroom activity for no more than ten (10) consecutive school days, but not exclusion from school, provided such exclusion shall not extend beyond the end of the school year in which such in-school suspension was imposed. No student shall be placed on in-school suspension more than fifteen (15) times or a total of fifty (50) days in one (1) school year, whichever results in fewer days of exclusion.

I. **Martial Arts Weapon** means a nunchaku, kama, kasari-fundo, octagon sai, tonfa or chinese star.

J. **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.

K. **School Days** shall mean days when school is in session for students.

L. **School-Sponsored Activity** means any activity sponsored, recognized or authorized by the Board and includes activities conducted on or off school property.

M. **Seriously Disruptive of the Educational Process**, as applied to on campus or off-campus conduct, means any conduct that markedly interrupts or severely impedes the day-to-day operation of a school.

N. **Suspension** means the exclusion of a student from school and/or transportation services for not more than ten (10) consecutive school days, provided such suspension shall not extend beyond the end of the school year in which such suspension is imposed; and further provided no student shall be suspended more than ten (10) times or a total of fifty (50) days in one school year, whichever results in fewer days of exclusion, unless such student is granted a formal hearing as provided below.

O. **Weapon** 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 devise by which a blade is released from the handle, having a blade of over one and one-half inches in length, any stiletto, any knife the edged portion of the blade of which is four inches and over in length, any martial arts weapon or electronic defense weapon, or any other dangerous or deadly weapon or instrument, unless permitted by law under section 29-38 of the Connecticut General Statutes.

P. 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.

II. Scope of the Student Discipline Policy

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

Students may receive a disciplinary consequence forconduct on school grounds or at any school-sponsored activity that endangers persons or property, is seriously disruptive of the educational process, or that violates a publicized policy of the Board.

B. Conduct off School Grounds:

1. Students may receive a disciplinary consequencefor conduct off school grounds if such conduct is seriously disruptive of the educational process and is in clear violation of a publicized policy of the Board. In making a determination as to whether such conduct is seriously disruptive of the educational process, the Administration and the Board of Education may consider, but such consideration shall not be limited to the following factors: (1) whether the incident occurred within close proximity of a school; (2) whether other students from the school were involved or whether there was any gang involvement; (3) whether the conduct involved violence, threats of violence, or the unlawful use of a weapon, as defined in section C.G.S. § 29-38, and whether any injuries occurred; and (4) whether the conduct involved the use of alcohol.

   In making a determination as to whether such conduct is seriously disruptive of the educational process, the Administration and/or the Board of Education may also consider whether such off-campus conduct involved the illegal use of drugs.

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

A. The principal of a school, or designee on the administrative staff of the school, shall have the right to use restorative and progressive methods of discipline to ensure that discplinary consequences:(1) are age-appropriate, (2) fair, (3) address the underlying problem that may have led to the disciplinary consequence, (4) teach the desired replacement behavior, (5) are focused on reparing harm, and (6) are designed to help students, staff and families work together to maximize productive student learning time.

B. The principal of a school, or designee on the administrative staff of the school, shall have the right to use a restorative response as an alternative to punitive, exclusionary methods of discipline, and, only if unavoidable, consequences that would remove the student from the classroom and/or school environment.

C. Conduct which may lead to disciplinary action (including, but not limited to, removal from class, suspension and/or expulsion in accordance with this policy) includes conduct on school grounds or at a school-sponsored activity (including on a school bus), and conduct off school grounds, as set forth above. Such conduct includes, but is not limited to, the following:

1. Striking or assaulting a student, members of the school staff or other persons.

2. Theft.

3. The use of obscene or profane language or gestures, the possession and/or display of obscenity or pornographic images or the unauthorized or inappropriate possession and/or display of images, pictures or photographs depicting nudity.

4. Violation of smoking, dress, transportation regulations, or other regulations and/or policies governing student conduct.

5. Refusal to obey a member of the school staff, law enforcement authorities, or school volunteers, or disruptive classroom behavior.

6. Any act of harassment based on 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.

7. Refusal by a student to identify himself/herself to a staff member when asked, misidentification of oneself to such person(s), lying to school officials or otherwise engaging in dishonest behavior.

8. Inappropriate displays of public affection of a sexual nature and/or sexual activity on school grounds or at a school-sponsored activity.

9. A walk-out from or sit-in within a classroom or school building or school grounds.

10. Blackmailing, threatening or intimidating school staff or students (or acting in a manner that could be construed to constitute blackmail, a threat, or intimidation, regardless of whether intended as a joke).

11. Possession of any weapon, weapon facsimile, deadly weapon, 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. Unlawful possession, sale, distribution, use, or consumption of tobacco, electronic nicotine delivery systems (e.g. e-cigarettes), vapor products, 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 that may be used to simulate smoking in the delivery of nicotine or other substance 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. 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, that 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.

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. Unlawful possession of paraphernalia used or designed to be used in the consumption, sale or distribution of drugs, alcohol or tobacco, as described in subparagraph (15) above. For purposes of this policy, drug paraphernalia includes any equipment, products and materials of any kind which are used, intended for use or designed for use in growing, harvesting, manufacturing, producing, preparing, packaging, storing, containing or concealing, or injecting, ingesting, inhaling or otherwise introducing controlled drugs or controlled substances into the human body, including but not limited to items such as "bongs," pipes, "roach clips," vials, tobacco rolling papers, and any object or container used, intended or designed for use in storing, concealing, possessing, distributing or selling controlled drugs or controlled substances.

18. The destruction of real, personal or school property, such as, cutting, defacing or otherwise damaging property in any way.

19. Accumulation of offenses such as school and class tardiness, class or study hall cutting, or failure to attend detention.

20. Trespassing on school grounds while on out-of-school suspension or expulsion.

21. Making false bomb threats or other threats to the safety of students, staff members, and/or other persons.

22. Defiance of school rules and the valid authority of teachers, supervisors, administrators, other staff members and/or law enforcement authorities.

23. Throwing snowballs, rocks, sticks and/or similar objects, except as specifically authorized by school staff.

24. Unauthorized and/or reckless and/or improper operation of a motor vehicle on school grounds or at any school-sponsored activity.

25. Leaving school grounds, school transportation or a school-sponsored activity without authorization.

26. Use of or copying of the academic work of another individual and presenting it as the student's own work, without proper attribution; or any other form of academic dishonesty, cheating or plagiarism.

27. Possession and/or use of mobile phone or any form of electronic devices on school grounds or at a school-sponsored activity in violation of Board policy and/or administrative regulations regulating the use of such devices.

28. Possession and/or use of a beeper or paging device on school grounds or at a school-sponsored activity without the written permission of the principal or his/her designee.

29. Unauthorized use of any school computer, computer system, computer software, internet connection or similar school property or system, or the use of such property or system for inappropriate purposes.

30. Possession and/or use of a laser pointer, unless the student possesses the laser pointer temporarily for an educational purpose while under the direct supervision of a responsible adult.

31. Hazing.

32. Bullying, defined as the repeated use by one or more students of a written, oral or electronic communication, such as cyberbullying, directed at another student attending school in the same district, or a physical act or gesture by one or more students repeatedly directed at another student attending school in the same school district, which:

    a) causes physical or emotional harm to such student or damage to such student's property;

    b) places such student in reasonable fear of harm to himself or herself, or of damage to his or her property;

    c) creates a hostile environment at school for such student;

    d) infringes on the rights of such student at school; or

    e) substantially disrupts the education process or the orderly operation of a school.

    Bullying includes, but is not limited to, repeated written, oral or electronic communications or physical acts or gestures 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, social media platforms, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any electronic communications.

34. Acting in any manner that creates a health and/or safety hazard for staff members, students, or the public, regardless of whether the conduct is intended as a joke.

35. Engaging in a plan to stage or create a violent situation for the purposes of recording it by electronic means; or recording by electronic means acts of violence for purposes of later publication.

36. Engaging in a plan to stage sexual activity for the purposes of recording it by electronic means; or recording by electronic means sexual acts for purposes of later publication.

37. Using computer systems, including email, instant messaging, text messaging, blogging or the use of social networking websites, or other forms of electronic communications, to engage in any conduct prohibited by this policy.

38. Use of a privately owned electronic or technological device in violation of school rules, including the unauthorized recording (photographic or audio) of another individual without permission of the individual or a school staff member.

39. Engaging in teen dating violence, defined as any act of physical, emotional or sexual abuse, including stalking, harassing and threatening, that 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. Procedures Governing Removal

A. A student may be removed from class by a teacher or administrator if he/she deliberately causes a serious disruption of the educational process. When a student is removed, the teacher must send him/her to a designated area and notify the Principal or his/her designee at once. 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 building Principal or designee and granted an informal hearing at which the student should be informed of the reasons for the disciplinary action and given an opportunity to explain the situation. The parents or guardian of any 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. Procedures Governing Suspension

A. The principal of a school, or designee on the administrative staff of the school, shall have the right to suspend a student for breach of conduct as noted in Section II of this policy for not more than ten (10) consecutive school days. In cases where suspension is contemplated, the following procedures shall be followed.

1. Unless an emergency situation exists, no student shall be assigned an in-school or out-of-school suspension prior to having an informal hearing before the principal or designee at which the student is informed of the charges and given an opportunity to respond. In the event of an emergency, the informal hearing shall be held as soon after the suspension as possible.

2. If suspended, such suspension shall be an in-school suspension, except the principal or designee may impose an out-of-school suspension on any pupil:

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

(2) in grades preschool to two, inclusive, if the principal or designee 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.

3. Evidence of past disciplinary problems that have led to removal from a classroom, suspension, or expulsion of a student who is the subject of an informal hearing may be received by the Principal or designee, but only considered in the determination of the length of suspensions.

4. By telephone, the Principal or designee shall make reasonable attempts to immediately notify the parent or guardian of a minor student following the suspension and to state the cause(s) leading to the suspension.

5. Whether or not telephone contact is made with the parent or guardian of such minor student, the Principal or designee shall forward a letter promptly to such parent or guardian to the last address reported on school records (or to a newer address if known by the Principal or designee), offering the parent or guardian an opportunity for a conference to discuss same.

6. In all cases, the parent or guardian of any minor student who has been suspended shall be given notice of such suspension within twenty-four (24) hours of the time of the institution of the suspension.

7. Not later than twenty-four (24) hours after the commencement of the suspension, the principal or designee shall also Record the suspension in PowerSchool or current student information system and 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 he or she missed while under suspension.

9. The school administration may, in its discretion, shorten or waive the suspension period for a student who has not previously been suspended or expelled, if the student completes an administration-specified program and meets any other conditions required by the administration. Such administration-specified program

shall not require the student and/or the student's parents to pay for participation in the program.

10. Notice of the suspension shall be recorded in the student's cumulative educational record. Such notice shall be expunged from the cumulative educational record if the student graduates from high school. In cases where the student's period of suspension is shortened or waived in accordance with Section V.A(9), above, the administration may choose to expunge the suspension notice from the cumulative record at the time the student completes the administration-specified program and meets any other conditions required by the administration.

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

12. The decision of the principal or designee with regard to disciplinary actions up to and including suspensions shall be final.

13. During any period of suspension served out of school, the student shall not be permitted to be on school property and shall not be permitted to attend or participate in any school-sponsored activities, unless the principal specifically authorizes the student to enter school property for a specified purpose or to participate in a particular school-sponsored activity.

B. In cases where a student's suspension will result in the student being suspended more than ten (10) times or for a total of fifty (50) days in a school year, whichever results in fewer days of exclusion, the student shall, prior to the pending suspension, be granted a formal hearing before the Board of Education or appointed hearing officer. The principal or designee shall report the student to the Superintendent or designee and request a formal Board hearing. If an emergency situation exists, such hearing shall be held as soon after the suspension as possible.

VI. Procedures Governing In-School Suspension

A. The Principal or designee may impose in-school suspension in cases where a student's conduct endangers persons or property, violates school policy, seriously disrupts the educational process or in other appropriate circumstances as determined by the Principal or designee.

B. In-school suspension may not be imposed on a student without an informal hearing by the building Principal or designee.

C. In-school suspension may be served in the school attended by the student regularly attends or in any school building under the Board's jurisdiction.

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 an 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.

VII. Expulsion Recommendation Procedure

A. A Principal may consider recommendation of expulsion of a student **in grades three through twelve, inclusive**, in a case where he/she has reason to believe the student has engaged in conduct described at sections IIA. And IIB., above.

B. A Principal <u>must</u> recommend expulsion proceedings in all cases against any student in **kindergarten through grade twelve, inclusive**, whom the administration has reason to believe:

1. was in possession on school grounds or at a school-sponsored activity of a deadly weapon, dangerous instrument, martial arts weapon, or firearm as defined in 18 U.S.C. § 921 as amended from time to time; or

2. off school grounds, possessed a firearm as defined in 18 § U.S.C. 921, in violation of C.G.S. § 29-35, or possessed and used a firearm as defined in 18 U.S.C.§ 921, a deadly weapon, a dangerous instrument or a martial arts weapon in the commission of a crime under chapter 952 of the Connecticut General Statutes; or

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

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 of Education or provided by a regional educational service center or a state or local charter school pursuant to an agreement with the Board of Education, **no student enrolled in such a preschool program** shall be expelled from such preschool program, except an expulsion hearing shall be

conducted by the Board of Education in accordance with Section VIII of this policy whenever the administration has reason to believe that 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 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 his/her designee determines that a student should or must be expelled, he or she shall forward his/her recommendation to the Board of Education so that the Board of Education can consider and act upon this recommendation.

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 VII(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 VII(C). For any mandatory expulsion offense, the Board may modify the term of expulsion on a case-by-case basis.

VIII. Procedures Governing Expulsion Hearing

A. Emergency Exception

Except in an emergency situation, the Board of Education shall, prior to expelling any student, conduct a hearing to be governed by the procedures outlined herein and consistent with the requirements of Conn. Gen. Stat. § 10-233d and Public Act 15-96, and the applicable provisions of the Uniform Administrative Procedures Act, Conn. Gen. Stat. §§ 4-176e to 4-180a, and § 4-181a.. Whenever an emergency exists, the hearing provided for herein shall be held as soon as possible after the expulsion.

B. Hearing Panel

1. Expulsion hearings conducted by the Board will be heard by any three or more Board members. A decision to expel a student must be supported by a majority of the Board members present, provided that no less than three (3) affirmative votes to expel are cast.

2. Alternatively, the Board may appoint an impartial hearing board composed of one (1) or more persons to hear and decide the expulsion matter, provided that no member of the Board may serve on such panel.

C. Hearing Notice

1. Written notice of the expulsion hearing must be given to the student, and, if the student is a minor, to his/her parent(s) or guardian(s) at least five (5) business days before the hearing.

2. A copy of this Board policy on student discipline shall also be given to the student, and if the student is a minor, to his/her parent(s) or guardian(s), at the time the notice is sent that an expulsion hearing will be convened.

3. The written notice of the expulsion hearing shall inform the student of the following:

    a. The date, time, place and nature of the hearing.

    b. The legal authority and jurisdiction under which the hearing is to be held, including a reference to the particular sections of the legal statutes involved.

    c. A short, plain description of the conduct alleged by the administration.

    d. The student may present as evidence relevant testimony and documents concerning the conduct alleged and the appropriate length and conditions of expulsion; and that the expulsion hearing may be the student's sole opportunity to present such evidence.

    e. The student may cross-examine witnesses called by the Administration.

    f. The student may be represented by any third party of his/her choice, including an attorney, at his/her expense or at the expense of his/her parents.

    g. A student is entitled to the services of a translator or interpreter, to be provided by the Board of Education, whenever the student or his/her parent(s) or guardian(s) requires the services of an interpreter because he/she/they do(es) not speak the English language or is(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 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 any 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 counsel, briefly explain the hearing procedures, and swear in any witnesses called by the Administration or the student.

2. The hearing will be conducted in executive session. A verbatim record of the hearing will be made, either by tape recording or by a stenographer. A record of the hearing will be maintained, including the verbatim record, all written notices and documents relating to the case and all evidence received or considered at hearing.

3. The Administration shall bear the burden of production to come forward with evidence to support its case and shall bear the burden of persuasion. The standard of proof shall be a preponderance of the evidence.

4. Formal rules of evidence will not be followed. The Board has the right to accept hearsay and other evidence if it deems that evidence relevant or material to its determination. The presiding officer will rule on testimony or evidence as to it being immaterial or irrelevant.

5. The hearing will be conducted in two (2) parts. In the first part of the hearing, the Board will receive and consider evidence regarding the conduct alleged by the Administration.

6. In the first part of the hearing, the charges will be introduced into the record by the Superintendent or his/her designee.

7. Each witness for the Administration will be called and sworn. After a witness has finished testifying, he/she will be subject to cross-examination by the opposite party or his/her legal counsel, by the presiding officer and by Board members.

8. After the Administration has presented its case, the student will be asked if he/she has any witnesses or evidence to present concerning the charges. If so, the witnesses will be sworn, will testify, and will be subject to cross examination and to questioning by the presiding officer and/or by the Board. The student may also choose to make a statement at this time. If the student chooses to make a statement, he or she will be sworn and subject to cross examination and questioning by the presiding officer and/or by the Board. Concluding statements will be made by the Administration and then by the student and/or his or her representative.

9. In cases where the student has denied the allegation, the Board must determine whether the student committed the offense(s) as charged by the Superintendent.

10. If the Board determines that the student has committed the conduct as alleged, then the Board shall proceed with the second portion of the hearing, during which the Board will receive and consider relevant evidence regarding the length and conditions of expulsion.

11. When considering the length and conditions of expulsion, the Board may review the student's attendance, academic and past disciplinary records. The Board may not review notices of prior expulsions or suspensions which have been expunged from the student's cumulative record, except as so provided in Section V.A (9), (10), (11), above, and Section X, below. The Board may ask the Superintendent or designee for a recommendation as to the discipline to be imposed.

12. Evidence of past disciplinary problems which have led to removal from a classroom, suspension or expulsion of a student being considered for expulsion may be considered only during the second portion of the hearing, during which the Board is considering length of expulsion and nature of alternative educational opportunity to be offered.

13. Where administrators presented the case in support of the charges against the student, such administrative staff shall not be present during the deliberations of the Board either on questions of evidence or on the final discipline to be imposed. The Superintendent may, after reviewing the incident with administrators, and reviewing the student's records, make a recommendation to the Board as to the appropriate discipline to be applied.

13. The Board shall make findings as to the truth of the charges, if the student has denied them; and, in all cases, the disciplinary action, if any, to be imposed. While the hearing itself is conducted in executive session, the vote regarding expulsion must be made in open session and in a manner that preserves the confidentiality of the student's name and other personally identifiable information.

14. Except for a student who has been expelled based on possession of a firearm or deadly weapon as described in subsection VII.B(1) and (2) above, the Board may, in its discretion, shorten or waive the expulsion period for a student who has not previously been suspended or expelled, if the student completes a Board-specified program and meets any other conditions required by the Board. The Board-specified program shall not require the student and/or the student's parents to pay for participation in the program.

15. The Board shall report its final decision in writing to the student, or if such student is a minor, also to the parent(s) or guardian(s), stating the reasons on which the decision is based, and the disciplinary action to be imposed. Said decision shall be based solely on evidence presented at the hearing. The parents or guardian or any minor student who has been expelled shall be given

notice of such disciplinary action within twenty-four (24) hours of the time of the institution of the period of the expulsion.

E. Presence on School Grounds and Participation in School-Sponsored Activities During Expulsion

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

F. Stipulated Agreements

In lieu of the procedures used in this section, the Administration and the parents (or legal guardians) of a student facing expulsion may choose to enter into a Joint Stipulation of the Facts and a Joint Recommendation to the Board concerning the length and conditions of expulsion. Such Joint Stipulation and Recommendation shall include language indicating that the parents (or legal guardians) understand their right to have an expulsion hearing held pursuant to these procedures, and language indicating that the Board, in its discretion, has the right to accept or reject the Joint Stipulation of Facts and Recommendation. If the Board rejects 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 his or her own behalf.

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

IX. Alternative Educational Opportunities for Expelled Students

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

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

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

The Board of Education shall provide an alternative educational opportunity to a sixteen (16) to eighteen (18) year old student expelled for the first time if he/she requests it and if he/she agrees to the conditions set by the Board of Education, except. Such alternative educational opportunity may include, but shall not be limited to, the placement of a pupil who is at least seventeen years of age in an adult education program. Any pupil participating in an adult education program during a period of expulsion shall not be required to withdraw from school as a condition to his/her participation in the adult education program.

The Board of Education is not required to offer an alternative educational opportunity to any student between the ages of sixteen (16) and eighteen (18) who is expelled for the second time, or subsequent, time.

The Board of Education shall count the expulsion of a pupil when he/she was under sixteen years of age for purposes of determining whether an alternative educational opportunity is required for such pupil when he/she is between the ages of sixteen and eighteen.

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

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

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

Notwithstanding Sections IX.A. through C. above, if the Board of Education expels a student who has been identified as eligible for services under the Individuals with Disabilities Education Act ("IDEA"), it shall offer an alternative educational opportunity to such student in accordance with the requirements of IDEA, as it may be amended from time to time.

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

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

X. Notice of Student Expulsion on Cumulative Record

Notice of expulsion and the conduct for which the student was expelled shall be included on the student's cumulative educational record. Such notice, except for notice of an expulsion of a student in grades nine through twelve, inclusive, based upon possession of a firearm or

deadly weapon, shall be expunged from the cumulative educational record by the Board if the student graduates from high school.

In cases where the student's period of expulsion is shortened or waived in accordance with Section VIII.D(14), above, the Board may choose to expunge the expulsion notice from the cumulative record at the time the student completes the Board-specified program and meets any other conditions required by the Board.

If a student's period of expulsion was not shortened or waived, the Board may choose to expunge the expulsion notice from the student's cumulative record prior to graduation if such student has demonstrated to the Board that the student's conduct and behavior in the years following such expulsion warrants an expungement. In deciding whether to expunge the expulsion notice, the Board may receive and consider evidence of any subsequent disciplinary problems that have led to removal from a classroom, suspension or expulsion of the student.

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

XI. Change of Residence During Expulsion Proceedings

A. Student moving into the school district:

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

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

Where a student withdraws from school after having been notified that an expulsion hearing is pending, but before a decision has been rendered by the Board, the notice

of the pending expulsion hearing shall be included on the student's cumulative record and the Board shall complete the expulsion hearing and render a decision. If the Board subsequently renders a decision to expel the student, a notice of the expulsion shall be included on the student's cumulative record.

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

A. Suspension of IDEA students:

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

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

2. During the period of suspension, the school district is not required to provide any educational services to the IDEA student beyond that which is provided to all students suspended by the school district.

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

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

1. The parents of the student must be notified of the decision to recommend for expulsion (or to suspend if a change in placement) on the date on which the decision to suspend was made, and a copy of the special education procedural safeguards must either be hand-delivered or sent by mail to the parents on the date that the decision to recommend for expulsion (or to suspend if a change in placement) was made.

2. The school district shall immediately convene the student's planning and placement team ("PPT"), but in no case later than ten (10) school days after the recommendation for expulsion or the suspension that constitutes a change in

placement was made. The student's PPT shall consider the relationship between the student's disability and the behavior that led to the recommendation for expulsion or the suspension which constitutes a change in placement, in order to determine whether the student's behavior was a manifestation of his/her disability.

3. If the student's PPT finds that the behavior <u>was</u> 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 <u>was not</u> a manifestation of the student's disability, the Administration may proceed with the recommended expulsion or suspension that constitutes a change in placement.

5. During any period of expulsion, or suspension of greater than ten (10) days per school year, the Administration shall provide the student with an alternative education program in accordance with the provisions of the IDEA.

6. When determining whether to recommend an expulsion or a suspension that constitutes a change in placement, the building administrator (or his or her designee) should consider the nature of the misconduct and any relevant educational records of the student.

C. Transfer of IDEA students for Certain Offenses:

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

1. Was in possession of a dangerous weapon, as defined in 18 U.S.C. 930(g)(2), as amended from time to time, on school grounds or at a school-sponsored activity, or

2. Knowingly possessed or used illegal drugs or sold or solicited the sale of a controlled substance while at school or at a school-sponsored activity; or

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

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

1. <u>Dangerous weapon</u> means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2.5 inches in length.

2. Controlled substance means a drug or other substance identified under schedules I, II, III, IV, or V in section 202(c) of the Controlled Substances Act, 21 U.S.C. 812(c).

3. Illegal drug means a controlled substance but does not include a substance that is legally possessed or used under 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.

4. Serious bodily injury means a bodily injury which involves: (A) a substantial risk of death; (B) extreme physical pain; (C) protracted and obvious disfigurement; or (D) protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

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

A. Expulsion of students identified as eligible for educational accommodations under Section 504 of the Rehabilitation Act of 1973:

Except as provided in subsection B below, notwithstanding any provision to the contrary, if the Administration recommends for expulsion a student identified as eligible for educational accommodations under Section 504 who has violated any rule or code of conduct of the school district that applies to all students, the following procedures shall apply:

1. The parents of the student must be notified of the decision to recommend the student for expulsion.

2. The district shall immediately convene the student's Section 504 team ("504 team"), for the purpose of reviewing the relationship between the student's disability and the behavior that led to the recommendation for expulsion. The 504 team will determine whether the student's behavior was a manifestation of his/her disability.

3. If the 504 team finds that the behavior was a manifestation of the student's disability, the Administration shall not proceed with the recommended expulsion.

4. If the 504 team finds that the behavior was not a manifestation of the student's disability, the Administration may proceed with the recommended expulsion.

B. The Board may take disciplinary action for violations pertaining to the use or possession of illegal drugs or alcohol against any student with a disability who currently is engaging in the illegal use of drugs or alcohol to the same extent that such disciplinary action is taken against nondisabled students. Thus, when a student with a disability is recommended for expulsion based solely on the illegal use or possession of drugs or alcohol, the 504 team *shall not be required to meet* to review the relationship between the student's disability and the behavior that led to the recommendation for expulsion.

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

A. Any student who commits an expellable offense and is subsequently committed to a juvenile detention centeror any other residential placement for such offense may be expelled by the Board in accordance with the provisions of this section. The period of expulsion shall run concurrently with the period of commitment to a juvenile detention center or any other residential placement.

B. If a student who committed an expellable offense seeks to return to a school district after having been in a juvenile detention center or any other residential placement and such student has not been expelled by the board of education for such offense under subdivision (A) of this subsection, the Board shall allow such student to return and may not expel the student for additional time for such offense.

XV. Early Readmission to School

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

XVI. Dissemination of Policy

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

XVII. Compliance with Documentation and Reporting Requirements

1. The Board of Education shall include on all disciplinary reports the individual student's state-assigned student identifier ("SASID").
2. The Board of Education shall report all suspensions and expulsions to the State Department of Education.

3. If the Board of Education expels a student for sale or distribution of a controlled substance, the Board shall refer such student to an appropriate state or local agency for rehabilitation, intervention or job training and inform the agency of its action.

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

Legal References:

Connecticut General Statutes:

§§ 4-176e through 4-180a and § 4-181a Uniform Administrative Procedures Act
§§ 10-233a through 10-233e Suspension and expulsion of students.
§ 10-233f In-school suspension of students.
§ 10-233*l* *Expulsion and suspension of children in preschool programs*
§ 19a-342a Use of electronic nicotine delivery system or vapor product prohibited
§ 21a-408a through 408p Palliative Use of Marijuana
§ 29-38 Weapons in vehicles
§ 53a-3 Definitions
§ 53a-206 Carrying of dangerous weapons prohibited

Public Act 18-31, "An Act Concerning the Recommendations of the Juvenile Justice Policy and Oversight Committee and Concerning the Transfer of Juvenile Services from the Department of Children and Families to the Court Support Services Division of the Judicial Branch"

Packer v. Board of Educ. of the Town of Thomaston, 246 Conn. 89 (1998).
State v. Hardy, 896 A.2d 755, 278 Conn. 113 (2006).
State v. Guzman, 955 A.2d 72, 2008 Conn. App. LEXIS 445 (Sept. 16, 2008).

Federal law:

Honig v. Doe, 484 U.S. 305 (1988)
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, Pub. L. 107-110, Sec. 401, 115 Stat. 1762 (codified at 20 U.S.C. § 7151)

Policy adopted: September 14, 1999
Policy adopted: November 1, 2005
Policy revised: June 21, 2016
Policy revised: January 15, 2019

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Student Discipline—Suspension/Expulsion; Due Process

Early Re-Admission of Expelled Students

1. The Superintendent's office must receive a written request for early readmission of an expelled student from the parent/guardian or student.

2. The student must have served a minimum of 50% of the expulsion period to be considered for early readmission and have an attendance rate of 95% at the alternative program.

3. An early readmission meeting is scheduled through the Superintendent's office, or designee. This meeting will be held with the principal and assistant principal, and will be chaired by the Superintendent's designee.

4. The student and parent must be present at the early readmission meeting.

5. The student and parent must present evidence that the student is making academic progress; has had no further behavioral incidents and that the family has followed through with any recommendations from the original expulsion hearing (ex. family counseling, drug counseling, anger management.)

6. The school administration will present a recommendation to support early readmission or not, and why.

7. The decision will be shared verbally at the conclusion of the meeting and then sent to the parent in writing. The written decision will become a part of the student's cumulative record.

8. If the school supports early readmission, a re-entry date will be recommended by the school administration.

9. The decision of the Superintendent, or designee, is final and cannot be appealed.

Effective July 1, 2013

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students

Childhood Obesity and Physical Exercise in Schools

The Board recognizes that student health and success in school are interrelated. Schools cannot achieve their primary mission of education if students are not healthy and fit physically, mentally and socially.

In conformity with state statute, P.A.13-173, an Act Concerning Childhood Obesity and Exercise in Schools, the Board requires that:

1. In all District schools, full time students shall be provided a daily lunch program of not less than twenty (20) minutes.

2. All students enrolled in elementary school (grades PreK through 5 in Hartford Public Schools) shall have included in the regular school day, time devoted to physical activity, of not less than twenty minutes in total, except that this requirement may be altered by a Planning and Placement Team (PPT) for a child requiring special education and related services according to state and federal law, as may be amended from time to time.

   Note: The new legislation requiring the daily period of physical activity for students in elementary school does not spell out types of activity. It can be a combination of planned physical education classes, recess, and/or teacher-directed classroom activities.

3. School employees (teacher, substitute teacher, administrator, superintendent, school counselor, psychologist, social worker, nurse, physician, paraprofessional, coach, or any other individual working in a District school, who in the performance of his/her duties has regular contact with students and provides services to or on behalf of students enrolled in a District school, pursuant to a contract with the Board of Education) shall not deny a student's participation in the entire time devoted to physical exercise in the regular school day as a form of discipline or punishment; nor should they cancel it for instructional makeup time.

4. Any student in pre-kindergarten through grade twelve shall not be required to engage in physical activity as a form of discipline.

In addition, it is the intent of the Board that District schools take a proactive effort to encourage students to make nutritious food choices. Food and beverages sold or served in District schools shall consist of nutritious food choices.

The Superintendent will develop administrative regulations as needed for the implementation of this policy. There shall be an annual reporting to the Board of Education on the District's nutrition and physical activity programs.

Students

Childhood Obesity and Physical Exercise in Schools (continued)

Legal Reference: Connecticut General Statutes

10-215 Lunches, breakfasts and the feeding programs for public school children and employees.

10-215a Non-public school participation in feeding program.
10-215b Duties of state board of education re feeding programs.
10-216 Payment of expenses.
10-215b-1 State board of education regulation
10-221o Lunch periods. Recess (as amended by P.A. 12-116, An Act Concerning Educational Reform, and P.A. 13-173, An Act Concerning Childhood Obesity and Physical Exercise in Schools)
.

Policy adopted: October 15, 2013

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students

Off-School Misconduct

Conduct of Athletes

Participation on an athletic team or in co-curricular or extracurricular activities is a privilege that carries the obligations to act responsibly and in the best interests of the student, team or group/organization, and the school. This privilege may be revoked if the student fails to meet this reasonable requirement. Students who choose to participate on athletic teams or in co-curricular or extracurricular activities voluntarily accept team or group discipline, which may include higher or stricter standards of conduct. Therefore, all athletes and co-curricular or extracurricular activity participants shall abide by the code of conduct which will earn them the honor and respect that participation in interscholastic programs and co-curricular or extracurricular activities afford.

The Board may suspend or remove students from participation or leadership positions in athletics or co-curricular or extracurricular activities in its discretion to promote or maintain the safety, welfare, and discipline of students and others involved in the activities. Such action may be based on off-school misconduct in accordance with Board policy and applicable law. Any such decisions to suspend or remove students from participation in co-curricular or extracurricular activities shall be made in compliance with state and federal discrimination laws.

Policy adopted: September 14, 1999
Policy updated: November 1, 2005
Policy updated: June 21, 2016

HARTFORD PUBLIC SCHOOLS

Hartford, Connecticut

Students

Weapons and Dangerous Instruments

Except as hereinafter noted, no weapons or dangerous instruments shall be permitted on any school premises, in, about or on school buses, nor at any school-sponsored activity, on or off school premises, except that police officers may carry weapons in performance of their duty. Further, weapons or dangerous instruments may be brought to school by persons licensed to carry such only when authorized by the principal when it pertains to an educational activity scheduled by the administration. In these instances the weapons must be cased, and the Superintendent's office must be informed prior to the event.

Legal Reference: Connecticut General Statutes
Sec. 53-206 Carrying and sale of dangerous weapons
Sec. 29-38 Weapons in vehicles
Penal Code 553a-3
P.A. 88-237 Sale, Carrying and brandishing of facsimile firearms

Policy adopted: September 14, 1999
Policy updated: November 1, 2005

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students

Weapons* and Dangerous Instruments**

In those cases where a student has or is reported to have brought, possessed, exchanged, or used a weapon or dangerous instrument in school, on or awaiting a school bus, or at school-sponsored activities on or off school property, that student will be immediately referred to the principal or his/her designee. Upon referral the principal or designee will:

1. Investigate the referral. If a student possesses or is suspected to possess a weapon or dangerous instrument which by law requires (see policy re: Suspension and Expulsion), the principal or his/her designee will notify the police department before attempting to confiscate a firearm or weapons considered dangerous.

2. With the cooperation of the police, investigate and attempt to confiscate the mandatory weapon(s) or dangerous instrument(s) immediately.

3. Ask the student whether there are any other weapons or other dangerous instruments cached in or about the school grounds, e.g. in cars, and require that they be turned over to the principal or his/her designee.

4. Ask the student whether any other students are in possession of weapons or dangerous instruments. Act upon information received.

5. Contact the parent(s) or guardian(s) immediately, and ask the parent(s) or guardian(s) to come in for a conference.

6. Restrict the student to the office area under supervision until the parent(s) or guardian(s) can come to school.

7. Suspend the student if the parent(s) or guardian(s) cannot meet with the administration immediately.

8. In those cases where a weapon or dangerous instrument is used against another person, notify the police department and press charges.

Students

Weapons* and Dangerous Instruments**

9. Middle and High School Students

    a. In any case where a student has been found to possess a weapon or dangerous instrument which by law requires a mandatory expulsion, follow the procedures outlined in the regulations for policy re Suspension and Expulsion.

    b. If a student is found to possess a weapon or dangerous instrument which by law does not require a mandatory expulsion, the student will be suspended for a minimum of five (5) days. That suspension may be extended up to ten (10) days or may result in a recommendation for expulsion up to one calendar year based upon:
        - Circumstances which existed at the time of the administration's knowing of the possession of a weapon.
        - Whether the weapon was exchanged, traded, or sold in school.
        - Whether the weapon was brought in to school for other than a benign intention.
        - Other circumstances that would raise the question as to whether or not the weapon was to be used in a threatening, intimidating, or harmful manner.

    c. In the case where any weapon or dangerous instrument is used, refer to policy and regulations re Suspension and Expulsion, and report the incident to the police.

10. Elementary School Students

    a. In those cases where a student is found to possess a weapon or dangerous instrument which by law requires a mandatory expulsion, the principal will review the case with a team consisting of the child's teacher and Pupil Services' staff to assess the child's development age and determine whether or not the child was capable of understanding the severity of his/her actions and the ramifications of the weapons policy and regulations. If the child is deemed to be capable of understanding, he/she will be referred to the superintendent of schools for expulsion as demanded by law. The findings of the team will be utilized to determine the recommendation for the terms of the expulsion and/or suspension. If the child is deemed not capable, the administration will recommend a developmentally appropriate consequence.

Students

Weapons* and Dangerous Instruments**

b. If a student is found to possess a weapon or dangerous instrument which does not by law require a mandatory expulsion, the student will be reprimanded by the school principal and given a developmentally appropriate consequence as determined by the principal, which could be suspension or expulsion, dependent upon the following factors:
   - Circumstances which existed at the time of the administration's knowing of the possession of a weapon.
   - Whether the weapon was exchanged, traded, or sold in school.
   - Whether the weapon was brought in to school for other than a benign intention.
   - Other circumstances that would raise the question as to whether or not the weapon was to be used in a threatening, intimidating, or harmful manner.

c. In the case where any weapon or dangerous instrument is used, appropriate disciplinary action is to be taken based on the developmental age of the child and the individual circumstances of the occurrence. In the case of use, such disciplinary action can include a recommendation for expulsion.

11. In a case where one student transports a weapon or dangerous instrument and gives it to another student, discipline both students per regulation, treating both as having committed the offense.

12. Inform students of this policy on an annual basis.

* Actual or facsimile, operable or inoperable

** A "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.

Regulation: September 14, 1999
Regulation updated: November 1, 2005

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students

Assaults/Threats

A student will not extort anything of value, threaten injury, or attempt to cause injury or behave in such a way as could reasonably be expected to cause physical injury to any person or damage to private property

- On the school grounds during and immediately before or immediately after school hours;
- On the school grounds at any time when the school is being used by a school group;
- Off the school grounds at a school activity, function or event.

An established extortion, assault or threat of injury of staff member, student or any other person will be reported in accordance with Connecticut General Statutes 10-233g and will be treated as a violation of school policy and regulation in accordance with the discipline code at each school.

(cf. 5131 - Suspension/Expulsion)
(cf. 5133 - Weapons and Dangerous Instruments)
(cf. 5136 - Vandalism)

Legal Reference: Connecticut General Statutes
10-233g Boards to report school violence. Reports of principals to policy authority.

Policy adopted: September 14, 1999
Policy updated: November 1, 2005

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students

Vandalism

Vandalism by Minors

The parent/guardian of any minor / un-emancipated child who willfully cuts, defaces or otherwise injures in any way any real or personal property belonging to the school district will be held liable for all such damages up to the maximum amount allowed by state law.

The liability provided under Connecticut General Statutes 52-572 does not relieve the minor(s) of personal liability for such damage or injury. This liability of the parent/guardian for damages done by a minor child is in addition to any other liability which exists in law.

The parent/guardian of a minor child will also be held liable for all property belonging to the school system lent to the student and not returned upon demand of the school district. The student may also be subject to disciplinary action.

Vandalism by an Adult Student

An adult student shall be held personally liable for any damage done to any property, real or personal, belonging to the school district. The student may also be subject to disciplinary action.

(cf. 6161.21 – Fees, Fines and Charges)

Legal Reference: Connecticut General Statutes
10-221 (a) Boards of education to prescribe rules
52-372 Parental responsibility for torts of minors. Damage defined

Policy adopted: September 14, 1999
Policy updated: November 1, 2005

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students

Drug and Alcohol Use By Students

Policy Statement

The Board is required by Connecticut law to prescribe rules for the management and discipline of its schools. In keeping with this mandate, the unlawful use, sale, distribution or possession of controlled drugs, controlled substances, drug paraphernalia, as defined in C.G.S. Section 21a-240, or alcohol on or off school property or during any school sponsored activity is prohibited. It shall be the policy of the Board to take positive action through education, counseling, discipline, parental involvement, medical referral, and law enforcement referral, as appropriate, in the handling of incidents in the schools involving the unlawful possession, distribution, sale or use of substances that affect behavior.

Definitions

(1) Controlled Drugs: means those drugs which contain any quantity of a substance which has been designated as subject to the federal Controlled Substances Act, or which has been designated as a depressant or stimulant drug pursuant to federal food and drug laws, or which has been designated by the Commissioner of Consumer Protection pursuant to C.G.S. Section 21a-243, as having a stimulant, depressant or hallucinogenic effect upon the higher functions of the central nervous system and as having a tendency to promote abuse or psychological or physiological dependence, or both. Such controlled drugs are classifiable as amphetamine-type, barbiturate-type, cannabis-type, cocaine-type, hallucinogenic, morphine-type and other stimulant and depressant drugs. C.G.S. Section 21a-240(8).

(2) Controlled Substances: means a drug, substance or immediate precursor in schedules I to V, inclusive, of the Connecticut controlled substance scheduling regulations adopted pursuant to C.G.S. Section 21a-243. C.G.S. Section 21a-240(9).

(3) Professional Communication: any communication made privately and in confidence by a student to a professional employee of such student's school in the course of the professional employee's employment. C.G.S. Section 10-154a(a)(4).

(4) Professional Employee: means a person employed by a school who "(A) holds a certificate from the State Board of Education, (B) is a member of a faculty where certification is not required, (C) is an administration officer of a school, or (D) is a registered nurse employed by or assigned to a school." C.G.S. Section 10-154a(a)(2).

(5) Drug Paraphernalia: means any equipment, products and materials of any kind which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing or concealing, or injecting, ingesting, inhaling or otherwise

introducing controlled drugs or controlled substances into the human body, including but not limited to all items specified in C.G.S. Section 21a-240(20)(A), such as "bongs," pipes, "roach clips," miniature cocaine spoons, crack cocaine 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. C.G.S. Section 21a-240(20)(A).

Procedures

(1) Emergencies.

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

(2) Prescribed Medications.

The parent or guardian of any student who is required to take any prescribed medication during the school day shall so inform the school nurse or the person designated to act in the absence of a nurse. Such prescribed medication will then be administered to the student under the supervision of the school nurse or designee in accordance with C.G.S. Section 10-212a and the applicable regulations and in accordance with any Board policies and regulations concerning medication administration.

Students taking improper amounts of a prescribed medication, or taking a prescribed medication without proper notification and supervision of the school nurse or designee will be subject to the procedures for improper drug or alcohol use outlined in this policy.

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

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

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

(b) Any physical evidence obtained from such student through a professional communication indicating that a crime has been or is being committed by the student **must** be turned over to school administrators or law enforcement officials as soon as possible, but no later than two calendar days after receipt of such physical evidence, excluding Saturdays, Sundays and holidays. Employees are encouraged to contact the school

administrator immediately upon obtaining physical evidence. In no case, however, will such employee be required to disclose the name of the student from whom the evidence was obtained. C.G.S. Section 10-154a(b).

(c) Any professional employee who has received a professional communication from a student may obtain advice and information concerning appropriate resources and refer the student accordingly, subject to the rights of the professional employee as described in paragraph (a) above.

(d) If a student consents to disclosure of a professional communication concerning the student's alcohol or drug problem, or if the professional employee deems disclosure to be appropriate, the professional employee should report the student's name and problem to the school's building administrator or designee who shall refer the student to appropriate school staff members for intervention and counseling.

(4) Involuntary Disclosure or Discovery of Drug/Alcohol Problems.

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

(a) The professional employee will immediately report the information to the building administrator or designee. The building administrator or designee will then refer the student to appropriate school staff members for intervention and counseling.

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

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

policies and regulations if he/she has reasonable suspicion from the inception of the search that the student has violated or is violating either the law or a school substance abuse policy.

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

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

(a) Any student in the Hartford Public Schools using, consuming, possessing, being under the influence of, manufacturing, distributing, selling or aiding in the procurement of controlled drugs, controlled substances, drug paraphernalia or alcohol either on or off school property, or at a school-sponsored activity, except as such use or possession is in accordance with Connecticut General Statutes § 21a-408a through 408q, is subject to discipline up to and including expulsion pursuant to the Board's student discipline policy.

(b) In conformity with the Board's student discipline policy, students may be suspended or expelled for drug or alcohol use off school grounds if such drug or alcohol use is considered seriously disruptive of the educational process. In determining whether the conduct is seriously disruptive of the educational process, the Administration and the Board may consider, among other factors: 1) whether the drug or alcohol use occurred within close proximity of a school; 2) whether other students from the school were involved; and 3) whether any injuries occurred.

(c) If a school administrator has reason to believe that any student was engaged, on or off school grounds, in offering for sale or distribution a controlled substance (as defined by Conn. Gen. Stat. § 21a-240(9), whose manufacturing, distribution, sale, prescription, dispensing, transporting, or possessing with intent to sell or dispense, offering or administering is subject to criminal penalties under Conn. Gen. Stats. §§ 21a-277 and 21a-278, the administrator will recommend such student for expulsion, in accordance with the Board's student discipline policy.

(d) Students found to be in violation of this policy may be referred by the building administrator to an appropriate agency licensed to assess and treat drug and alcohol involved individuals. In such event, assessment and treatment costs will be the responsibility of the parent or guardian.

(e) A meeting may be scheduled with appropriate school staff members for the purpose of discussing the school's drug and alcohol policy with the student and parent or guardian.

(f) Law enforcement officials may be contacted by the building administrator in the case of suspected involvement in the use, sale or distribution of controlled drugs, controlled substances, drug paraphernalia or alcohol.

Legal References:
Connecticut General Statutes:

Section 10-154a	Sections 10-233a through 10-233f
Section 10-212a	Section 21a-240
Section 10-221	Section 21a-243
	Section 21a-408a through 408q

Policy adopted: September 14, 1999
Policy updated: June 21, 2016

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students

Chemical Health Policy for Student Athletes

The Board participates in the Connecticut Interscholastic Athletic Conference ("CIAC"). In accordance with CIAC participation rules and the Board's obligation under state and federal law, the Board prohibits the unauthorized use, sale, distribution or possession of controlled drugs, controlled substances, drug paraphernalia, performance enhancing substances or alcohol during any school sponsored athletic activity, whether occurring on or off school property. It shall be the policy of the Board to take positive action through education, counseling, discipline, parental involvement, medical referral, and law enforcement referral, as appropriate, in the handling of incidents by student athletes involving the possession, distribution, sale or use of substances that affect behavior, including performance enhancing substances. This policy applies to all student athletes participating in school-sponsored athletics, whether or not such athletes are participating in CIAC controlled activities.

Legal References: Connecticut General Statutes:
Section 10-154a
Section 10-212a
Section 10-221
Section 21a-240
Section 21a-243
Section 21a-408a through 408q

Policy Adopted: August 18, 2015

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students

Gang Activity or Association

Gangs which initiate, advocate, or promote activities which threaten the safety or well-being of persons or property on school grounds or which disrupt the school environment are harmful to the educational process. The use of hand signals, graffiti, or the presence of any apparel, jewelry, accessory, or manner of grooming which, by virtue of its color, arrangement, trademark, symbol, or any other attribute which indicates or implies membership or affiliation with such a group, presents a clear and present danger. This is contrary to the school environment and educational objectives and creates an atmosphere where unlawful acts or violations of school regulations may occur.

Incidents involving initiation, hazing, intimidation, and/or related activities of such group affiliations which are likely to cause bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm to students are prohibited.

The Superintendent will establish procedures and regulations to ensure that any student wearing, carrying or displaying gang paraphernalia, or exhibiting behavior or gestures which symbolize gang membership, or causing and/or participating in activities which intimidate or affect the attendance of another student shall be subject to disciplinary action.

The administration will provide in-service training in gang behavior and characteristics to facilitate staff identification of students at-risk and promote membership in authorized school groups and/or activities as an alternative.

Legal References: Connecticut General Statutes
10-16b Prescribed courses of study.
10-221 Boards of education to prescribe rules.
10-233a through 10-233f re in-school suspension, suspension and expulsion.

Tinker vs. Des Moines Community School District (393 U.S. 503. 1969).
Jeglin v. San Jacinto Unified School District, 827 F. Supp. 1459 (C.D. Cal. 1993).
Olesen v. Board of Education School District No. 228, 676 F. Supp. 820 (N.D. Ill. 1987).

Policy adopted: September 14, 1999
Policy updated: November 1, 2005
Policy updated: June 21, 2016

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students

Gang Activity or Association

The type of dress, apparel, activities, acts, behavior or manner of grooming displayed, reflected or participated in by the student shall not:

1. Lead school officials to reasonably believe that such behavior, apparel, activities, acts, or other attributes are gang related and would disrupt or interfere with the school environment or activity and/or education objectives. No student on or about school property or at any school activity shall wear, possess, use distribute, display or sell any clothing, jewelry, emblem, badge, symbol, sign, or other things which are evidence of membership or affiliation in any gang;

2. Present a physical safety hazard to self, students, staff, and other employees;

3. Create an atmosphere in which a student, staff or other person's well-being is hindered by undue pressure, behavior, intimidation, overt gesture, or threat of violence, including but not limited to: soliciting others for membership into any gangs, requesting any person to pay protection or otherwise intimidating or threatening any person, committing any other illegal act or other violation of school district policies, inciting other students to act with physical violence upon any other person, imply gang membership or affiliation by gesture, handshakes, etc., and written communication, marks, drawing, painting, design, emblem upon any school or personal property or on one's person.

If the student's behavior or other attribute is in violation of the provision, the Principal or designee will request the student to make the appropriate correction. If the student refuses, the parent/guardian may be notified and asked to make the necessary correction. The Principal will take appropriate corrective and disciplinary action.

Students identified as being gang involved, influences, or affiliated will be provided assistance, and/or programs which discourage gang involvement or affiliation, enhance self-esteem, encourage interest and participation in school or other positive activities and promote membership in authorize school organizations.

Training to provide increased awareness of the threat to the safety of students, staff, and school property which gang-related activity poses, shall be provided on an as-needed basis. Additional presentation will be made available to individual schools, staff or students at the request of the principal. Presentations will provide training in current identification symbols used by those involved in gang-related activity and will include things such as the identification of hand signal, apparel, jewelry, and/or any other pertinent gang-related information.

Regulation approved: September 14, 1999 HARTFORD PUBLIC SCHOOLS
Regulation updated: November 1, 2005
Regulation updated: June 21, 2016 Hartford, Connecticut

Students

Conduct

Hazing

Hazing, harassment, intimidation or any act that injures, degrades, or disgraces a student or staff member will not be tolerated. Any student who engages in such behavior is subject to disciplinary action including suspension, expulsion or referral to law enforcement officials.

No person in charge of a school-sponsored activity will permit the above-mentioned behavior. Violations will result in disciplinary action.

(cf. 5131 - Suspension/Expulsion)
(cf. 5163 – Harassment)
(cf. 5163.1 - Sexual Harassment)

Policy adopted: September 14, 1999
Policy updated: November 1, 2005

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students

Use of Communication Devices

Students shall not use a remotely activated communication device or activated communication device while in school.

The school principal may grant written permission for such use of a communication device by a student if the student or his parent or guardian establishes to the satisfaction of the principal that a reasonable basis exists for the use of the device.

Legal Reference: PA 95-304 An Act Concerning School Safety
PA 96-108 An Act Concerning Student Use of Telecommunication Devices and the Establishment of Graduation Dates

Policy adopted: September 14, 1999
Policy updated: November 1, 2005

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students

5138.4

Cell Phone/Electronic Devices

Background

Connecticut Public Act (PA 96-108) requires that schools ban remotely activated paging devices unless there is written permission from the principal, and gives schools the authority to restrict student possession or use of cell phones in school.

Hartford Public Schools has a specific policy, (#51.38.3) which was adopted in September 1999 and revised in November 2005 prohibiting the use of remotely activated paging devices. This policy emanates from the Safe Schools Act and is aimed at preventing drug exchanges and sales at school.

Hartford Public Schools also has a policy (#5131, section 24) which prohibits the possession and/or use of a cell phone, radio, walkman, beeper, walkie-talkie or other similar electronic device on school grounds or at school sponsored events. This policy would now include electronic devices such as iPods and iPhones. This policy is aimed at maintaining school order, protecting personal property and preventing disruptions to the instructional process.

Since cell phone use by students, as well as the use of other electronic devices, has become so common place in our society today, it has been recommended that a new policy that focuses on cell phone use be developed.

Purpose

The Hartford Board of Education recognizes that many students at all grade levels possess and bring cell phones, and other electronic devices, to school. These devices may include an iPod, iPhone, walkman, and other similar devices. It is recognized that parents may provide a cell phone to a student for safety or medical reasons. In consideration of the availability of electronic devices in our society, the Board will allow the possession of cell phones and other electronic devices at school, and school sponsored events, as follows:

Grades K-5

1. Cell phones and other electronic devices are permitted on school grounds and at school sponsored events but may not be used, heard or displayed during the school unless used in accordance with the District's BYOD Policy 5171.1. Electronic devices are not permitted on school grounds or at school sponsored events if they are not used in accordance with Policy 5171.1.

Grades 6-12

1. Cell phones and other electronic devices are permitted on school grounds and at school sponsored events but may not be used, heard or displayed during the school day unless used in accordance with the District's BYOD Policy 5171.1.

Consequences:

If a student violates this policy by using or displaying a cell phone or other electronic device in school during the school day, consequences will be imposed consistent with the Compliance section of the District's BYOD Policy, Policy 5171.1.

Policy adopted: May 19, 2009
Policy revised: December 15, 2020

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students

Cheating

Cheating by students is defined as attempting to take credit or taking credit for someone else's work, using unauthorized materials, or otherwise acting to deceive the evaluator in an assignment, project, or test. Teachers at all grade levels shall make students aware of what cheating is, how it undermines the learning process and breaches principles of ethics that the district places in high regard, and the punishments for it. They shall also structure tests and assignments so as to minimize the opportunity for student cheating.

The Superintendent, in conjunction with administrators and faculty, shall develop a regulation that delineates steps to be taken and appropriate penalties for students when it is determined he/she has cheated. The board believes that students should be able to defend their work as original without teachers having to conduct extensive research.

(cf. 5131 – Suspension/Expulsion; Due Process)
(cf. 6140 – Graduation Requirements)

Policy adopted: September 14, 1999
Policy updated: November 1, 2005

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students

Student Attire

1. **Statement of Policy**

It is the policy of the Hartford Board of Education to reasonably regulate the attire of students during the school day and during school-sponsored activities. To that end, all students in primary and secondary schools shall wear a school uniform. Further, in order to maintain an educational environment that is safe and conducive to the educational process, students in all grades shall abstain from wearing or possessing specified items during the school day.

2. **Statement of Purpose**

The Hartford Board of Education has determined that reasonable regulation of school attire can further important educational interests, including:

a. Reducing distraction and loss of self-esteem caused by teasing or competition over clothing;

b. Minimizing disruption from wearing inappropriate clothing or possessing inappropriate items at school;

c. Providing an environment where students can focus more on learning;

d. Enhancing school safety by making it harder to conceal weapons or contraband;

e. Enhancing school safety by helping teachers and administrators to identify individuals that are not enrolled in the school when they encounter them on school grounds;

f. Enhancing school safety by prohibiting gang colors and paraphernalia;

g. Reducing the cost of school clothing;

h. Providing an educational environment where financial disparities between students, as reflected in clothing, are minimized;

i. Creating a greater sense of community and school pride amongst the students;

j. Instilling discipline in students;

k. Helping students and parents to avoid peer pressure;

l. Helping to prepare students for future roles in the professional workplace; and

m. Creating an atmosphere reflecting seriousness of purpose about education.

3. **Administrator Responsibilities**

a. Principals will distribute to parents annually the names of all local uniform vendors who have confirmed that they have the capacity to provide the specifications of their uniforms, including cost.

b. There shall be no sole source vendors of school uniforms. The superintendent, or designee, will send to the Board of Education annually, a list of all vendors that provide uniforms at each school.

Students

Student Attire (continued)

c. Changes to a school uniform or logo shall be approved by the School Governance Council. Principals will notify parents by March 1, of any school year, if all or part, of the school uniform will change for the following school year.

d. Whenever possible, the Hartford Public Schools shall provide logos that can be sewed or ironed onto the uniforms that meet the requirements of this policy, at any school that elects to have a school uniform with a specific logo.

4. <u>Parental Responsibility</u>

It is the responsibility of parents/guardians to ensure that their child/children dress in conformity with the requirements of this policy. It is the recommendation of professional school personnel that parents/guardians hold their children to the highest standard in regards to school attire. Parents/guardians should support the Board's efforts to create a level playing field for all students in Hartford and eliminate distractions, disruptions and safety concerns relating to student attire. Parents/guardians should further support the Board's efforts to create a more serious educational environment that is conducive to learning and which helps to prepare Hartford's students for future success in the professional workplace.

5. <u>Staff Responsibilities</u>

School personnel, including substitutes, should serve as role models for proper attire in the educational setting. School personnel should ensure that all students adhere to the School Attire Policy. All personnel, particularly teachers and administrators, are encouraged to model their school's uniform in their own attire.

6. <u>Clothing and Items Prohibited for All Grades, PK-12</u>

In order to maintain an environment that is safe and conducive to the educational process, the Board of Education prohibits the wear of following for all grades in the Hartford Public School System during regular school hours:

a. Attire or accessories that contain messages or images that would tend to be offensive or disruptive to the educational process, including racist messages or images; sexist messages, or images; messages or images promoting the use of drugs, alcohol, or tobacco; profane or pornographic messages or images; messages that incite violence or constitute "fighting words"; or attire or accessories that promote or signify gang affiliation.

b. See-through clothing, clothing revealing bare midriffs, tank tops, halter tops, tube tops, undershirts or underpants worn as outer garments, clothing with plunging necklines (front or back), sleeveless shirts, exposed clothing made of spandex material, or clothing worn in such a manner as to expose undergarments.

c. Bare feet, bedroom slippers, shower style flip-flops, roller blades, roller-skates, or footwear that mars floors, causes excessive noise, or creates a safety hazard.

Student Attire (continued)

d. Head coverings of any kind, including but not limited to hats, caps, scarves, bandanas, curlers, masks, visors, kerchiefs, athletic sweatbands, earmuffs, or hoods. Head coverings shall not be worn, carried, hung on belts or around the neck or kept in the classroom during regular school hours. However, approved coverings worn as part of a student's religious beliefs shall not be prohibited under this policy.

e. Spiked or studded bracelets, oversized or multi-finger rings, belts or chains or any other articles of attire with spikes or studs attached, "Name" or other oversized metal belt buckles, or any other items of clothing or jewelry that may present a safety hazard to the student, other students or staff.

f. Coats, jackets, windbreakers, nylon pullovers, down vests, or other attire normally worn as outerwear. Such outerwear shall not be worn, carried or kept in the classroom during regular school hours. Outerwear must be secured in the student's locker before school starts.

g. Sunglasses, headphones, or other electronic devices not prescribed for educational purposes, or goggles, whether worn or carried.

h. Skirts, shorts, skorts, dresses, or jumpers that are shorter than four (4) inches above the knee.

7. <u>Mandatory School Uniform for Elementary School Students</u>

The following Uniform Policy is mandatory for all students in Hartford elementary schools:

a. Boys' Uniforms.

(1) Individual schools may choose an authorized color scheme for shirts and pants. Shirts must have a collar and may be button down, polo or turtleneck. Shirts must be tucked in at all times. Sleeves may be long or short. No tee shirts may be worn. Pants or shorts may be dress or "docker" style and must be worn or belted at the waist.

(2) Shoes or sneakers with socks. Laces on shoes or sneakers must be tied. Footwear may not mar floors, cause excessive noise, or create a safety hazard.

(3) Individual schools may choose additional colors and styles for sweaters, blazers and vests.

(4) Gym Day Attire: Students may wear sweats to school on scheduled gym day. Individual schools may choose authorized additional gym attire.

(5) Backpacks and/or book bags are permitted, but shall not obstruct safe passage in the classroom or in the corridors.

Students

Student Attire (continued)

b. Girls' Uniforms

(1) Individual schools may choose an authorized color scheme for blouses, jumpers, skirts, pants or knee-length shorts. Blouses must have a collar and may be button down, polo or turtleneck. Blouses must be tucked in at all times. Sleeves may be long or short. No tee shirts may be worn. If pants or shorts are worn, they must be "dress" or "docker" style and must be worn or belted at the waist.

(2) Shoes or sneakers with socks or tights. Laces on shoes or sneakers must be tied. Footwear may not mar floors, cause excessive noise, or create a safety hazard.

(3) Individual schools may choose additional colors and styles for sweaters, blazers and vests.

(4) Gym Day Attire: Students may wear sweats to school on scheduled gym day. Sweats must reflect the color of the school uniform. Individual schools may choose authorized additional gym attire.

(5) Backpacks and/or book bags are permitted, but shall not obstruct safe passage in the classroom or in the corridors.

c. Compliance

(1) All students are required to adhere to their school's uniform and are expected to attend classes in a complete uniform. For financial and emergency reasons schools should maintain a supply of uniforms which students may borrow, to enable all students to attend class. Principal discretion may be used in unique situations.

8. <u>Mandatory School Uniform for Secondary School Students</u>

At the point of inception, Independent Secondary Schools and Academies will designate complete uniforms reflective of their mission, career theme and/or post-secondary education focus in a single color scheme. Dress uniforms or blazers and ties are required for upper classmen and women (grades 11-12) participating in internships.

All students are required to adhere to the required attire and are expected to attend classes in a complete uniform. For financial and emergency reasons schools shall maintain uniform components that students may borrow to ensure that all students may attend class. Principal discretion may be used in unique situations.

9. <u>Exceptions for Designated Days or Events.</u>

Each school principal may periodically designate specific days or events (i.e. school picnic, field day, or spirit week) during which deviations from the approved uniform will be permitted,

Students

Student Attire (continued)

provided the principal determines that such exceptions will facilitate the event, promote school spirit, or otherwise serve an educational interest.

10. Religious and Health Accommodations.

Where the bona fide religious beliefs or health needs of a student conflict with the school attire policy, the schools will provide reasonable accommodation. Any parent or student desiring accommodation shall notify their school principal in writing of the requested accommodation and the factual basis for the request. Approved coverings worn as part of a student's bona fide religious practices or beliefs shall not be prohibited under this policy. The superintendent shall develop procedures for the verification of religious and health exemptions.

11. Clothing Assistance.

It is the policy of the Board of Education that no student will be denied an education due to bona fide financial inability to obtain clothing that complies with the Board's Attire Policy. Any student, for whom compliance with the school attire policy poses a bona fide financial burden, may submit a written request for clothing assistance to their school principal specifying the clothing needed together with a statement of financial need. School principals or their designees shall assist families in financial need to obtain clothing that complies with the school attire policy. In meeting requests for assistance, principals or their designees shall consider community resources such as clothing or financial donations from corporations, members of the community, local businesses, parent organizations, and charitable organizations; clothing discounts from local merchants; and providing additional time for a student to obtain clothing that complies with the School Attire Policy. Where other resources or accommodations are inadequate, a principal may submit a request for assistance to the Assistant Superintendent of Schools. The Assistant Superintendent or his/her designee shall ensure that necessary clothing or financial assistance is provided to the principal, who in turn shall address the clothing needs of the student.

12. **Accommodation of Free Expression**

An item of approved clothing containing an expressive message is permitted. For example, a small button supporting a political candidate may be worn. However, expressive items are prohibited if, in the reasonable judgment of school officials, they may tend to disrupt or interfere with educational interests. For example, racist messages, sexist messages, gang insignia, messages promoting drug or alcohol abuse, and profane or pornographic messages or images are prohibited. Also prohibited during the school day are items of clothing that undermine the integrity of required attire, such as a windbreaker that contains expressive writing.

13. Administrative Review.

Any student who believes that their school has not reasonably accommodated his or her bona fide religious, health or financial needs or right of free expression, may submit a written

Students

Student Attire (continued)

objection on their own or through their parents/guardians to the school's principal. The principal shall respond in writing to the student and his or her parents/guardians within fourteen (14) days. Any student or parent/guardian dissatisfied with the principal's response may submit a written appeal to the Hartford Public Schools Board of Education. The Board or its designee may request such additional information from the school, the student, and/or the parents/guardians as it deems necessary. The Board or its designee shall issue a written decision on the appeal within twenty-one (21) days.

Legal Reference: Connecticut General Statute Section 10-221f (1996) ("[a] local or regional board of education may specify a school uniform for students under its jurisdiction.").

Policy Number 5131.1(a), Students, Dress and Grooming, School Uniforms is rescinded.
Policy Number 5140(a), Student Dress, adopted 9/14/99 and updated 11/1/05 is rescinded.
Policy Number 5140, Hartford Public Schools School Attire Policy dated 6/6/06 is rescinded.
Policy Number 5140, Hartford Public Schools School Attire Policy dated 7/11/06 is revised.
Policy Number 5140, Hartford Public Schools School Attire Policy dated 6/13/08 is revised.
Policy Number 5140, Hartford Public Schools School Attire Policy dated 8/19/08 is adopted.
Policy Number 5140, Hartford Public Schools School Attire Policy dated 12/21/10 is revised.

Revised: January 15, 2013

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students

Bullying Prevention and Intervention

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

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

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

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

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

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

Students

Hazing

Bullying Prevention and Intervention (continued)

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

For purposes of this policy, **"Teen Dating Violence"** means any act of physical, emotional or sexual abuse, including stalking, harassing and threatening, that occurs between two students who are currently in or who have recently been in a dating relationship.

Consistent with the requirements under state law, the Hartford Board of Education authorizes the Superintendent or his/her designee(s), along with the Safe School Climate Coordinator, to be responsible for developing and implementing a Safe School Climate Plan in furtherance of this policy.

As provided by state law, such Safe School Climate Plan shall:

1. Enable students to anonymously report acts of bullying to school employees and require students and the parents or guardians of students to be notified at the beginning of each school year of the process by which students may make such reports;

2. Enable the parents or guardians of students to file written reports of suspected bullying;

3. Require school employees who witness acts of bullying or receive reports of bullying to orally notify the safe school climate specialist, or another school administrator if the safe school climate specialist is unavailable, not later than one school day after such school employee witnesses or receives a report of bullying, and to file a written report not later than two school days after making such oral report;

4. Require the safe school climate specialist to investigate or supervise the investigation of all reports of bullying and ensure that such investigation is completed promptly after receipt of any written reports made under this section and that the parents or guardians of the student alleged to have committed an act or acts of bullying and the parents or guardians of the student against whom such alleged act or acts were directed receive prompt notice that such investigation has commenced;

5. Require the safe school climate specialist to review any anonymous reports, except that no disciplinary action shall be taken solely on the basis of an anonymous report;

6. Include a prevention and intervention strategy for school employees to deal with bullying and teen dating violence;

Students
Hazing
Bullying Prevention and Intervention (continued)

7. Provide for the inclusion of language in student codes of conduct concerning bullying;

8. Require each school to notify the parents or guardians of students who commit any verified acts of bullying and the parents or guardians of students against whom such acts were directed not later than forty-eight hours after the completion of the investigation;

9. Require each school to invite the parents or guardians of a student against whom such act was directed to a meeting to communicate to such parents or guardians the measures being taken by the school to ensure the safety of the student against whom such act was directed and policies and procedures in place to prevent further acts of bullying;

10. require each school to invite the parents or guardians of a student who commits any verified act of bullying to a meeting, separate and distinct from the meeting required in subsdivision (9) above, to discuss specific interventions undertaken by the school to prevent further acts of bullying;

11. Establish a procedure for each school to document and maintain records relating to reports and investigations of bullying in such school and to maintain a list of the number of verified acts of bullying in such school and make such list available for public inspection, and annually report such number to the Department of Education and in such manner as prescribed by the Commissioner of Education;

12. Direct the development of case-by-case interventions for addressing repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual that may include both counseling and discipline;

13. Prohibit discrimination and retaliation against an individual who reports or assists in the investigation of an act of bullying;

14. Direct the development of student safety support plans for students against whom an act of bullying was directed that address safety measures the school will take to protect such students against further acts of bullying;

15. Require the principal of a school, or the principal's designee, to notify the appropriate local law enforcement agency when such principal, or the principal's designee, believes that any acts of bullying constitute criminal conduct;

16. Prohibit bullying (A) on school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by a local or regional board of education, or through the use of an electronic device or an electronic mobile device owned, leased or used by the local or regional board of education, and (B) outside of the school setting if such bullying (i) creates a hostile environment at school for the student against whom

such bullying was directed, or (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school;

17. Require, at the beginning of each school year, each school to provide all school employees with a written or electronic copy of the school district's safe school climate plan; and

18. Require that all school employees annually complete the training described in Conn. Gen. Stat. §10-220a.

The notification required pursuant to subdivision (8) (above) and the invitation required pursuant to subdivision (9) and (10) (above) shall include a description of the response of school employees to such acts and any consequences that may result from the commission of further acts of bullying. Any information provided under this policy or accompanying Safe School Climate Plan shall be provided in accordance with the confidentiality restrictions imposed under the Family Educational Rights Privacy Act ("FERPA") and the district's Confidentiality and Access to Student Information policy and regulations.

The Hartford Board of Education shall submits its Safe School Climate Plan to the Department of Education for review and approval. Not later than thirty (30) calendar days after approval by the Department, the Board shall make such plan available on the Board's and each individual school in the school district's web site and ensure that the Safe School Climate Plan is included in the school district's publication of the rules, procedures and standards of conduct for schools and in all student handbooks.

Legal References: Connecticut State Statutes:
10-145a Certificate of qualification. Specific components of teacher preparation programs
10-145o Teacher education and mentoring program. Administrator three-year plan. Instructional modules. Data system. Guidelines.
10-220a In-service training. Professional development committees
10-222d Policy on bullying behavior
10-222g Prevention and intervention strategy re: bullying
10-222h Analysis of bullying policies
10-233a through 10-233f re: suspension and expulsion

Policy adopted: February 4, 2003
Policy revised: June 17, 2008
Policy revised: May 19, 2009
Policy revised: September 20, 2011
Policy revised: June 21, 2016

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Face Masks/Coverings

The Board of Education (Board) is implementing this masking requirement to promote the safest possible learning, teaching and work environment for students, faculty, staff and visitors during the COVID-19 pandemic. The first priority of the Board is the health and well-being of students and staff. The Connecticut Department of Public Health (DPH) and the Connecticut State Department of Education (SDE), as outlined in ***Adapt, Advance, Achieve: Connecticut's Plan to Learn and Grow Together,*** and the Governor's Executive Orders have required the wearing of face coverings inside all school buildings.

All Hartford Public Schools students, staff, parents, and visitors will be required to wear a face mask while inside any Hartford Public Schools school building. Face masks are being required based upon guidance from the CDC, State of Connecticut public health and education officials, local health authorities, and stakeholders including administrators, teachers and parents.

According to the CDC, face masks are an effective tool in stopping the spread of COVID-19. It is important to remember that while effective, face coverings are just one of many mitigation strategies in place to safeguard the health and safety of students, teachers, and staff during the COVID-19 pandemic. Other strategies include physical distancing, good ventilation, enhanced cleaning and disinfection, frequent hand washing, cohorting where possible, and efficient identification, isolation and exclusion of sick students and staff.

The CDC recommends cloth masks with multiple layers. Face masks must comply with the dress code found in the Code of Student Conduct so that they do not disrupt school activities, are not obscene or otherwise inflammatory, and do not endanger anyone's health or safety. Masks with valves are not permitted.

Definitions

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

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

Clear plastic barrier - a clear plastic or solid surface that can be cleaned and sanitized often.

Transportation

Student passengers are required to wear a face covering/mask covering that completely covers the nose and mouth during transit. The student's face covering must be in place prior to boarding the bus, van or other vehicles and must be kept in place until they are completely off the bus or van. The Board shall provide back-up masks if students do not have face coverings when boarding a school bus or van. The face covering/mask is also applicable to the drivers of the vehicle. The Board may consider the option of assigning a temporary monitor on student transportation to facilitate compliance with this face mask protocol.

Face Coverings in/on School Buildings and Grounds

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

1. Fully vaccinated teachers may remove cloth/disposable masks while wearing a face shield when they are engaged in active instruction at the front of the classroom in which students are seated and masked. This should not occur in cases where a fully vaccinated teacher is a close contact of a known case and, in lieu of quarantine, is instructed to wear a mask until they receive a negative test.
2. Teachers and students may remove masks and face shields while eating, drinking, or when outside provided they are able to physically distance.
3. Staff members who need to communicate with someone who is hearing impaired, or in instances where a teacher's mouth must be visible during speech therapy, the staff may remove the face covering/mask provided that physical distance is maintained and the teacher is wearing a face shield.

Exemptions

Exemptions may apply for persons for whom a face mask would cause an impairment due to an existing health condition (medical documentation required, please inform the Office of Talent Management and the District Health and Safety Team if a staff member is in this category as an Americans with Disabilities Act (ADA) meeting may be required). Parents of students seeking an exemption based on an existing medical condition shall inform their school administrator and/or school nurse.

Additionally, face coverings/masks shall not be required for anyone who has a medical reason making it unsafe to wear a face covering/mask, subject to the restrictions pertaining to exemptions listed in this policy. A written notification from a licensed medical provider, the Department of Developmental Services or other state agency that provides or supports services for people with emotional, intellectual or physical disabilities, or a person authorized by any such agency is required in order for the Board to permit a medical exemption. Schools shall also consider if supporting documentation exists in a student's existing school medical record, where the medical condition and/or need for an exemption is obvious, thereby eliminating the need for additional documentation previously described.

The SDE cautions that an exemption "has possible serious consequences for the health of other students and their families, and for the school's ability to stay open in the face of community spread, medical professionals should give serious consideration to the risk-benefit of giving medical notes for mask exemptions and discuss these considerations with the requesting families…"

The State Department of Education (SDE) has proclaimed that the need for a medical exemption for the wearing of masks "is rare." The SDE has stated that "medical contraindications" to the wearing of masks "are generally limited to individuals suffering from severe chronic obstructive pulmonary disease (COPD) such as might be seen with cystic fibrosis, severe emphysema, heart failure or significant facial burns that would cause extreme pain or interfere with the healing of a skin graft." The SDE has indicated that these "severe medical conditions will be rare in students or staff capable of presenting to the school for work or instruction", as these "individuals would not be able to move about freely without significant assistance." The Board recognizes that apart from the medical contraindications other situations may exist where exemptions to mask wearing shall be considered. Some students with developmental disabilities may not tolerate or be able to comply well with mask wearing. The District shall assess, on an individualized basis, the appropriate accommodations for

students with disabilities who are unable to wear a face mask. An exemption to mask wearing may be appropriate for children with special needs, such as hearing or language challenges, autism, or developmental disabilities if they have issues tolerating a face covering.

In addition, there may be cases where an individual temporarily may not be required to wear a mask. The Board recognizes that some students and staff involved with certain special education activities, such as, but not limited to, speech therapy or where lip reading is required, may need to be exempted from wearing a mask intermittently. In such situations in which an exception is requested based upon a disability, a Planning and Placement Team (PPT) or Section 504 meeting, "as appropriate, shall be held in order to consider programming revisions or appropriate accommodations. In those situations where masks will not be in use, other key mitigation strategies shall be used, including maximizing distancing, holding activities outdoors or to a well-ventilated space, and the use of face shields or other physical barriers.
Parents/guardians may not excuse their child from this face mask requirement, by signing a waiver, because such wearing is a mandated requirement of the state of Connecticut, to comply with in order to open schools from the COVID-19 caused closure.

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

In addition to the wearing of face masks, the District will maximize to the extent possible social distancing between student's workstations and desks, achieving three feet when feasible. Space between the teacher and students is to be maximized to reduce the risk of increased droplets from teachers during instruction. Transparent (clear) masks should be considered as an option for teachers and students in classes for deaf and hard of hearing students. Pre-K and special education teachers should consider wearing clear masks.

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

The district Health and Safety Committee will evaluate mask and face shield accommodations on a case-by-case basis. The form to request an accommodate can be found here .

Mask Breaks

Across all grades and age groups, teachers shall utilize a minimum of a five-minute mask break every hour. The five minutes do not have to be done all at once and the teacher can utilize more than five minutes to the extent circumstances require or dictate the need for more time. If appropriate physical distancing can be maintained during a mask break while in the classroom, instruction can continue.

Prior to the mask break, the teacher should ensure all students are appropriately physically distanced (6 feet). While this can be done in the classroom if class size and spacing permit the maintaining of the required distance, we encourage the use of larger spaces in the buildings such as the gym or outside areas when and where appropriate. Regardless of where it takes place, 6 feet of physical distancing is strongly recommended during mask breaks.

Violations of this Policy

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

Prior to the imposition of disciplinary measures, staff is encouraged to remind students of the significant health implications of this decision and work with the student to correct and encourage cooperation. Staff is encouraged to pursue a broad spectrum of non-exclusionary options to support students prior to pursuing discipline. If a student refuses to wear a face covering/mask and does not fulfill any of the exemptions allowed by this policy, such student shall be sent to a room or space designated by the school. The parent/guardian shall be contacted to rectify the situation and school personnel shall explain the options available regarding schooling and for the possible removal of the child from the school setting.

The District will provide a suitable face covering for a visitor who presents to school without a face covering.

Community Outreach

The District shall engage in community education programs including signage, mass and targeted communication, and positive reinforcement that will actively promote mask use consistent with Centers for Disease Control(CDC), Department of Public HealthDPH, Connecticut State Department of Education(CSDE) and Occupational Safety and Health Administration (OSHA) guidance. Community members will be reminded that mask use does not replace the need for social distancing, washing of hands and other preventative practices recommended by all appropriate authorities.

Teachers or schools may provide incentives for student compliance with the face mask requirement.

Other Considerations

- The District shall maintain in each school a supply of disposable face coverings in the event that a staff member, student or visitor does not have one for use.
- Special attention must be given to putting on and removing face coverings for purposes such as eating. After use, the front of the face covering is considered contaminated and should not be touched during removal or replacement. Hand hygiene should be performed immediately after removing and after replacing the face covering.
- Face shields with face masks may be used by staff who support students with special healthcare needs such as those who are unable to wear masks and who may need assistance with activities of daily living, such as toileting and eating.
- Mask use will not be required by employees when they are alone in private offices. However, they are required to mask when anyone enters a private office space and required to wear a mask if their office space is physically shared with others and does not allow for 6 feet of physical distancing or if the work area is frequented by others (such as a reception area).
- Until further notice, Hartford Public Schools will require the wearing of masks as prescribed in this policy. The Superintendent reserves the right to interpret the provisions of this policy . If there are changes in guidance or law, the Board of Education authorizes the Superintendent to implement said changes and notify the Board of Education within 48 hours.

(cf. 5141.22 - Communicable/Infectious Diseases)
(cf. 5141.6 - Crisis Management Plan)
(cf. 6114 - Emergencies and Disaster Preparedness)

(cf. 6114.6 - Emergency Closings)
(cf. 6114.8 - Pandemic/Epidemic Emergencies)
(cf. 6114.81 - Emergency Suspension of Policy During Pandemic)

Legal Reference: Connecticut General Statutes

10-154a Professional communications between teacher or nurse and student.
10-207 Duties of medical advisors.
10-221 Boards of education to prescribe rules.
19a-221 Quarantine of certain persons.
52-557b Immunity from liability for emergency medical assistance, first aid or medication by injection. School personnel not required to administer or render.
CT. Executive Order 7NNN, August 14, 2020
Governor's Executive Order No. 14, September 28, 2021
Governor's Executive Order No. 14a, September 30, 2021
The Family Educational Rights and Privacy Act of 1974, (FERPA), 20 U.S.C. 1232g, 45 C.F.R. 99.
Adapt, Advance, Achieve: Connecticut's Plan to Learn and Grow Together
Connecticut LEA School Reopening Template
Addendum 11-Interim Guidance for the Use of Face coverings in Schools during COVID-19, August 31, 2020, SDE.
"Frequently Asked Questions Regarding Reopening K-12 Public Schools" series, Vol. 3, September 2, 2020, SDE.
CDC Considerations for Schools
CDC Symptoms of Coronavirus
CDC Quarantine & Isolation
CDC Use of Cloth Face Coverings to Help Slow the Spread of COVID-19
CDC Interim Guidance for Administrators of US K-12 Schools and Child Care Programs
CDC Schools Decision Tree for Schools Reopening

Policy adopted: January 18, 2022

Students
Student Health Services

School District Medical Advisor

The Board of Education shall appoint a school district medical advisor and appropriate medical support service personnel including nurses.

School health efforts shall be directed toward detection and prevention of health problems and to emergency treatment, including the following student health services:

1. Appraising the health status of pupils;
2. Counseling pupils, parents, and others concerning the findings of health examination;
3. Encouraging correction of defects;
4. Helping prevent and control disease;
5. Providing emergency care for student injury and sudden illness;
6. Maintaining school health records.

Health Records

There shall be a health record for each student enrolled in the school district which will be maintained in the school nurse's room. Health records shall be maintained in accordance with the Board’s Access to Student Records and Confidentiality Policy.

Student Medical Care at School

School personnel are responsible for the immediate care necessary for a pupil whose sickness or injury occurs on the school premises during school hours or in school-sponsored and supervised activities, as well as the administration of medication to students, in accordance with Board policy and state law and regulations.

Schools shall maintain files of Emergency Information cards for each pupil. If a child's injury requires immediate care, the parent or guardian will be called by telephone by the nurse, the building principal, or other personnel designated by the principal, and advised of the pupil's condition. When immediate medical or dental attention is indicated, and when parents or guardians cannot be reached, the student will be transported to the nearest hospital unless otherwise indicated on the student's Emergency Information card. In this event, the family physician/dentist and school district medical advisor will be notified of school district actions.

Students
Student Health Services (continued)

Legal Reference: Connecticut General Statutes
10-203 Compliance with public health statutes and regulations.
10-205 Appointment of school medical advisors.
10-207 Duties of medical advisers.
10-209 Records not to be public.
10-212 School nurses and nurse practitioners.

Policy adopted: September 14, 1999 HARTFORD PUBLIC SCHOOLS
Policy updated: November 1, 2005
Policy updated: November 17, 2015 Hartford, Connecticut

Students

Administration Of Student Medications In The Schools

Definitions

1. Administration of medication means the direct application of a medication by inhalation, ingestion, or by any other means to the body of a person.

2. Authorized prescriber means a physician, dentist, advanced practice registered nurse or physician assistant.

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

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

5. 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; and/or
   f. administer the medication according to generally accepted standards of practice; or

(2) 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.

6. 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.

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

8. Medication Emergency means an untoward reaction of a student to a medication.

9. Medication order means the authorization by an authorized prescriber for the administration of medication to a student during school hours for no longer than the current academic year.

Students

Administration Of Student Medications In The Schools

Definitions (cont.)

10. 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.

11. Principal means the administrator in the school.

12. School means any educational facility or program which is under the jurisdiction of the Board.

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

14. Self administration of medication means that a student is able to identify and select the appropriate medication by size, color, amount, or other label identification; knows the frequency and time of day for which the medication is ordered; and consumes the medication appropriately.

15. Teacher means a person employed full time by Board who has met the minimum standards as established by 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.

General Policies On Administration of Medications

1. No medication, including non-prescription drugs, may be administered by any school personnel without:
   a. the written medication order of an authorized prescriber; and,
   b. the written authorization of the student's parent or guardian.

2. Prescribed medications shall be administered to and taken by only the person for whom the prescription has been written.

3. Medications may be administered only by a licensed nurse; or, in the absence of a licensed nurse:
   a. in the case of oral, topical, or inhalant medications, a principal or a teacher who has been properly trained to administer such medications to students;
   b. in the case of injectable medications, a principal or a teacher, but only when a student suffers a medically diagnosed allergic condition which may require prompt treatment to protect the student against serious harm or death; or

Students

Administration Of Student Medications In The Schools

General Policies (cont.)

c. students who are able to self administer medication, provided;
   i. an authorized prescriber provides a written order for such self administration;
   ii. there is a written authorization from the student's parent or guardian;
   iii. the school nurse has evaluated the situation and deemed it safe and appropriate, has documented this in the student's cumulative health record, and has developed a plan for general supervision;
   iv. the principal and appropriate teachers are informed the student is self administering prescribed medication;
   v. such medication is transported to school and maintained under the student's control in accordance with this policy.

Documentation and Record Keeping

1. Each school where medications are administered shall maintain a medication administration record for each student who receives medication during school hours. This record shall include the following information:
   a. the name of the student;
   b. the name of the medication;
   c. the dosage of the medication;
   d. the route of the administration, (i.e., oral, topical, inhalant, etc.);
   e. the frequency of administration;
   f. the name of the authorized prescriber;
   g. the date on which the medication was ordered;
   h. the quantity received at school;
   i. the date the medication is to be reordered (if any);
   j. any student allergies to food and/or medication(s);
   k. the date and time of each administration or omission, including the reason for any omission;
   l. the dose or amount of each medication administered; and,
   m. the full legal signature of the nurse, principal or teacher administering the medication.

2. All records are to be made in ink, and shall not be altered.

3. Written orders of authorized prescribers, written authorizations of parent or guardian, and the completed medication administration record for each student shall be filed in the student's cumulative health record.

Students

Administration Of Student Medications In The Schools

Documentation (cont.)

4. Authorized prescribers may make verbal orders, including telephone orders, for a *change* in medication. Such verbal orders may be received only by a school nurse and must be followed by a written order within three (3) school days.

5. Medication administration records will be made available to the Connecticut Department of Public Health upon its request.

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, and shall immediately notify the school nurse and the authorized prescriber;
   b. the person making the error in medication administration shall thereafter notify the principal (if the principal was not the person who made the error);
   c. the principal shall notify the Superintendent of the Superintendent's designee, who shall thereafter notify the student's 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).

2. A report shall be completed using the authorized accident/incident report form.

3. Any error in the administration of medication shall be documented in the student's cumulative health record.

Medication Emergency Procedures

1. Whenever a student has an untoward 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.

Students

Administration Of Student Medications In The Schools

Medication Emergency Procedures (cont.)

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. contact with a poison control center; and
   d. 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.

<u>Supervision</u>

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 administer medication for appropriate follow-up;
      ii. set up a plan and schedule to ensure medications are given;
      iii. provide training to licensed nursing personnel, principals and teachers in the administration of medications;
      iv. support and assist other licensed nursing personnel, principals and teachers to prepare for and implement their responsibilities related to the administration of specific medications during school hours; and,
      v. provide consultation by telephone or other means of telecommunications.

Students

Administration Of Student Medications In The Schools

Supervision (cont.)

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 monthly basis, all documentation pertaining to the administration of medications for students;
   iii. performing work-site observation of medication administration by teachers and principals who have been newly trained to administer medications; and,
   iv. conducting periodic reviews, as needed, with licensed nursing personnel, principals and teachers, regarding the needs of any student receiving medication.

Training of School Personnel

1. Principals and teachers who are designated to administer medications shall receive training in their safe administration, and only trained principals and teachers shall be allowed to administer medications.

2. Training for principals and teachers shall include, but is not necessarily limited to the following:
   a. the procedures for administration of medications, the safe handling and storage of medications, and the required record-keeping;
   b. the medication needs of specific students, medication idiosyncrasies and desired effects, potential side effects or untoward reactions.

3. The Board shall maintain, and annually update, a list of principals and teachers who have been trained in the administration of medications pursuant to this Policy.

4. The Board shall provide for an annual review and informational update for principals and teachers trained in administration of medications.

Students

Administration Of Student Medications In The Schools

Handling, Storage and Disposal of Medications

1. All medications, except those approved for transporting by students for self medication must be delivered by the parent, guardian, or other responsible adult to the nurse assigned to the student's school. The nurse shall examine on-site any new medication, medication order and the required authorization to administer form, and 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.

2. 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.

3. Access to stored medications shall be limited to persons authorized to administer medications. Each school shall maintain a current list of such authorized persons.

4. All medications, prescription and non prescription, shall be stored in their original containers and in such a manner that renders them safe and effective.

5. 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.

6. All unused, discontinued or obsolete medications shall be removed from storage areas and either returned to the parent or guardian, or with the permission of the parent or guardian, destroyed.

7. Non controlled drugs shall be destroyed in the presence of at least one witness. Controlled drugs shall be destroyed in accordance with Part 1307.21 of the Code of Federal Regulations, or by surrendering them to the Commissioner of the Department of Consumer Protection.

8. In no event shall a school store more than a forty-five (45) day supply of a medication for a student.

Legal References: Connecticut General Statutes:
Section 10-206
Section 10-212
Section 10-212a
Section 21a-240
Regulations of Conn. State Agencies:
Sections 10-212a-1 through 10-212a-7, inclusive
Code of Federal Regulations:
Title 21 Part 1307.21

Policy adopted: September 14, 1999
Policy updated: November 1, 2005

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students
Management Plan and Guidelines for Students with Food Allergies and/or Glycogen Storage Disease

The Hartford Public Schools recognize that food allergies and glycogen storage disease may be life threatening. For this reason, the district is committed to developing strategies and practices to minimize the risk of accidental exposure to life threatening food allergens and to ensure prompt and effective medical response should a child suffer an allergic reaction while at school. The district is also committed to appropriately managing and supporting students with glycogen storage disease. The district further recognizes the importance of collaborating with parents and appropriate medical staff in developing such practices and encourages strategies to enable the student to become increasingly proactive in the care and management of his/her food allergy and/or glycogen storage disease, as developmentally appropriate. To this end, the Hartford Public Schools adopt the following guidelines related to the management of life threatening food allergies and glycogen storage disease for students enrolled in district schools.

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

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

II. Individualized Health Care Plans and Emergency Care Plans

1. If the district obtains medical documentation that a child has a life-threatening food allergy or GSD, the district shall develop an individualized health care plan (IHCP) for the child. Each IHCP should contain information relevant to the child's participation in school activities, and should attempt to strike a balance between individual, school and community needs, while fostering normal development of the child.

2. The IHCP should be developed by a group of individuals, which shall include the parents, and appropriate school personnel. Such personnel may include, but are not limited to, the school nurse, school or food service administrator(s); classroom teacher(s); and the student, if appropriate. The school may also consult with the school's medical advisor, as needed.

3. IHCPs are developed for students with special health needs or whose health needs require daily interventions. The IHCP describes how to meet the child's health and safety needs within the school environment and should address the student's needs across school settings. Information to be contained in an IHCP should include a description of the functional health issues (diagnoses); student objectives for promoting self care and age appropriate independence; and the responsibilities of parents, school nurse and other school personnel. The IHCP may also include strategies to minimize the allergic student's risk for exposure. For the student with GSD, the IHCP may include strategies designed to ameliorate risks associated with such disease and support the student's participation in the classroom. IHCPs for such students may include such considerations:

    a. classroom environment, including allergy free considerations, or allowing the student with GSD to have food/dietary supplements when needed;
    b. cafeteria safety;
    c. participation in school nutrition programs;
    d. snacks, birthdays and other celebrations;
    e. alternatives to food rewards or incentives;
    f. hand-washing;
    g. location of emergency medication;
    h. who will provide emergency and routine care in school;
    i. risk management during lunch and recess times;
    j. special events;
    k. field trips, fire drills and lockdowns;
    l. extracurricular activities;
    m. school transportation;
    n. the provision of food or dietary supplements by the school nurse, or any school employee approved by the school nurse;
    o. staff notification, including substitutes, and training; and
    p. transitions to new classrooms, grades and/or buildings.

4. The IHCP should be reviewed annually, or whenever there is a change in the student's emergency care plan, changes in self-monitoring and self-care abilities of the student,

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

5. For a student with GSD, the IHCP shall not prohibit a parent or guardian, or a person designated by such parent or guardian, to provide food or dietary supplements to a student with GSD on school grounds during the school day.

6. In addition to the IHCP, the district shall also develop an Emergency Care Plan (ECP) for each child identified as having a life threatening food allergy. The ECP is part of the IHCP and describes the specific directions about what to do in a medical emergency. For the student with a life-threatening food allergy, the ECP should include the following information:

    a. The child's name and other identifying information, such as date of birth, grade and photo;

    b. The child's specific allergy;

    c. The child's signs and symptoms of an allergic reaction;

    d. The medication, if any, or other treatment to be administered in the event of exposure;

    e. The location and storage of the medication;

    f. Who will administer the medication (including self-administration options, as appropriate);

    g. Other emergency procedures, such as calling 911, contacting the school nurse, and/or calling the parents or physician;

    h. Recommendations for what to do if the child continues to experience symptoms after the administration of medication; and

    i. Emergency contact information for the parents/family and medical provider.

7. In addition to the IHCP, the district shall also develop an ECP for each child identified as having GSD. The ECP is part of the IHCP and describes the specific directions about what to do in a medical emergency. For the student with GSD, the ECP should include the following information:

    a. The child's name and other identifying information, such as date of birth, grade and photo;

b. Information about the disease or disease specific information (i.e. type of GSD);

c. The child's signs and symptoms of an adverse reaction (such as hypoglycemia);;

d. The medication, if any, or other treatment to be administered in the event of an adverse reaction or emergency (i.e. Glycogon)

e. The location and storage of the medication;

f. Who will administer the medication (including self-administration options, as appropriate);

g. Other emergency procedures, such as calling 911, contacting the school nurse, and/or calling the parents or physician;

h. Recommendations for what to do if the child continues to experience symptoms after the administration of medication; and

i. Emergency contact information for the parents/family and medical provider.

8. In developing the ECP, the school nurse should obtain current medical documentation from the parents/family and the student's health care provider, including the student's emergency plan and proper medication orders. If needed, the school nurse or other appropriate school personnel, should obtain consent to consult directly with the child's health care providers to clarify medical needs, emergency medical protocol and medication orders.

9. A student identified as having a life-threatening food allergy or GSD is entitled to an IHCP and an ECP, regardless of his/her status as a child with a disability, as that term is understood under Section 504 of the Rehabilitation Act of 1973 ("Section 504"), or the Individuals with Disabilities Education Act ("IDEA").

10. The district shall ensure that the information contained in the IHCP and ECP is distributed to any school personnel responsible for implementing any provisions of the IHCP and/or ECP, and that any procedures in the IHCP and/or ECP comply with the district's policies and procedures regarding the administration of medications to students.

11. Whenever appropriate, a student with a life-threatening food allergy and/or GSD should be referred to a Section 504 Team for consideration if/when there is reason to believe that the student has a physical or mental impairment that substantially limits one or more major life activities, as defined by Section 504. Whenever appropriate, students with life-threatening food allergies and/or GSD should be referred to a PPT for consideration of eligibility for special education and related services under the IDEA, if

there is reason to suspect that the student has a qualifying disability and requires specialized instruction.

12. When making eligibility determinations under Section 504 and/or the IDEA, schools must consider the student's needs on an individualized, case-by-case basis.

III. Training/Education

1. The district shall provide appropriate education and training for school personnel regarding the management of students with life threatening food allergies and GSD. Such training may include an overview of life-threatening food allergies and GSD; prevention strategies; IHCPs and ECPs; and food safety and sanitation. Training shall also include, as appropriate for each school (and depending on the specific needs of the individual students at the school), training in the administration of medication with cartridge injectors (i.e. epi-pens), and/or the specific preventative strategies to minimize the risk of exposure to life-threatening allergens and prevent adverse reactions in students with GSD (such as the provision of food or dietary supplements for students). School personnel will be also be educated on how to recognize symptoms of allergic reactions and/or symptoms of low blood sugar, as seen with GSD, and what to do in the event of an emergency. Staff training and education will be coordinated by **[insert name of appropriate administrator/school nurse].** Any such training regarding the administration of medication shall be done accordance with state law and Board policy.

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

IV. Prevention

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

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

4. Training staff in recognizing symptoms of anaphylaxis and hypoglycemia.

5. Planning for school emergencies, to include consideration of the need to access medication, food and/or dietary supplements.

V. Communication

1. As described above, the school nurse shall be responsible for coordinating the communication between parents, a student's individual health care provider and the school regarding a student's life threatening allergic condition and/or GSD. School staff responsible for implementing a student's IHCP will be notified of their responsibilities and provided with appropriate information as to how to minimize risk of exposure and/or alterations in blood sugar levels and how to respond in the event of such emergency.

2. Each school will ensure that there are appropriate communication systems available within each school (i.e. telephones, cell phones, walkie-talkies) and for off-site activities (i.e. field trips) to ensure that school personnel are able to effectively respond in case of emergency.

3. The district shall develop standard letters to be sent home to parents, whenever appropriate, to alert them to food restrictions within their child's classroom or school.

4. All district staff are expected to follow district policy and/or federal and state law regarding the confidentiality of student information, including medical information about the student.

5. The district shall make the Management Plan and Guidelines for Students with Food Allergies and/or Glycogen Storage Disease available on the Board's website.

6. The district shall provide annual notice to parents and guardians regarding the Management Plan and Guidelines for Students with Food Allergies and/or Glycogen Storage Disease. Such notice shall be provided in conjunction with the annual written statement provided to parents and guardians regarding pesticide applications in the schools.

VI. Monitoring the District's Plan and Procedures

The district should conduct periodic assessments of its Management Plan and Guidelines for Students with Food Allergies and/or Glycogen Storage Disease. Such assessments should occur at

least annually and after each emergency event involving the administration of medication to a student with a life-threatening food allergy or GSD to determine the effectiveness of the process, why the incident occurred, what worked and what did not work.

The Superintendent shall annually attest to the Department of Education that the District is implementing the Management Plan and Guidelines for Students with Food Allergies and/or Glycogen Storage Disease.

Legal References:

State Law/Regulations/Guidance

Conn. Gen. Stat. § 10-212a	Administration of Medications in Schools
Conn. Gen. Stat. § 10-212c	Life-threatening food allergies: Guidelines; district plans
Conn. Gen. Stat. § 10-220i	Transportation of students carrying cartridge injectors
Conn. Gen. Stat. § 10-231c	Pesticide applications at schools without an integrated pest management plan.
Conn. Gen. Stat. § 19a-900	Use of cartridge injectors by staff members of before or after school program, day camp or day care facility.
Conn. Gen. Stat. § 52-557b	"Good Samaritan law." Immunity from liability for emergency, medical assistance, first aid or medication by injector. School personnel not required to administer or render.
Regs. Conn. State Agencies	§ 10-212a-1 through 10-212a-7 Administration of Medication by School Personnel

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

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

Policy adopted: November 8, 2006
Policy revised: June 21, 2016

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students
Health Assessments, Screenings and Immunizations

The Board of Education recognizes the importance of periodic health assessments according to state health regulations.

To determine the health status of a student, and determine if a student is suffering from any physical disability tending to prevent such student from receiving the full benefit of school work and to ascertain whether such school work should be modified in order to prevent injury to the student or to secure for the student a suitable program of education, the Board of Education requires that students have health assessments in accordance with state law.

The Board of Education adheres to those state laws that pertain to school immunizations and health assessments. The Board may deny admission or continued attendance in school to any student who fails to obtain the health assessments required under C.G.S. 10-206.

Parents wishing their children exempted or excused from health assessments must request such exemption to the Superintendent of Schools in writing and in accordance with state law. This request must be signed by the parent/guardian.

No record of any student's medical assessment may be open to the public.
(cf. 5111 – Admission/Placement)

Legal Reference: Connecticut General Statutes
10-204a Required immunizations
10-204c Immunity from liability
10-206 Health assessments
10-206a Free health assessments
10-208 Exemption from examination or treatment
10-209 Records not to be public. Provision of reports to schools.
10-214 Vision, audiometric and postural screenings. When required. Notification of parents re defects; record of results,

Public Act 15-215, “An Act Concerning Various Revisions and Additions to the Education Statutes.”
Public Act 15-174, “An Act Concerning Childhood Vaccinations.”
Public Act 15-242, “An Act Concerning Various Revisions to the Public Health Statutes.”

Connecticut Agencies Regulations § 10-204a-2a Adequate Immunization
Letter to Superintendents of Schools et al. from Connecticut State Department of Education, Reinstatement of Prekindergarten and Kindergarten School Immunization Entry Requirement for Haemophilus Influenza Type B (Hib) Vaccine, June 25, 2010.

Letter to Superintendents of Schools et al. from Connecticut State Department of Education, Changes in the Immunization Requirements for School Entry, March 15, 2011.

Federal Law:
Elementary and Secondary Education Act of 1965, as amended by the No Child Left Behind Act of 2001, Public Law 107-110, § 1061, codified at 20 U.S.C. § 1232h.

State of Connecticut Department of Education, Bureau of School, Family, Community Partnerships, Cumulative Health Records Guidelines (2003).

Policy adopted: November 1, 2005
Policy Revised: November 17, 2015

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students
Health Assessments, Screenings and Immunizations

A. Immunizations

In accordance with Connecticut laws and regulations, the following health assessment procedures are established for students in the district:

1. The Board requires each child to be protected by adequate immunization against diphtheria, pertussis, tetanus, poliomyelitis, measles, mumps, rubella, hemophilus influenzae type B, hepatitis A, hepatitis B, varicella, pneumococcal diseases, meningococcal disease and any other vaccine required by the schedule for active immunization as determined by the Commissioner of Public Health pursuant to Conn. Gen. Stat. § 19a-7f, prior to enrolling in any program or school under its jurisdiction. Proof of immunization shall be required prior to school entry. A "school-aged child" also includes any student enrolled in an adult education program that leads to a high school diploma. This immunization verification is mandatory for all new school enrollees and must include complete documentation of those immunizations requiring a full series.

2. In those instances at entry to seventh grade, where an individual has not received a second dose of measles, and tetanus, dipheria and pertussis (Tdap), contained vaccines, a second dose shall be given. If an individual has received no measles containing vaccines, the second dose shall be given no less than thirty (30) days after the first. The Board also requires each child to be vaccinated against meningococcal disease before being permitted to enter the seventh grade.

3. Each child must have received two doses of immunization against varicella before being permitted to enter kindergarten and seventh grade, and each child must have received two doses of immunization against rubella and mumps before being permitted to enter grades kindergarten through twelve.

4. By January 1 of each year, children aged 24-59 months enrolled in the Board's preschool program must show proof of receipt of at least one dose of influenza vaccine between August 1 and December 31 of the preceding year. All children aged 24-59 months who have not received vaccination against influenza previously must show proof of receipt of two doses of the vaccine the first influenza season that they are vaccinated. Children seeking to enroll in the Board's preschool program between January 1 and March 31 are required to receive the influenza vaccine prior to being permitted to enter the program. Children who enroll in the preschool program after March 31 of any given year are not required to meet the influenza vaccine requirement until the following January.

5. Exemption shall be granted from the Board's immunization requirements if a student, prior to enrollment:

   a. presents a certificate from a physician, physician assistant, advanced practice registered nurse, or a local health agency stating that initial immunizations have been administered to the child and additional immunizations are in process under guidelines and schedules specified by the Commissioner of Health;

   b. presents a certificate from a physician, physician assistant, or advanced practice registered nurse stating that in the opinion of the physician, immunization is medically contraindicated because of the physical condition of the child;

   c. presents a statement from the parents or guardian of the child that such immunization would be contrary to religious beliefs of the child or the parents or guardian of such child, which statement shall be acknowledged by

      (A) a judge of a court of record or a family support magistrate,
      (B) a clerk or deputy clerk of a court having a seal,
      (C) a town clerk,
      (D) a notary public,
      (E) a justice of the peace,
      (F) an attorney admitted to the bar of the State of Connecticut, or
      (G) a school nurse; or;

   d. in the case of measles, mumps or rubella, presents a certificate from a physician, physician assistant or advanced practice registered nurse or from the Director of Health in such child's present or previous town of residence, stating that the child has had a confirmed case of such disease; or

   e. in the case of hemophilus influenzae type B, has passed his/her fifth birthday; or

   f. in the case of pertussis, has passed his/her sixth birthday.

Before being permitted to enter the seventh grade, the parents or guardian of any child who is exempt on religious grounds from the immunization requirements, pursuant to subsection (c) above, shall present to the Board a statement that such immunization requirements are contrary to the religious beliefs of such child or the parents or guardian of such child, which statement shall be acknowledged in the same manner as required by subsection (c) above.

6. Students failing to meet the above requirements shall not be allowed to attend school.

Students
Health Assessments, Screenings and Immunizations (continued)

B. Health Assessments

1. A physical examination shall be required for all new school enrollees, and students in grade 6 and grade 10. Such health assessments must be conducted by a legally qualified practitioner of medicine, an advanced practice registered nurse or registered nurse, who is licensed under state statute, a physician assistant, who is licensed under state statute, the school medical advisor, or a legally qualified practitioner of medicine, an advanced practice registered nurse or a physician assistant stationed at any military base. This health assessment must be completed either prior to school entry or 30 calendar days after the beginning of school for new school enrollees. This assessment must be conducted within the school year for students in grade 6 and 10. Parents of students in grade 6 and 10 shall be notified, in writing, of the requirement of a health assessment and shall be offered an opportunity to be present at the time of assessment. Health assessments completed within one calendar year of new school entry will be accepted by the school system.

2. Health assessments shall include:

   a. a physical examination which includes hematocrit or hemoglobin tests, height, weight, blood pressure, and a chronic disease assessment which shall include; but not be limited to, asthma as defined by the Commissioner of Public Health pursuant to subsection (c) of section 19a-62a of the Connecticut General Statutes. The assessment form shall include (A) a check box for the provider conducting the assessment, to indicate an asthma diagnosis, (B) screening questions relating to appropriate public health concerns to be answered by the parent or guardian, and (C) screening questions to be answered by such provider;

   b. an updating of immunizations as required by state law;

   c. vision, hearing, speech and gross dental screenings;

   d. such other information, including health and developmental history, as the physician feels is necessary and appropriate.

   The assessment shall also include tests for tuberculosis, sickle cell anemia or Cooley's anemia, and tests for lead levels in the blood (only for pre-enrolment) if, after consultation with the school medical advisor and the local health department, the Board determines that such tests are necessary. Such tests must be conducted by a registered nurse acting pursuant to the written order of a physician, or physician's assistant, licensed under state law, or an advanced practice registered nurse, licensed under state law.

3. Failure of students to satisfy the above mentioned health assessment timeliness and/or requirements shall result in exclusion from school.

4. Parents or guardians of students being excluded from school due to failure to meet health assessment requirements shall be given a thirty calendar day notice in writing, prior to any effective date of school exclusion. Failure to complete required health assessment components within this thirty day grace period shall result in school

exclusion. This exclusion shall be verified, in writing, by the Superintendent of Schools or his/her designee

.

5. Health assessment and health screening requirements of these regulations are waived if the parent legal guardian of the student or the student (if he or she is an emancipated minor or is eighteen years of age or older) notifies the school personnel in writing that the parent, guardian or student objects on religious grounds.

6. The Board of Education shall provide such assessments free of charge to students whose parents or guardians meet the eligibility requirements for free and reduced price meals under the National School Lunch Program or for free milk under the special milk program.

C. Screenings

1. The Board of Education will provide annually to each student enrolled in kindergarten and grades one and three to five, inclusive, a vision screening using a Snellen chart or equivalent screening. The Superintendent shall give written notice to the parent or guardian of each student (1) who is found to have any defect of vision or disease of the eyes, with a brief statement describing the defect or disease, and (2) who did not receive such vision screening, with a brief statement explaining why such pupil did not receive such vision screening.

2. The Board of Education will provide annually to each student enrolled in kindergarten and grades one and three through five, inclusive, audiometric screening for hearing. The Superintendent shall give written notice to the parent or guardian of each student (1) who is found to have any impairment or defect of hearing, with a brief statement describing the impairment or defect, and (2) who did not receive an audiometric screening for hearing, with a brief statement explaining why such student did not receive an audiometric screening for hearing.

3. The Board of Education will provide postural screenings for (1) each female student in grades five and seven, and (2) each male student in grade eight and nine. The Superintendent shall give written notice to the parent or guardian of each student (A) who evidences any postural problem, with a brief statement describing such evidence, and (B) who did not receive a postural screening, with a brief statement explaining why such student did not receive such postural screening.

4. All of the screenings required under these administrative regulations will be performed in accordance with regulations applicable to such screenings as adopted by the State Board of Education.

E. Athletics

1. Any student participating in an interscholastic sports program must have a health assessment, within one year prior to the first training session for the sport or sports. After the initial examination, repeat examinations are required every year. Each participant in a sport program must complete a health questionnaire before participating in each sport.

2. Parents are expected to use the services of their private physician. If a student is unable to obtain a health assessment from his/her personal physician for financial or other reasons, an examination can be arranged with school medical advisor. Health assessment results shall be recorded on forms provided by the Connecticut State Board of Education, signed by the examining physician, school medical advisor or advisor's designee, filed in the student's health folder, and maintained up to date by the school nurse.

F. Assessment/Screening Results:

The results of each assessment and screening required by these administrative regulations shall be recorded on forms supplied by the State Board of Education. Each physician, advanced practice registered nurse, registered nurse, or physician assistant performing health assessments under these administrative regulations shall sign each form and any recommendations concerning a student shall be in writing. Assessment/screening forms shall be included in the cumulative health record of each student and they shall be kept on file in the school attended by the student. If a student transfers to another school district in Connecticut, his/her original cumulative health record shall be sent to the chief administrative officer of the new school district and a true copy retained by the Hartford Board of Education. For a student leaving Connecticut, a copy of the records, if requested, should be sent and the original maintained.

Appropriate school health personnel shall review the results of each assessment and screening. If the reviewing school health personnel judge that a student is in need of further testing or treatment, the Superintendent shall give written notice to the parent or guardian of such student and shall make reasonable efforts to ensure that such further testing or treatment is provided. Reasonable efforts shall include determination of whether the parent or guardian has obtained the necessary testing or treatment for the student, and, if not, advising the parent or guardian how such testing or treatment may be obtained. The results of such further testing or treatment shall be recorded, kept on file and reviewed by appropriate school health personnel in the same manner as the results of the health assessments and screenings required under these administrative regulations.

G. Other Non-Emergency Invasive Physical Examinations and Screenings:

1. In addition to the screenings listed above, the district may, from time to time, require students to undergo additional non-emergency, invasive physical examination(s)/screening(s).

2. A non-emergency, invasive physical examination or screening is defined as:

(a) any medical examination that involves the exposure of private body parts; or

(b) any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening; and

(c) is required as a condition of attendance, administered by the school and scheduled by the school in advance; and

(d) is not necessary to protect the immediate health and safety of the students.

3. If the district elects to conduct any such examinations, then, at the beginning of the school year, the administration shall give direct notice to parents of affected students of the district's intent to conduct the non-emergency invasive physical examination(s) and/or screening(s) described in this subsection. Such notice shall include the specific or approximate dates during the school year of the administration of such non-emergency invasive physical examination(s)/screening(s).

4. Upon request, the administration shall permit parents or students over the age of eighteen (18) (or emancipated minors) to opt out of participation in the non-emergency invasive physical examination(s)/screening(s) described in this subparagraph.

H. School Representative to Receive Information Concerning Health Assessments:

The Board of Education designates [insert name of responsible staff member] as the representative for receipt of reports from health care providers concerning student health assessments.

Legal Reference: Connecticut General Statutes

10-204a Required immunizations
10-204c Immunity from liability
10-206 Health assessments
10-206a Free health assessments
10-208 Exemption from examination or treatment
10-209 Records not to be public. Provision of reports to schools.
10-214 Vision, audiometric and postural screenings. When required. Notification of parents re defects; record of results,

Public Act 15-215, “An Act Concerning Various Revisions and Additions to the Education Statutes.”

Public Act 15-174, “An Act Concerning Childhood Vaccinations.”
Public Act 15-242, “An Act Concerning Various Revisions to the Public Health Statutes.”

Connecticut Agencies Regulations § 10-204a-2a Adequate Immunization

Letter to Superintendents of Schools et al. from Connecticut State Department of Education, Reinstatement of Prekindergarten and Kindergarten School Immunization Entry Requirement for Haemophilus Influenza Type B (Hib) Vaccine, June 25, 2010.

Letter to Superintendents of Schools et al. from Connecticut State Department of Education, Changes in the Immunization Requirements for School Entry, March 15, 2011.

Federal Law:

Elementary and Secondary Education Act of 1965, as amended by the No Child Left Behind Act of 2001, Public Law 107-110, § 1061, codified at 20 U.S.C. § 1232h.

State of Connecticut Department of Education, Bureau of School, Family, Community Partnerships, Cumulative Health Records Guidelines (2003).

Regulation adopted: September 14, 1999 HARTFORD PUBLIC SCHOOLS
Regulation updated: November 1, 2005 Hartford, Connecticut
Regulation updated: November 17, 2015 Hartford, Connecticut

Students

Accident Prevention

An accident prevention program shall be sponsored by the Hartford public and parochial schools and the Hartford Police Department with various cooperating community agencies.

Policy adopted: September 14, 1999
Policy updated: November 1, 2005

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students

Accident Prevention

Care of Accidents Occurring At School

1. **First aid procedures**. Members of the school staff should be acquainted with proper first aid procedures. These are adequately covered in the Health Services Manual. A copy of this guide should be included in each school health room.

   In the absence of the nurse, a member of staff designated by the Principal should care for the frequent minor scratches, cuts, and bruises which are common among children. In severe accident cases it is important that first aid be given by the one nearest the injured person. If the accident can await the arrival of a nurse, the Principal may call the nurse at the nearest school. If the nurse is not readily available, the physical education teacher may be called for first aid work. These teachers are usually better prepared than other teachers to administer first aid. The nursing supervisor may be called in accident cases whenever his/her presence is deemed desirable by the school Principal. Nursing supervisor will administer first aid and advise relatives of the need for further care, but will not be responsible for treatment. When the nursing supervisor cannot be immediately located, and the need for a physician is urgent the Principal may call the medical director.

2. **Notifying parents**. If parents have a phone, they should be notified of the accident and asked regarding the procedure they wish followed in securing medical attention or hospital care.

3. **Taking child home**. If parents have no phone, the child should be taken home as soon as first aid treatment has been given. If the injury is of such severity that movement of the child to the home would appear harmful, the child should be transferred via ambulance to the nearest hospital. The child may be taken home by anyone designated by the Principal. The nurse, if available, is the preferable one to do this. If it appears that the child is in need of medical attention, the parent should be informed that the family physician should examine and treat the child. If the family is unable to afford the services of a physician, they should be informed of the community agencies through which medical aid can be secured and given every possible assistance in getting to such agencies. The school's responsibility in accident cases does not end until it is certain that the child will receive proper attention.

4. **Taking child to hospital**. In any case where parents are not home or cannot be located, the child in need of urgent medical attention other than first aid should be transferred via ambulance to the nearest hospital. If further medical treatment is not needed, the child may be kept at school until the parents are located.

Students

Accident Prevention

Care of Accidents Occurring At School (continued)

5. **Filling out accident report blank**. A special form shall be filled out in duplicate; one copy is to be kept at school and the other sent to the office of the supervising physician.

The Assistant Superintendents shall be in charge of the program, whose purpose is to prevent traffic accidents involving school children, stimulate interest in traffic safety education, and encourage boys and girls to become safety conscious by observing traffic safety rules on our streets.

Students

Communicable/Infectious Diseases

The Hartford Board of Education recognizes that all children in Connecticut have a constitutional right to a free, suitable program of educational experiences. The Board of Education shall establish by regulation reasonable health requirements as prerequisites to admission or attendance including the requirement that students undergo physical examination prior to admission.

Where it can be medically established that a student suffers from a serious infectious disease and there is a significant risk of transmission of the disease to others due to the nature of the disease or personal characteristics of the student carrier, it may be appropriate to exclude the student from the regular classroom. The determination of exclusion of any student will be made on a case by case basis with the appropriate procedural due process safeguards. However, where the risk of transmission is relatively low or appropriate procedures can be adopted to reduce the risk of transmission, exclusion is not warranted.

A child with an infectious disease may be considered handicapped, if the condition presents such physical impairment that limits one or more major life activities. Therefore, Section 504 of the Rehabilitation Act, the "Education of all Handicapped Children Act" may apply. The parent, guardian or the school administration may make a referral for determination whether the student is handicapped and entitled to protection under Section 504. The Planning and Placement Team will conduct an Individual Placement Program (IPP to determine whether the student is handicapped or is "otherwise qualified" within the meaning of Section 504. The student will be educated in the least restrictive environment.

(cf. 5111 – Admission/Placement)
(cf. 5153 - Health Assessments and Immunizations)

Legal Reference: Connecticut General Statutes
"Education for Children with Disabilities", 20 U.S.C. 1400, et seq. Section 505 of the Rehabilitation Act of 1973, 29 U.S.C. 706(7)(b)
"Americans with Disabilities Act" The Family Educational Rights and Privacy Act of 1974, (FERPA), 20 U.S.C. 1232g, 45 C.F.R. 99
10-76(d)(15) Duties and powers of boards of education to provide special education programs and services.
10-154a Professional communications between teacher or nurse and student.
10-207 Duties of medical advisors.
10-209 Records not to be public.
10-210 Notice of disease to be given parent or guardian.
19a-221 Quarantine of certain persons.
19a-581-585 AIDS testing and medical information.

Policy adopted: September 14, 1999
Policy updated: November 1, 2005

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students

Communicable/Infectious Diseases

Exclusion Procedures

If it is determined that the interests of the student and the school are better served when a student with a communicable or infectious disease is excluded, procedural safeguards will establish such by extensive medical evidence which shall include, but not be limited to:

1. The nature of the disease.

2. Whether transmission may be controlled.

3. Whether the personal characteristics of the student involved are such that exclusion of the affected student from the regular classroom is clearly necessary to protect the health of other students.

4. As medical knowledge and circumstances may change rapidly, the school nurse and school medical advisor will monitor current medical information and assess the student's medical condition and the school's ability to accommodate that student in light of the most current medical information. New facts may warrant a different result from the one previously reached.

5. Where a student or student's parents object to the board's decision to exclude that student, the board of education will provide a hearing to adjudicate pertinent facts concerning the exclusion.

Medical Intervention

The school nurse or medical advisor will establish guidelines which will provide simple, effective precautions against transmission of communicable disease for all students and staff. Universal precautions will be used to clean up after a student has an accident or injury at school. Blood or bodily fluids emanating from any student should be treated cautiously. Such guidelines will be reviewed regularly in light of medical advances. Necessary reports will be made to health authorities consistent with state law.

If emergency exclusion of a student is warranted, regulation will provide procedures to take care of the emergency situation.

Consideration will be given to temporary removal of a student from school, if in the opinion of the school medical advisor and the child's physician, illness in the school might be detrimental to the child's health.

Students

Communicable/Infectious Diseases (continued)

Medical Intervention (continued)

Classroom and educational programs will be established so that students, staff and the public are better informed of the risk and prevention of transmission of communicable diseases. The school nurse or other medical staff will be available to assist in any problem resolution, answer questions and coordinate services provided by other staff.

Confidentiality

The privacy rights of students with a communicable disease shall be strictly observed by school staff. No person who obtains confidential related medical information may disclose or be compelled to disclose such information except to the following:

1. The protected student or parent.
2. Any person who secures a release of the confidential related information.
3. A federal, state or local officer when such disclosure is mandated or authorized by federal state law.
4. A health care provider or health facility when knowledge of the related information is necessary to provide appropriate care treatment to the protected student and when confidential related information is already recorded in the medical chart or record or a health provider has access to such records for the purpose of providing medical care to that student.

When confidential information relating to communicable disease is disclosed, it should be accompanied by a statement in writing which shall include the following similar language;

> *"This information has been disclosed to you from records whose confidentiality is protected by state law. State law prohibits you from making any further disclosure without the specific written consent of the student or legal guardian to whom it pertains or as otherwise permitted by law. A general authorization for the release of medical or other information is not sufficient for this purpose."*

A notation of all such disclosure shall be placed in the medical record or with any record related to a communicable disease test results of a protected student. Any person who willfully violates the provisions of this law will be liable in a private cause of action for injuries suffered as result of such violation. Damages may be assessed in the amount sufficient to compensate said student for such injury.

Students

Communicable/Infectious Diseases (continued)

Legal Reference: Connecticut General Statutes
"Education for Children with Disabilities", 20 U.S.C. 1400, et seq.
Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 706(7)(b).
"Americans with Disabilities Act", 42 U.S.C 12101 et seq.
The Family Educational Rights and Privacy Act of 1974, (FERPA), 20 U.S.C. 1232g, 45 C.F.R. 99.
10-15b Access of parent or guardian to student's records.
10-19 Teaching about alcohol, nicotine or tobacco, drugs and acquired immune deficiency syndrome.
10-66b Regional Educational Service Centers.
10-76(d)(15) Duties and powers of boards of education to provide special education programs and services.
10-154a Professional communications between teacher or nurse and student.
10-207 Duties of medical advisors.
10-209 Records not to be public.
10-210 Notice of disease to be given parent or guardian.
19a-221 Quarantine of certain persons.
19a-581-585 AIDS testing and medical information.

Regulation adopted: September 14, 1999
Regulation updated: November 1, 2005

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students

Suicide Prevention and Intervention

The Hartford Board of Education recognizes that suicide is a complex issue and that schools are not mental health treatment centers. School personnel may recognize a potentially suicidal youth and, in such cases, may make a preliminary determination of level of risk. The Board directs the school staff to refer students who come to their attention as being at risk of attempting suicide for professional assessment and treatment services outside of the school.

The Board recognizes the need for youth suicide prevention procedures and will establish programs to assist staff to identify risk factors, intervention procedures, and procedures for referral to outside services. Training will be provided for teachers and other school staff and students to provide awareness and assistance in this area.

Any Board employee who has knowledge of a suicidal threat, attempt or ideation must immediately report this information to the building principal or his/her designee, who may, activate the Crisis Team a component of the Emergency Response Team. The Crisis Team, with administrative assistance, if necessary, will contact the student's family and appropriate resources outside and within the school system. Information concerning a student's suicide attempt, threat or risk will be shared with others to the degree necessary to protect that student and others.

Legal Reference: Connecticut General Statutes §10-221(e)

Policy adopted: September 14, 1999
Policy updated: November 1, 2005
Policy revised: June 20, 2017

HARTFORD PUBLIC SCHOOLS

Hartford, Connecticut

Students

Suicide Prevention and Intervention
Management of Suicidal Risk

The school cannot be expected to thoroughly evaluate and eliminate suicidal risk. Nevertheless, the Board is committed to respond in a supportive manner, both aggressively and immediately, to a student who has attempted, has threatened, or is seriously considering attempting suicide. The following procedures shall be implemented toward this end.

1. Any staff member who becomes aware of a student who may be at risk of suicide must immediately notify the building principal or his/her designee. This must be done even if the student has confided in the staff person and asked that his/her communication be kept confidential. The principal or designee will then designate an appropriate Crisis Team member to interview the student.
2. The Crisis Team staff member,shall interview the student, consider available background information and determine whether the student is "at-risk" or in "imminent danger."

3. If the student is assessed to be "at-risk":

a. The designated Crisis Team staff member shall notify the student's parent/guardian and request a meeting with them as soon as possible, preferably that same day.

b. When the parent/guardian arrives at school, the Crisis Team staff member shall meet with him/her to discuss:
   - the seriousness of the situation;
   - the need for an immediate suicide risk evaluation at a medical , mental health facility or utilizing the Emergency Mobile Psychiatric Services , 211, or other appropriate evaluation(s);
   - the need for continued monitoring of the student at home if he/she is released following the evaluation;
   - referral to appropriate professional services outside the school system; and
   - a request for the parent/guardian to sign a release of information form permitting communication between the school and the facility to which the student will be taken, the student's therapist and other appropriate individuals.

c. The Crisis Team staff member shall document in writing the course of events, including what transpired at the meeting, and the outcome, using the Risk Assessment Form in PowerSchool and submit through the PowerSchool system which will then immediately alert the Director of Support Services or appropriate Central Office Designee. The Crisis Team member must notify the principal regarding the course of events and the outcome and note whom they spoke with on the Risk Assessment form.

Students

Suicide Prevention and Intervention
Management of Suicidal Risk (continued)

d. If the parent/guardian does not follow through, thereby leaving the student "at-risk", a medical referral to the Department of Children and Families (DCF) should be made (if the student is less than 18 years of age). The parent/guardian should be notified as soon as possible that such a referral has been made.

e. The Crisis Team staff member may notify other staff, as necessary to protect the student and others.

f. The Crisis staff member may refer student to the school's Student Success Team or Student Assistance Team or other team for further consultation and collaboration.

g. The Crisis Team staff member or the team shall monitor the student's progress and shall consult as necessary with family, outside professionals and school staff.

4. If the student is assessed to be "in imminent danger":

The Crisis Staff member will activate the Crisis Team by calling/notifying the principal or designee.

Intitial Crisis Team recommendations and considerations are:

- Do not leave the student alone
- Brief the crisis team regarding the situation
- Designate who will make calls to: Family, 211
- Remove potential hazards
- Determine and activate appropriate security measures
- If escallates, 211 may become 911

a. The Crisis Team staff member shall notify the parent/guardian and request that the student be evaluated by the Emergency Mobile Psychiatric Services, 211 at the school or picked up at school and taken to a medical or mental health professional for thorough suicidal risk evaluation.

b. When the parent/guardian arrives at school, the Crisis Team staff member shall meet with him/her to discuss:
   - the seriousness of the situation;
   - the need for an immediate suicide risk evaluation using the Emergency Mobile Psychiatric Services, 211 or at a medical or mental health facility,
   - the need for continued monitoring of the student at home if he/she is released following the evaluation;
   - referral to appropriate professional services outside the school system; and

- a request for the parent/guardian to sign a release of information form permitting communication between the school and the facility to which the student will be taken, the student's therapist and other appropriate individuals.

c. The Crisis Team staff member shall document in writing the course of events, including what transpired at the meeting, and the outcome, utilizing Risk Assessment Form in PowerSchool and submit through the PowerSchool system which will then immediately alert the Director of Support Services or appropriate Central Office Designee The Crisis Team member must notify the principal regarding the course of events and the outcome and note whom they spoke with on the Risk Assessment form.

d. .

e. The Crisis Team staff member may notify other staff, only information that is not deemed confidential by law as necessary to protect the student and others.

f. The Crisis Team staff member may refer the student to the.school's Student Success Team , Student Assistance Team, 504 team or other team for further services and collaboration.

g. If the parent/guardian is unable to come to school:
   - the Crisis Team staff member shall provide over the telephone information as to available resources outside and within the school system, and shall plan follow-up contacts
   - the Crisis Team staff member will ask the parent's permission to call 211 and request a school visit of the Emergency Mobile Psychiatric Services to further evaluate the student
   - .
   - police may be notified if the student poses a threat to the safety of him/herself or others, or as dictated by other circumstances.

h. the Crisis Team staff member shall document utilizing the Risk Assessment Form in PowerSchool and submit through the PowerSchool system which will then immediately alert the Director of Support Services or appropriate Central Office The Crisis Team member must notify the principal regarding the course of events and the outcome and note whom they spoke with on the Risk Assessment form.

i. If the parent/guardian does not agree with the school's determination that the student is in imminent danger or for any other reason refuses to take action.
   - the Crisis Team shall meet with the building principal and develop an immediate plan focused on protection of the student.
   - the Crisis Team shall notify the parent/guardian of the plan and shall inform the parent/guardian that the Department of Children and Families (DCF) will be contacted and a medical neglect referral made, if the parent/guardian remains uncooperative (if the student is less than 18 years of age).

- the Crisis Team shall arrange for an emergency vehicle to transport the student to the hospital; shall inform hospital staff of the situation; shall plan follow-up in relation to hospital staff or mental health facility staff decisions as to how to proceed.
- the Crisis Team shall consult and cooperate with DCF as necessary.

j. the Crisis Team staff member shall document using the Risk Assessment Form in PowerSchool and submit through the PowerSchool system which will then immediately alert the Director of Support Services or appropriate Central Office Designee. The Crisis Team member must notify the principal regarding the course of events and the outcome and note whom they spoke with on the Risk Assessment form. An ISight form will also be completed.
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k. When a student assessed to have been "in imminent danger" returns to the school, the Crisis Team staff member or the appropriate school-based team (if such referral has been made) shall coordinate consultation with outside professionals, supportive services in school, and changes in the instructional program, when necessary.

Suicide Education/Prevention - Students and Staff

As part of the Hartford Public Schools' Health Education Curriculum and Developmental Guidance Curriculum, students will be educated regarding suicide risk factors and danger signals, and how they might appropriately respond if confronted with suicidal behavior, verbalizations, or thoughts.

Annually, in-service training for school staff will be held in each school building to discuss suicide risk factors, danger signals, and the procedures outlined in these regulations.

Regulation adopted: September 14, 1999
Regulation updated: November 1, 2005
Regulation revised: June 20, 2017
Regulation revised: July 2, 2019

HARTFORD PUBLIC SCHOOLS

Hartford, Connecticut

Students

Student Insurance

Two types of accident insurance shall be made available to students. One covers students while traveling to and from school and at school. In addition, the policy usually covers students while attending religious instruction, including travel to and from services, and students participating in interscholastic sports except football. The policy does not provide coverage during vacation periods. The other type of policy, higher in cost, provides year-round coverage, twenty-four hours per day. It is also available to all full-time staff members, including custodians, cafeteria workers, and maintenance workers. Students who wish this higher cost insurance shall make their own arrangements directly with the insurance company. Students shall pay the full cost of both types of insurance, which are renewable in October. Principals are referred to the detailed instructions regarding filing of claims and other matters relating to this insurance which are issued by the finance department. In case of serious accident, vehicular or otherwise involving students, a memo shall be sent to the finance department as well as forwarding the accident report form to the Health Department. These requirements shall be in addition to the filing of claim forms under the student insurance.

Athletic Participant Coverage

The City of Hartford shall pay for insurance to cover all freshman, junior varsity, and varsity supervised sports, special extramural events, and 7th and 8th grade basketball.

Insurance Firms Insurance coverage is provided by the Reliance Standard Life, the servicing firm is Community Insurance, and the Administration Office for our school system is the Liegeot Insurance Agency.

Forms

The Insurance Agency has provided each school with:

1. Insurance Applications: This form is a two-part document -- the Application Envelope and the Insurance Coverage Brochure.

2. Injury Claim Forms: These forms are enclosed with the applications.

Students

Student Insurance

Insurance Coverage Basically, the plans outlined on the Application Form are self explanatory. However, note:

1. There are 3 Plans: a School Time Plan for $6 for the School Year; a School Time Plan for $9 for the School Year which includes Dental Coverage; a 24-Hour Full Time Plan for $30 for full 12 months which includes Dental Coverage.

2. The available $2,500 Student Life Insurance Plan cost is $10 for a 12-months period

3. Student Accident Insurance does not cover injuries resulting from participation in interscholastic sports. The City of Hartford has purchased insurance coverage for these activities.

Participation Those who want insurance should return the completed Application Form to the school with the payment enclosed. Check or money order payments should be made payable to: Community Insurance. Also, parents should retain the Insurance Coverage Brochure as a detailed record of their student's insurance coverage.

Effective Date of Insurance for Participants:

1. For those enrolled in the Student Accident Insurance program last year and for new students (kindergarten and transfers) to the Hartford Public School System the effective date for accident insurance coverage will be the first day of the school year. Life Insurance coverage will be effective upon approval by the insurance company.

2. For all other students - The effective date for accident insurance coverage will be the date the application is received at the school.

Processing of Forms Parents/students will return completed applications to the school. Schools will deliver completed applications to the finance department. Schools should ensure that the school name is on the application before forwarding them. The finance department will deliver applications to Liegeot Ins. Agency and provide principals with a report of all applications received.

Regulation adopted: September 14, 1999
Regulation update: November 1, 2005

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students

Fundraising Activities

Students may engage in raising funds for school-sponsored activities, subject to the provisions of regulations to be developed by the Superintendent. No such fund-raising activities may involve door-to-door solicitation in the community by students.

The Board of Education will not be responsible for any fundraising activities that are not approved in accordance with the procedures set forth in this policy and the accompanying regulations.

Policy adopted: September 14, 1999
Policy updated: November 1, 2005

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students

Healthy Foods and Beverages

Connecticut's Healthy Snack Standards for Food in Schools

Connecticut's Healthy Snack Standards focus on decreasing fat and sugar, increasing nutrient density and moderating portion sizes for snack foods and beverages in school. The standards are consistent with the U.S. Dietary Guidelines, My Pyramid and recommendations from national organizations, such as the American Cancer Society, American Heart Association, American Dietetic Association and American Academy of Pediatrics.

The Connecticut State Department of Education (CSDE) has developed the Connecticut Nutrition Standards in response to Section 10-215e of the Connecticut General Statutes. Section 10-215e requires CSDE to publish a set of nutrition standards for all food items offered for sale to students separately from a school lunch or breakfast that is reimbursable under the U.S. Department of Agriculture's School Breakfast Program or National School Lunch Program.

The standards established under Sec. 10-215e apply to all sources of food sales to students on school premises, including, but not limited to, school stores, vending machines, school cafeterias, and any fundraising activities on school premises, whether sponsored by the school or an outside group.

Nutrition Standards for School Foods and Beverages in Hartford Public Schools

Hartford Public Schools will provide students with nutritious and appealing foods that meet students' health and nutrition needs and accommodate ethnic and cultural food preferences to help develop lifelong healthy eating habits.

The district shall follow all federal and state regulations in regards to foods and beverages available during the school day, and will comply with Sec. 10-215e of the Connecticut General statues, as follows:

1) Fundraising with Beverages

The sale of beverages to students in public schools is addressed by Section 1 of Public Act 06-63. **Only five categories of beverages can be sold to students *at all times and from all sources,* including fundraisers.**

The five categories are:

1. Milk (flavored or plain) with no more than 4 grams of sugar per ounce and no artificial sweeteners
2. Nondairy milks such as soy or rice milk, which may be flavored but contain no artificial sweeteners, no more than 4 grams of sugar per ounce, no more than 35 percent of calories from fat per portion and no more than 10 percent of calories from saturated fat per portion
3. 100 percent fruit juice, vegetable juice or combination of such juices, containing no added sugars, sweeteners or artificial sweeteners

4. Beverages that contain only water and fruit or vegetable juice and have no added sugars, sweeteners or artificial sweeteners
5. Water, which may be flavored but contains no added sugars, sweeteners, artificial sweeteners or caffeine

Portion sizes of allowable beverages are limited to no more than 12 ounces, with the exception of water.

Beverage Exemptions:
The Hartford Board of Education will allow the sale to students of beverages not listed in state statute provided that the following conditions are met:

(1) the sale is in connection with an event occurring after the end of the regular school day or on the weekend;
(2) the sale is at the location of the event; and
(3) the beverages are not sold from a vending machine or school store.

For the purposes of this exemption, an event is an occurrence that involves more than just a regularly scheduled practice, meeting or extracurricular activity. For example, soccer games, school plays and interscholastic debates are events but soccer practices, play rehearsals and debate team meetings are not. The regular school day is the period that begins with the arrival of the first child at school and ends after the last instructional period.

Following are examples of beverages that require an exemption in order to be allowed for sale to students during events on school premises: soda (regular and diet), sports drinks, coffee, iced coffee, tea, iced tea, herbal tea, hot cocoa, lemonade, drinks that are not 100 percent juice, waters with added sugars or artificial sweeteners, and any other beverages that are not specified as allowable beverages in Public Act 06-63.

2) Fundraising with Food

All food items offered for sale to Hartford Public School students separately from a reimbursable breakfast or lunch at all times and *from all sources* must meet the Connecticut Nutrition Standards. This includes all fundraising activities on school premises, regardless of whether the fundraising activity is sponsored by the school or an outside group.

Food Items: The Hartford Board of Education will allow the sale to students of food items that do not meet the Connecticut Nutrition Standards provided that the following conditions are met:

(1) the sale is in connection with an event occurring after the end of the regular school day or on the weekend;
(2) the sale is at the location of the event; and
(3) the food items are not sold from a vending machine or school store.

For the purposes of this exemption, an event is an occurrence that involves more than just a regularly scheduled practice, meeting or extracurricular activity. For example, soccer games, school plays and interscholastic debates are events but soccer practices, play rehearsals and debate team meetings are not. The regular school day is the period that begins with the arrival of the first child at school and ends after the last instructional period.

Bake Sales: A bake sale cannot be held during the school day on school premises unless all food items meet the Connecticut Nutrition Standards and the selling time frame complies with state competitive foods regulation (see "Competitive Foods Regulation" below).

A bake sale can be held on school premises **if the bake sale is *connected to and held at the location of an event that occurs after the end of the regular school day or on the weekend*,** e.g., a bake sale at a weekend football game or school concert.

Candy Sales: Candy and sugarless candy (including mints and gum) cannot be sold to students on school premises at any time, unless they are sold at an event that meets the three exemption conditions (noted above). The state competitive foods regulation regarding candy still applies. Section 10-215b-1 of the Regulations of Connecticut State Agencies prohibits schools from selling or dispensing candy to students anywhere on school premises from 30 minutes before the start of any state or federally subsidized milk or meal program until 30 minutes after the end of the program.

Sales of Food Tickets: Selling fundraisers of coupons, tickets, gift cards, tokens or similar items *that are redeemable for food* is the same as selling food to students. The dictionary defines "sale" as "the exchange of property or services for a determined amount of *money or its equivalent*." All food items sold to students must either 1) meet the Connecticut Nutrition Standards or 2) be exempted by the Hartford Board of Education and sold at an event that meets the three exemption conditions.

Fliers or Catalogs for Food Fundraisers: Students can take home fundraising fliers and catalogs, and sell food items such as cakes, pies, candy and cookie dough to anyone off school premises. However, if the student is involved in delivering money to school for the food item *and* picking up the food item at school, the fundraiser is selling food to students on school premises and is not allowed. In order for the fundraiser to be in compliance with Public Act 06-63, it must be structured so that parents or other adults pick up the food item instead of students. This must be clearly indicated on the fundraising flier and any written communication regarding the fundraiser.

Other Options for Fundraisers*:* If a food item meets the Connecticut Nutrition Standards, it can be sold to students without meeting the three exemption conditions, as long as the fundraiser complies with the state competitive foods regulation (see "Competitive Foods Regulation" below).

Competitive Foods Regulation: Regardless of whether the district certifies for the healthy food option, Connecticut's competitive foods regulation still applies to the sale of all food items, including those that meet the Connecticut Nutrition Standards. Section 10-215b-23 of the Regulations of Connecticut State Agencies specifies that the income from the sale to students of any food items sold anywhere on school premises from 30 minutes before the start of any state or federally subsidized milk or meal program (National School Lunch Program, School Breakfast Program, After-School Snack Program and Special Milk Program) until 30 minutes after the end of the program must accrue to the food service account.

Policy adopted: September 18, 2007

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students

Physical Education

School Pool Safety

The Hartford Public Schools Board of Education considers swimming an important life skill. The Board believes that our students should be given the best chance to learn to swim, and as early as possible.

The Board believes it is fortunate to be able to have a pool in a school facility or to have access to a pool for aquatic activities. Therefore, safety is of paramount importance. Students are not allowed to utilize the pool for any aquatic activity without certified staff supervision as required by P.A. 13-161.

The instructional program serves as a vehicle and vital component of the health, physical education, and co-curricular activities within the District's public schools. The program's primary goal is to teach safety awareness, develop basic swimming skills, and enhance the proficiency level of all aquatic skills. The program also aims to improve personal and community safety skills and help students develop a commitment to lifetime fitness.

Students at the high school level may also participate in interscholastic swimming competition. The athletic program shall provide opportunities for students to demonstrate swimming proficiency through competitive events as well as an opportunity for students to excel and experience success, while promoting and applying concepts of teamwork, sportsmanship, respect for others and high standards of conduct and honor.

All District schools, which have swimming pools and/or any pool the Board approves for aquatic instruction and activities, and offer instruction in swimming and/or diving are covered by this policy. In addition those schools also may offer extracurricular aquatic activities, including swimming and diving teams. This policy is designed to promote safety for students, staff, and community members by requiring appropriate staffing, a swimming pool safety plan, and appropriate water safety equipment at these pools while any aquatic activities are being conducted. All persons involved in the instruction, supervision, and coaching of such activities shall be appropriately trained, certified and recertified as required.

This policy applies to all aquatic activities. Aquatic activities include swimming, wading, diving, water polo and any other curricular and extracurricular activities the District conducts or may conduct in the future in any pool owned, leased, or used by the Board of Education.

Definitions

School swimming pool means any swimming pool approved for use by a local or regional Board of Education for student aquatic activities.

Physical Education

School Pool Safety (continued)

Student aquatic activities means any physical education class, interscholastic athletics or extracurricular activities offered to students by the Board of Education that makes use of a school swimming pool.

Qualified swimming coach means any person who (A) holds a valid coaching permit issued by the State Board of Education, and (B) (i) is certified as a lifeguard by the American Red Cross or another nationally-recognized organization that conducts aquatic training programs, (ii) has completed a safety training for swim coaches and instructors course offered by the American Red Cross or an organization approved by the State Board of Education, or (iii) was certified as a lifeguard for at least five years during the previous ten years and has at least five years' experience as a swimming coach or an instructor of a physical education course that makes use of a school swimming pool.

Qualified educator means any person who (A) holds a valid certificate issued by the State Board of Education, pursuant to section 10-145b of the general statutes, with an endorsement in physical education, (B) (i) is certified as a lifeguard by the American Red Cross or another nationally-recognized organization that conducts aquatic training programs, (ii) has completed a safety training for swim coaches and instructors course offered by the American Red Cross or an organization approved by the State Board of Education, or (iii) was certified as a lifeguard for at least five years during the previous ten years and has at least five years' experience as a swimming coach or an instructor of a physical education course that makes use of a school swimming pool, (C) is certified in cardiopulmonary resuscitation, pursuant to section 19a-113a-1 of the regulations of Connecticut state agencies, as amended from time to time, and (D) has completed a course in first aid offered by the American Red Cross, the American Heart Association, the Department of Public Health or any director of health.

Qualified lifeguard means any person who (A) is sixteen years of age or older, (B) is certified as a lifeguard by the American Red Cross or another nationally-recognized organization that conducts aquatic training programs, (C) is certified in cardiopulmonary resuscitation, pursuant to section 19a-113a-1 of the regulations of Connecticut state agencies, as amended from time to time, and (D) has completed a course in first aid offered by the American Red Cross, the American Heart Association, the Department of Public Health or any director of health.

Minimum Staffing and Qualifications

Any physical education course using a swimming pool shall have at least one qualified/certified instructor with an endorsement in physical education. Such instructor must also be a certified lifeguard, certified in cardiopulmonary resuscitation offered by the American Heart Association (AHA) or the American Red Cross (ARC) and has completed a first aid course offered by the American Red Cross, the American Heart Association, the Department of Public Health or any director of health, as certified by the agency or director of health offering the course.

Physical Education

School Pool Safety (continued)

In addition to the aforementioned qualified/certified instructor, another individual, either a qualified educator, qualified swimming coach or a qualified lifeguard is required to be on duty to supervise the students for all pool classes. This additional individual is also required to be a certified lifeguard, certified in cardiopulmonary resuscitation and completed a first aid course, as described above. The Board of Education, to fulfill this statutory requirement of a second person to be present during classes using a swimming pool, allows the hiring of a lifeguard to help the swimming instructor supervise the swimming class if such lifeguard is at least sixteen (16) years of age or older and meets the above criteria for an instructor. Such lifeguard must be under the supervision of the certified instructor.

NOTE: *P.A. 13-161: AAC Pool Safety at Public Schools, requires, for the school year commencing July 1, 2014, and each school year thereafter, no local or regional board of education shall offer a physical education course that makes use of a school swimming pool unless there is at least one qualified educator who shall serve as the instructor of such physical education course and be responsible for implementing the provisions of the school swimming pool safety plan and at least one qualified educator, qualified swimming coach or qualified lifeguard who shall be solely responsible for monitoring such school swimming pool for swimmers who may be in distress and provide assistance to such swimmers when necessary.*

For the school year commencing July 1, 2014, and each school year thereafter, no local or regional board of education shall permit any student to participate in any interscholastic athletic activity that makes use of a school swimming pool unless there is at least one qualified swimming coach who shall serve as a coach of such participating students and be responsible for implementing the provisions of the school swimming pool safety plan, and at least one qualified educator, qualified swimming coach or qualified lifeguard whose primary responsibility is to monitor the school swimming pool for swimmers who may be in distress and provide assistance to such swimmers when necessary.

For the school year commencing July 1, 2014, and each school year thereafter, no local or regional board of education shall offer any extracurricular activity that makes use of a school swimming pool unless there is at least one qualified lifeguard who shall (1) monitor the school swimming pool for swimmers who may be in distress and provide assistance to such swimmers when necessary, and (2) be responsible for implementing the provisions of the school swimming pool safety plan.

Physical Education

School Pool Safety (continued)

Pool Safety Plan

The Board, offering a physical education course and aquatic programs that make use of a swimming pool, shall adopt a Swimming Pool Safety Plan, not later than July 1, 2014. Such Swimming Pool Safety Plan shall include, but is not limited to, required staffing patterns, best practices regarding swimming pool safety, the requirements of the Public Health Code, and any other provisions deemed necessary and appropriate for ensuring the safety of students who use such swimming pools for student aquatic activities. The Swimming Pool Safety Plan shall be reviewed and updated as necessary prior to the start of each school year.

The District will adhere to the regulations of the Connecticut Department of Public Health, 19-13-B33b, applicable to public pools.

Legal References: Connecticut General Statutes
PA 13-161 An Act Concerning Public School Pool Safety
19a-36 Public Health Code. Fees. Swimming pools. Wells; Use, replacement and mitigation.

Policy Adopted: June 17, 2014

Hartford Public Schools
Hartford, Connecticut

5161

Students

First Amendment Rights

The Board of Education recognizes that students have the right to express themselves verbally, in writing, and by posting of materials in the schools. Such expressions shall be done in a judicious manner and shall be subject to review by the appropriate authority to determine that the content and the form are not obscene, libelous, vulgar or substantially disruptive to the educational process.

Policy adopted: September 14, 1999
Policy updated: November 1, 2005

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students

First Amendment Rights

1. The intent of the Board's policy is to encourage student expression in school-sponsored, classroom, and other activities. The administration is charged to create an oversight process that would disallow only those forms of expression that would be judged obscene, libelous, seriously disruptive, or vulgar, and thus, interfere with legitimate pedagogical process.

2. If the principal or his designee decides to disallow the student(s) expression, the student may appeal such action to the decision-maker(s). The appeal should take place within three school days of request.

3. Should the decision-maker(s) uphold the original decision, the student(s) may appeal to the principal. (If the decision-maker is the principal, the student would go directly from step 2 to step 4). The appeal should take place within three school days of request.

4. If all appeals at the school level uphold the original decision, the student may apply for a review of the decision to a panel consisting of the Assistant Superintendent and the student representative to the Board from the high school that is involved in the review question. The panel should respond to the student(s) within five days of receipt of the request for review.

5. The appeal process must be completed in a timely fashion so that the mechanics of due process do not accomplish a rejection de facto.

6. These regulations will be published in the student handbook annually.

For administrative guidance, herein are illustrated terms used in #1:

Obscene:	those expressions that contain overt or explicit displays of sex
Seriously disruptive*:	those expressions that advocate violence, use of alcohol or drugs attack individuals, races, religions, creeds, ethnic or sexual groups, or others
Libelous:	those expressions that contain unsubstantiated character assaults on individuals or groups of people statements that are personally insulting
Vulgar:	those expressions that use sex, anatomy or slurs in the form of "jokes," parodies or other forms that degrade individuals, racial, ethnic, religious or sexual groups expletives lewdness

*In the opinion rendered in Hazelwood, the judges stated that the criteria for determining what is seriously disruptive must be concrete. "Undifferentiated fear or apprehension is not enough to overcome the right of freedom of expression."

Regulation: September 14, 1999
Regulation updated: November 1, 2005

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students

Nondiscrimination

The Board of Education complies with all applicable federal, state and local laws prohibiting the exclusion of any person from any of its educational programs or activities, or the denial to any person of the benefits of any of its educational programs or activities because of race, religion, color, national origin, sex, sexual orientation, marital status, age, disability, pregnancy, veteran status, gender identity or expression, genetic information, or any other basis prohibited by state or federal law , subject to the conditions and limitations established by law.

It is the policy of the Board that any form of discrimination or harassment on the basis of race, religion, color, national origin, sex, sexual orientation, marital status, age, disability, pregnancy, veteran status, gender identity or expression, genetic information or any other basis prohibited by state or federal law is prohibited, whether by students, Board employees or third parties subject to the control of the Board. The Board's prohibition of discrimination or harassment in its educational programs or activities expressly extends to academic, nonacademic and extracurricular activities, including athletics. It is also the policy of the Board to provide for the prompt and equitable resolution of complaints alleging any discrimination on the basis of the aforementioned protected characteristics.

For the purposes of this policy, “gender identity or expression” means a person's gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth, consistent with State law.

Legal References: Title IX of the Elementary and Secondary Education Act of 1972, 20 U.S.C. §7801, et seq.
Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, et seq.
Title VII of the Civil Rights Act of 1964, 42 U.S. C. §2000e, et seq.
Americans with Disabilities Act, 42 U.S.C. §12101, et seq.
Connecticut General Statutes § 10- 15c and 46a-81a, et seq. Discrimination on basis of sexual orientation
Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, et seq.
PA 11-55 Discrimination on account of gender identity or expression

Policy adopted: September 14, 1999
Policy updated: November 1, 2005
Policy revised: May 21, 2013
Policy revised: January 23, 2018

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students

Harassment

It is the policy of the Hartford Board of Education that all faculty, staff and students, parents and all other members of the school community treat each other with dignity and respect. All are entitled to freedom from any kind of personal harassment. No form of harassment will be tolerated.

Definitions

For purposes of this policy, harassment is defined as verbal, written, graphic or physical conduct toward an individual or individuals relating to the race, religion, color, national origin, sex, sexual orientation, marital status, age, disability,pregnancy, veteran status, gender identity or expression, or genetic information, of the individual(s) where:

- Such conduct is sufficiently severe, persistent or pervasive that it affects an individual's ability to participate in or benefit from an educational program or activity;
- Submission to such conduct is made either explicitly or implicitly a term or condition of school accommodations, education or participation in District programs or activities;
- Submission to or rejection of such conduct is used as a basis for educational decisions affecting the individual; and/or,
- Such conduct has the purpose or effect of unreasonably interfering with an individual's education or creating an intimidating, hostile, or offensive school environment.

Forms of harassment may include but are not limited to: verbal, physical or written intimidation or abuse, spoken and/or written remarks, symbols, caricatures, physical contact, gestures and innuendo, the display of posters, book covers, T-shirts or other items that contain images or words that can be interpreted as harassing, using computer systems, email, instant messaging, text messaging, blogging or the use of social networking websites, or other forms of electronic communications, to engage in any conduct prohibited by this policy.

All reported incidents of harassment will be promptly and thoroughly investigated. Any person, engaged in an action or continuing harassment will be subject to appropriate disciplinary action, up to and including expulsion. The Hartford Public School System will also discipline any individual who retaliates against any person who testifies, assists, or participates in an investigation, proceeding, or hearing relating to a harassment complaint. Other members of the school community are within the jurisdiction of this policy and are subject to its terms.

Legal Reference
Title VII of the Education Amendments of 1972 (42 U.S.C. 2000(e) et seq.)
Title IX of the Education Amendments of 1972 (42 U.S.C. 1134n et seq.)
Section 504, U.S. Rehabilitation Act. 1973, 29 U.S.C. § 794
Connecticut General Statutes 10-15c Discrimination in public schools prohibited
29 CFR, s1004.11 (EEOC Guidelines on Sexual Harassment)
PA 11-55 Discrimination on account of gender identity or expression

Policy adopted: July 6, 1999
Policy updated: November 1, 2005
Policy revised: May 21, 2013
Policy revised: June 17, 2014
Policy revised: July 24, 2018

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students

Harassment

Reporting Procedure

The principal or other department head shall issue a report to the superintendent or his/her designee, including the Central Harassment Prevention Team, once a year in June. This report should include:

- Planned programs for the following school year outlining how and when staff and student training will take place, along with any other planned anti-harassment activities or initiatives.
- A summation of activities conducted the previous year pertaining to initiatives implemented to train teachers, students, parents, and staff.
- A description of how issues relating to harassment are being implemented in the curriculum.
- A summation of the number of complaints received and the actions taken for resolution (mediation, disciplinary action, etc.)

Central Harassment Prevention Team

The superintendent shall appoint a Central Harassment Prevention Team to assume primary responsibility for initially addressing reports of harassment in violation of this policy and making recommendations to the appropriate school principal for remedial action in the case of student violators, or to the superintendent in the case of staff and other non-student violators, including vendors and visitors. The Central Team shall also be responsible to reviewing the reports issued by each school and making suggestions and/or recommendations regarding policy implementation at each school site as needed. This will insure uniformity in school policies and procedures throughout the system.

The Central Team shall consist of at least the following:

- Director of Human Resources and his/her designee
- Title IX Coordinator
- Assistant Superintendent for Support Services and his/her designee
- At least one school principal
- At least one school guidance counselor or social worker

Students

Harassment

School Site Harassment Prevention Team

Each site will have a Harassment Prevention Team. The Team will be responsible for:

- Establishing an anti-harassment plan for their school based on the needs of the school and its community.
- Developing a plan, in conjunction with school administration, parents, staff and students outlining strategies aimed at stopping and preventing the behavior and ensuring that mediation and adult/student interventions are used.
- Ensuring that formal procedures for reporting harassment incidents are followed as per system guidelines.
- Ensuring that all complaints are handled promptly.
- Encouraging staff to include anti-harassment issues as part of the curriculum, and designate at least one bulletin board in the school that provides age appropriate information on harassment issues.
- Reporting harassment complaints involving students to the Central Harassment Prevention Team for additional action as needed, and logging the complaint.
- Organizing parent outreach programs aimed at informing and educating parents about harassment and this policy.

Each site shall have an anti-harassment plan. Each plan must address the following elements:

- Students/staff need to identify what constitutes harassing behaviors.
- Students/staff need to be aware of the effect of harassment on student that have experiences unwanted behavior.
- Students/staff need to be informed of laws pertaining to student fights in regard to harassment.
- Strategies to help students/staff combat unwanted behaviors when and where they occur.
- Students/staff need to be aware of the district's anti-harassment policy, procedures for reporting harassing behaviors, and to whom to report the information.

Enforcement – Student/Student and Student/Staff Complaints

All non-school staff is responsible for reporting information concerning potential violations of this policy involving staff and other non-student violators directly to the Central Team. All school staff and students are responsible for reporting potential violations of this policy to the Site Team, which will immediately notify the Central Team of potential violations of this policy.

Students

Harassment

Enforcement – Student/Student and Student/Staff Complaints (continued)

Reports made by staff or students relating to student/student harassment may be made to any Team as appropriate. Such reports may be made verbal or in writing, and may be made anonymously.

Upon receipt of any report or other information concerning a potential violation of this policy by any person, the Central Team shall convene to evaluate the information received. If any member of the Central Team is a potential witness or violator, that person shall be removed from all proceedings with respect to the report. The Central Team shall determine whether the information is sufficiently substantive to warrant further action, and shall determine what further action, if any, shall be taken.

Such further action may include investigation, counseling, referral to other persons of agencies, notification of other agencies or other appropriate action. All incidents involving significant physical contact shall be referred for further investigation. In the case of student offenders, such investigation shall be conducted by individuals deemed appropriate by the Central Team. In the case of non-student offenders, including visitors and vendors, such investigation will be conducted by the Director of Human Resources or his/her designee. It is the responsibility of the Central Team and the superintendent to appoint proper investigators in each instance and to assure that the investigation is completed in a timely manner. No incident shall be determined to be not substantive solely because a complainant is unable or unwilling to file a written complaint concerning the incident.

The Central Team and the Site Teams shall maintain a log of all reports and information received, indicating the date received, a summary of the information, and the informant (if not anonymous), whether further action was taken and what that action was, and the resolution of the incident.

If further investigation id required, the Central Team shall refer the report to the Director of Human Resources in the case of complaints involving staff, or the superintendent or his/her designee in the case of complaints involving students.

Enforcement – Staff/Student and Staff/Staff

The Director of Human Resources or his/her designee (investigator) shall meet with both the complainant and the alleged offender (in cases involving staff and other non-students) and all appropriate witnesses in order to give all parties involved the opportunity to provide information concerning the incident in as non-threatening and environment as possible.

Students

Harassment

Enforcement – Staff/Student and Staff/Staff (continued)

The investigator will maintain a record of his/her investigation, with reference to the log of reports and information received.

The investigator will encourage all complainants to keep a record of all objectionable incidents and the steps taken to resolve the problem. The investigation will be completed ad promptly as possible and within fifteen (15) school days after the formal complaint is filed unless the time for completion is extended by the Central Team. Based on the investigation, the Director of human Resources will file a report with the Central Team if the factual findings of the investigation. The Central Team will convene as soon as possible to review the report and consider whether to make any recommendations concerning remedial action to the superintendent. The superintendent or school principal shall review the report and recommendation of the Central Team as soon thereafter as possible, and take appropriate remedial action.

Staff members and students and their parents who are subject to remedial action shall have the right to review the decision otherwise available to them. Student complainants who are dissatisfied with the school principal's action with respect to an incident may appeal to the superintendent.

Vendors and Other Visitors

All persons engaged in business with and/or visiting the Hartford Public School System must abide by this policy. Any reported incident involving vendors or visitors must be immediately reported to the Central Team for investigation pursuant to this regulation.

Training

The anti-harassment policy shall be part of the ongoing education and training of students and staff as determined by the superintendent. Such education and training shall address not only the provisions of this policy and regulation, but also stereotyping, cultural sensitivity, diversity, and mutual respect. The training shall include the following objectives for the participants:

- To become acquainted with this policy.
- To acquire techniques for preventing incidents of harassment and violence.
- To acquire techniques for successfully coping with incidents of harassment.
- To become aware of cultural roots and personal attitudes toward self and others.
- To acquire techniques for ensuring compliance to state policy and procedures.
- Knowledge of the ramifications of noncompliance with this policy.

Students

Harassment

Training (continued)

In addition, all managers of employees shall receive this and other training and education in accordance with the requirements of C.G.S Sec. 46a-54-204, as it may be amended from time to time.

Training will be provided for members of the board of education, central and school administrators and staff, and every member of the Central and Site Teams.

Training – Student/Student Harassment

The training of administrators, teachers, support staff, students and parents is critical. To facilitate staff training, a team of site-based personnel (Site Team) will be identified for each school. This team should consist of at least one administrator who will serve as team leader, one teacher or counselor, one member of the support staff (nurse, social worker, etc.), and one parent. Schools are encouraged to have students participate where appropriate. Site Teams may consist of a team specifically selected to focus on harassment issues or may consist of members of an already establish team (crisis intervention, governance, etc.). It is strongly recommended that the teams be composed of diverse members to the greatest extent possible.

The teams will undergo comprehensive anti-harassment training addressing the various areas included in this policy. Other administrative personnel, such as department chairpersons, program coordinators, and others as determined by the superintendent will also participate in training.

Training will be conducted by various groups as deemed qualified by the Central Team, such as the State Department of Education, the CT Women's Education and Legal Fund, and other appropriate agencies. Teams will be trained in day-long sessions set-up by the Central Team. Site Team members will then train their school staff or arrange for training in their school. Site Tram members in collaboration with the Central Team will provide information sessions for parents. (Parents may be included in staff training workshops as appropriate).

Site Team training will be ongoing (at least annually). This will provide updated information on harassment laws and issues to be shared, give the opportunity to update and modify existing programs, and ensure the continuation of this policy when founding team members leave the team.

Students

Harassment

Training – Student/Student Harassment (continued)

After the school staff has been trained by the Site Team or outside agency, all teachers in all subject areas will be required to incorporate anti-harassment topics into their teaching and subject areas, in a manner deemed appropriate by the teachers and the site administrator.

Student Training

The Hartford Public School Health Services/Education Department has developed a K-12 curriculum that will become the basis for initial anti-harassment training for students. The curriculum will be periodically reviewed and updated, with supplemental materials added as needed. Students will receive initial information through the classes offered by the Health Services/Education Department, along with supplemental training provided by various agencies.

“Students training other students” has proven effective. Site Teams at each school will identify students willing to be trained as presenters to other students within the schools and, if appropriate, for lower grades.

Enhancement training provided by other groups and individuals will be incorporated to the greatest extent possible when deemed appropriate.

The curriculum and training must address the following elements:

- Activities to identify what constitutes harassing behavior(s).
- Awareness of the effects of harassment on individuals that have experienced unwanted behavior(s).
- Clear understanding of the laws pertaining to victim/victimizer student fights in regard to harassment.
- Awareness of the district’s anti-harassment policy, procedures for reporting harassing behavior(s), and to whom to report the information.
- The importance of keeping a written log of incidents.

Publication

All staff is responsible for ensuring compliance with this policy and regulation and procedures at their school site, and ensuring an atmosphere free of harassment for all individuals, staff, and students alike.

Students

Harassment

Publication (continued)

All employees and students will be provided with a copy of this policy, and a copy of this policy and regulation will be posted in a prominent place where employees, students, parents, visitors, and others congregate and will see it. Additional copies of this policy and regulation will be made available at all school system sites for parents and members of the public. In addition, the Hartford Public Schools will disseminate this policy and regulation to the community at large.

Under the direction of the Central Team, a separate handbook will be developed for students in grades 7-12 and their parents which will include a statement of this policy and procedures contained in this regulation. Each handbook will contain a listing of current school staff to be contacted to report incidents of harassment. For elementary school students and parents, age appropriate literature will be provided outlining this policy and regulation, and school-based contact people. The handbooks and information distributed to students and parents will contain age appropriate and easily comprehensible language outlining this policy. The handbooks and literature will also be available in languages other than English to accommodate the needs of students and parents.

The handbooks will explain this policy in easily comprehensible language for parents and students and will include definitions and examples of key terms in this policy, i.e. harassment, marital status, mental disorder, physical disability, stereotyping, etc..

Updated anti-harassment handbooks will be distributed to students along with their regular student handbooks ad the beginning of the school year, and will be immediately provided to each student that transfers in during the school year.

A copy of this policy shall be added to all publications relating to employee and student disciplinary procedures.

Parent Rights and Responsibilities

The Hartford Public School System shall make every effort as required by this document to inform parents of this policy and provide workshops for parents to familiarize them with this policy and their rights and responsibilities regarding this policy.

Regulation adopted: July 6, 1999
Regulation updated: November 1, 2005

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students

Sexual Harassment

Sexual harassment will not be tolerated among students of the school district. It is the policy of the board of education that any form of sexual harassment is forbidden whether by students, supervisory or non-supervisory personnel, individuals under contract, or volunteers subject to the control of the board. Students are expected to adhere to a standard of conduct that is respectful and courteous to employees, to fellow students, and to the public.

Definition

Sexual harassment is defined as unwelcome conduct of a sexual nature, whether verbal or physical, including, but not limited to: insulting or degrading sexual remarks or conduct; threats or suggestions that a student's submission to or rejection of unwelcome conduct will in any way influence a decision regarding that student; or conduct of a sexual nature which substantially interferes with the student's learning, or creates an intimidating, hostile or offensive learning environment, such as the display in the educational setting of sexually suggestive objects or pictures.

Procedure

It is the express policy of the board of education to encourage victims of sexual harassment to report such claims. Students are encouraged to promptly report complaints of sexual harassment to the appropriate personnel or the principal or his/her designee. Complaints will be investigated promptly and corrective action will be taken when allegations are verified. Confidentiality will be maintained by all persons involved in the investigation to the extent possible and reprisals or retaliation which occur as a result of the good faith reporting of charges of sexual harassment will result in disciplinary action against the retaliator.

The school district will provide staff development for district administrators and will periodically distribute its policy and grievance procedures to staff and students in an effort to maintain an environment free of sexual harassment.

Legal Reference: Civil Rights Act of 1964, Title VII, 42 U.S.C. 2000-e2(a).
Equal Employment Opportunity Commission Policy Guidance (N-915.035) on Current Issues of Sexual Harassment, effective 10/15/88.
Title IX of the Education Amendments of 1972, 34 CFR Section 106.
Meritor Savings Bank, FSB v. Vinson, 477 U.S. 57 (1986)
Connecticut General Statutes 46a-60 Discriminatory employment practices prohibited.
Constitution of the State of Connecticut, Article I, Section 20.

Policy adopted: September 14, 1999
Policy updated: November 1, 2005

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students

Sexual Harassment (continued)

Sexual harassment is prohibited in the school system. Sexual harassment can occur when, but is not limited to:

1. Submission to, or rejection of, the conduct by the individual is used as the basis of academic decisions affecting the individual.

2. The conduct has the purpose or effect of having a negative effect upon the individual's academic performance, or of creating an intimidating, hostile, or offensive educational environment.

3. Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding services, honors, programs, or activities available at or through the educational institution.

4. Suggestive or obscene letters, notes, invitations, slurs, jokes, epithets, or gestures, derogatory comments, assault, touching, impeding or blocking movement, leering, display of sexually suggestive objects, pictures or cartoons.

5. Continuing to express sexual interest after being informed that the interest is unwelcome.

6. Coercive sexual behavior used to control, influence, or affect the educational opportunities, grades, and/or learning environment of students, including promises or threats regarding grades, course admission, performance evaluations, or recommendations; enhancement or limitation of student benefits or services (e.g. scholarships, financial aid, work study job).

7. Inappropriate attention of a sexual nature from peer(s), i.e. student to student, employee to employee.

<u>Complaint Procedure</u>

1. Any complaint must be initiated within 180 days from the date one knew or should have known the alleged harassment took place.

2. If a student believes that he/she is being or has been harassed, that person should immediately inform the harasser that his/her behavior is unwelcome, offensive, in poor taste, unprofessional, or highly inappropriate.

Students

Sexual Harassment (continue)

Complaint Procedure (continue)

3. As soon as a student feels that he or she has been subjected to sexual harassment, he or she should make a written complaint to the appropriate school personnel, or the principal, or his/her designee. The student will be provided a copy of this policy and regulation and made aware of his or her rights.

4. The complaint should state the:
   a. Name of the complainant,
   b. Date of the complaint,
   c. Date of the alleged harassment,
   d. Name or names of the harasser or harassers,
   e. Location where such harassment occurred,
   f. Detailed statement of the circumstances constituting the alleged harassment.

5. Any student who makes an oral complaint of harassment to any of the above-mentioned personnel will be provided a copy of this regulation and will be instructed to make a written complaint pursuant to the above procedure.

6. If the complainant is a minor student, the person to whom the complaint is given should consider whether a child abuse report should be completed.

7. All complaints are to be forwarded immediately to the principal or designee unless that individual is the subject of the complaint, in which case the complaint should be forwarded directly to the superintendent. In addition, a copy of any complaint filed under this policy shall be forwarded to the Title IX Coordinator.

8. If possible, within five (5) working days of receipt of the complaint, the principal, designee or Title IX Coordinator shall commence an effective, thorough, objective, and complete investigation of the complaint. The investigator shall consult with all individuals reasonably believed to have relevant information, including the student and the alleged harasser, any witnesses to the conduct, and victims of similar conduct that the investigator reasonably believes may exist. The investigation shall be carried on discreetly, maintaining confidentiality insofar as possible while still conducting an effective and thorough investigation. Throughout the entire investigative process, the due process rights of the alleged harasser will be upheld.

9. The investigator shall make a written report summarizing the results of the investigation and proposed disposition of the matter.

Students

Sexual Harassment (continue)

Complaint Procedure (continue)

10. If the student complainant is dissatisfied with the result of the investigation, he or she may file a written appeal to the Title IX Coordinator, or, if he or she conducted the investigation, the superintendent, who shall review the investigator's written report, the information collected by the investigator together with the recommended disposition of the complaint to determine whether the alleged conduct constitutes sexual harassment. The Title IX Coordinator or superintendent may also conduct a reasonable investigation, including interviewing the complainant and alleged harasser and any witnesses with relevant information. After completing this review, the Title IX Coordinator or superintendent shall respond to the complainant, in writing, as soon as possible.

11. If after a thorough investigation, there is reasonable cause to believe that sexual harassment has occurred, the district shall take all reasonable actions to ensure that the harassment ceases and will not recur. Actions taken in response to allegations of harassment may include appropriate intervention, reassignment, transfer, or disciplinary action.

The harasser and any other students or employees, if appropriate, will be informed that appropriate action shall be taken if further acts of harassment or retaliation occur. If further acts of harassment or retaliation do occur, appropriate action shall be taken.

Copies of this regulation will be distributed to all students.

Title IX Coordinator

The Title IX Coordinator for the Hartford Board of Education is the Assistant Superintendent for Student Support Services whose office is located at 153 Market Street and whose telephone number is 297-8430

Legal Reference: Civil Rights Act of 1964, Title VII, 42 U.S.C. 2000-e2(a).
Equal Employment Opportunity Commission Policy Guidance (N-915.035) on Current Issues of Sexual Harassment, effective 10/15/88.
Title IX of the Education Amendments of 1972, 34 CFR Section 106.
Meritor Savings Bank, FSB v. Vinson, 477 U.S. 57 (1986)
Connecticut General Statutes 46a-60 Discriminatory employment practices prohibited.
Constitution of the State of Connecticut, Article I, Section 20.

Regulation adopted: September 14, 1999
Regulation updated: November 1, 2005

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

5163.1
FORM

Hartford Board of Education
Sexual Harassment Report Form

The Hartford Board of Education maintains a firm policy prohibiting all forms of discrimination based on sex. All employees and students are to be treated with respect and dignity. Sexual advances or other forms of personal harassment as set forth in more detail in the Hartford Board of Education Sexual Harassment Policy will not be tolerated under any circumstances.

Complainant_____

Home Address_____

Work Address_____

Home Phone_____

Work Phone_____

Date of Alleged Incident(s)_____

Name of Person You Believe Sexually Harassed You_____

List of Any Witnesses_____

Where Did Incident Occur?_____

Describe the incident(s) as clearly as possible, including such things as: what force or physical contact, if any, was used, any verbal statements such as threats, requests, demands, etc., what response(s) did you give; attach additional pages if more space is needed.

_____

_____

_____

_____

_____

_____

This complaint is filed based on my honest belief that _____has sexually harassed me. I hereby certify that the information I have provided in this complaint is true, correct and complete to the best of my knowledge and belief

Complainant Signature_____ Date_____

Received by_____ Date_____

Title IX Sexual Harassment (Students)

The District does not discriminate on the basis of sex in the education programs and activities that it operates. This requirement not to discriminate in the District's education programs and activities extends to admission (as applicable) and employment. Sexual harassment is a form of sex discrimination and will not be tolerated among Hartford Public Schools' students. It is the policy of the Board of Education that any form of sexual harassment is forbidden whether by students, supervisory or non-supervisory personnel, individuals under contract, or volunteers subject to the control of the Board. Students are expected to adhere to a standard of conduct that is respectful and courteous to employees, to fellow students, and to the public. A student found to be a responsible party for sexual harassment in violation of Title IX may be subject to discipline up to and including expulsion. A finding that a student is not a responsible party for conduct that violates Title IX does not prevent discipline of the student if the conduct violates another Board policy or another provision of the student code of conduct. Student conduct that is not sexual harassment as defined under the Title IX regulations may still be found to be sexual harassment under Connecticut state law as set forth in Board Policy 5163.1 (Sexual Harassment – Students).

Definitions

Sexual Harassment under Title IX: conduct on the basis of sex that occurred in an Education Program or Activity of the Board in which the Complainant is participating in and/or attempting to particiate in and satisfies one or more of the following:

1. An employee of the Board conditioning the provision of an aid, benefit, or service of the Board on an individual's participation in unwelcome sexual conduct;

2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the Board's education program or activity, or

3. Sexual assault, dating violence, domestic violence or stalking.

Actual Knowledge: notice of sexual harassment or allegations of sexual harassment to the District's Title IX coordinator or any employee of an elementary and/or secondary school. This standard is not met where the only District employee with actual knowledge is the respondent.

Complainant: an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

Education Program or Activity: includes locations, events, or circumstances over which the District exercises substantial control over both the respondent and the context in which the sexual harassment is alleged to have occurred.

Formal Complaint: a document filed by a complainant or signed by the district based Title IX Coordinator alleging sexual harassment against a respondent and requesting that the District investigate the allegation of sexual harassment.

Respondent: an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

Sexual Assault: an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation as set forth in 20 USC §1092(f)(6)(A)(v).

Dating Violence: means violence committed by a person (a) who has been in a social relationship of a romantic or intimate nature with the victim, and (b) where the existence of such relationship shall be determined based on consideration of the following factors (i) the length of the relationship, (ii) the type of relationship, and (iii) the frequency of interaction between the persons involved in the relationship as set forth in 34 U.S.C. §12291(a)(10).

Domestic Violence: includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of Connecticut, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family laws of the jurisdiction as set forth in 34 U.S.C. §12291(a)(8).

Stalking: means engaging in a course of conduct directed at a specific person that would cause a reasonable person to (a) fear for his or her safety or the safety of others, or (b) suffer substantial emotional distress as set forth in 34 U.S.C. §12291(a)(30).

Supportive Measures: non-disciplinary, non-punitive individualized services offered, as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District's educational environment, or deter sexual harassment.

Procedure

It is the express policy of the Board of Education to encourage victims of sexual harassment or those who have knowledge of sexual harassment to report such claims. Students are encouraged to promptly report sexual harassment to the school-based Title IX coordinator, the district-wide Title IX coordinator, or the principal or his/her designee. Victims of sexual harassment may file a report of sexual harassment and receive supportive measures. Victims of sexual harassment who want a formal investigation into the sexual harassment must file a written complaint of sexual harassment and request a formal investigation. Formal complaints will be investigated promptly and corrective action will be taken when the respondent is found, after an investigation, to be the responsible party. Retaliation against any individual because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing regarding a claimed Title IX violation is prohibited and may result in disciplinary action against the retaliator, up to and including expulsion or termination as appropriate.

Any Board of Education employee with knowledge of sexual harassment shall immediately report the same to the school-based or district-wide Title IX coordinator with a copy of the school principal.

Any individual may make a report of sex discrimination and/or sexual harassment directly to the Title IX Coordinator.

The Title IX Coordinator for the Hartford Board of Education is the:

Position: Director of Student Support Services
Address: Bulkeley High School, 300 Wethersfield Ave, Hartford, CT 06114
Phone number: 860- 695-8000
Email address: Title_X@hartfordschools.org

Reports of sex discrimination and/or sexual harassment may also be madae to the United States Department of Education, Office for Civil Rights, Boston Office, U.S. Department of Education, 8th Floor, 5 Post Office Square, Boston, MA 02109-3921. Telephone (617) 289-0111.

Legal Reference: 20 U.S.C. § 1681 Title IX of the Education Amendments of 1972
34 CFR Section 106 Regulations implementing Title IX
Gebser v. Lago Vista Independnet School District, 524 U.S. 274 (1998)
Davis v. Monroe County Board of Education, 526 U.S. 629 (1999)

Policy adopted: September 15, 2020

HARTFORD BOARD OF EDUCATION

Hartford, Connecticut

Students

Procedures for Reports and Complaints of Sexual Harassment of Students

Sexual harassment is prohibited within the Hartford Public Schools. Examples of conduct that may be sexual harassment include, but are not limited to, the following:

8. Where submission to, or rejection of, the conduct by the individual is used as the basis of academic decisions affecting the individual.

9. Where a person is subjected to unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to a District education program or activity.

10. Where submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding services, honors, programs, or activities available at or through the District.

11. Suggestive or obscene letters, notes, invitations, slurs, jokes, epithets, or gestures, derogatory comments, assault, touching, impeding or blocking movement, leering, display of sexually suggestive objects, pictures or cartoons.

12. Continuing to express sexual interest after being informed that the interest is unwelcome.

13. Coercive sexual behavior used to control, influence, or affect the educational opportunities, grades, and/or learning environment of students, including promises or threats regarding grades, course admission, performance evaluations, or recommendations; enhancement or limitation of student benefits or services (e.g. scholarships, financial aid, work study job).

14. Inappropriate attention of a sexual nature from peer(s), i.e. student to student, employee to employee.

15. Sexual assault, dating violence, domestic violence or stalking.

How to Report Sexual Harassment

Any person may report sexual harassment, whether or not the person reporting is a person who is alleged to be the victim of conduct that could constitute sexual harassment. Such report may be made in person, by mail, by telephone or by electronic mail to a school-based or the district-wide Title IX coordinator, the school principal or their designee. Such reports may be made anonymously. Individuals who believe that they have been sexually harassed at a District education program or activity, or those who have knowledge of sexual harassment occurring at District education program or activity should report the same to the school-based Title IX coordinator for the school at which the harasment is alleged to have occurred, the District-wide Title IX coordinator, the school principal or their designee. School employees who receive reports of sexual harassment should immediately send the report to the school-based or district-wide Title IX coordinator with a copy to the school principal.

Upon receipt of a report of sexual harassment, the Title IX Coordinator will promptly contact the complainant to discuss the availability of supportive measures, consider the wishes of the complainant with regard to supportive measures, inform the complainant of the availability of supportive measures whether or not the complainant files a formal complaint, and explain to the complainant the process for filing a formal complaint.

Supportive measures may include, but are not limited to:

1. A change in class schedule;
2. Additional time to make up assignments/tests missed due to the alleged harassment;
3. Ability to withdraw from elective classes without penalty;
4. Separating the parties as much as possible during the school day;
5. Provision of support by the guidance counselor, school social worker or other designated individual;
6. Increased monitoring, supervision or security in locations or activities where the alleged misconduct occurred; and
7. Other similar measures.

Supportive measures provided must be kept confidential unless disclosure is necessary for the supportive measure's effectiveness.

The Title IX Coordinator must document that they have taken measures designed to restore or preserve equal access to the District's education program or activity and such documentation should address why the response was not deliberately indifferent. The Title IX Coordinator must document all supportive measures offered to and/or provided to the complainant. If the Title IX Coordinator does not provide supportive measures to a complainant, the Title IX Coordinator must document why such a response was not clearly unreasonable in light of the known circumstances.

A report of sexual harassment or sex discrimination is not a request for a formal Title IX complaint investigation. A complainant who wants a formal complaint investigation must file a formal written complaint with the District-wide Title IX Coordinator as outlined in the formal grievance procedure below.

<u>Formal Grievance Procedure</u>

The formal grievance procedure is designed to provide for the prompt and equitable resolution of complaints alleging any action that would be prohibited by Title IX and its implementing regulations. The grievance procedure applies only to claims of sexual harassment occurring in the District's education programs or activities and within the United States. The formal grievance procedure is only initiated if the complainant or the complainant's parent/guardian signs a formal complaint or the Districtwide Title IX Coordinator signs a formal complaint alleging sexual harassment against a respondent and requesting that the District investigate the allegation of sexual harassment.

The Title IX Coordinator, investigator, decision-maker and any person designated to facilitate an informal resolution process will recuse themselves if they have a conflict of interest or a bias for or against complainants or respondents generally or to an individual complainant or respondent.

There is a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process. "Responsible for the alleged conduct" is determined by the preponderance of the evidence standard whereby the respondent is responsible for the conduct if there is more than a 50% chance that they engaged in the alleged conduct.

The grievance process will be completed within a reasonable time frame. Although each complaint is different, a reasonable time frame generally means that the grievance process will be completed within sixty (60) days of when the formal complaint is filed. Time frames may be extended for good cause. Both the complainant and respondent should be informed in writing of any extension of the time frame and the reason for the extension. Good cause may include, but is not limited to, the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity or Department of Child and Family investigation; or the need for language assistance or accommodation of disabilities.

If a respondent is found to be responsible for the alleged conduct and the alleged conduct is found to be a violation to Title IX, the respondent may be subject to discipline up to and including expulsion from school. If the respondent is found to be responsible for the alleged conduct and it is determined that the conduct does not violate Title IX as set forth in the regulations implementing Title IX but the conduct violates another Board policy or school rule, the respondent also may be subject to discipline up to and including expulsion from school if the respondent is a student or termination of employment if the respondent is an employee.

1. A written formal complaint should include:

    a. The name of the complainant,

    b. The date of the complaint,

    c. The date of the alleged harassment,

    d. The name or names of the harasser or harassers (if known),

    e. Identification of the location where such harassment occurred,

    f. A detailed statement of the circumstances constituting the alleged harassment.

2. Upon receipt of a formal complaint, the Title IX Coordinator must provide the following written notice to the parties who are known:

    a. Notice of the District's grievance process including any informal resolution processes that are available.

b. Notice of the allegations of sexual harassment including sufficient details known at the time including the identifies of the parties involved in the incident (if known), the conduct allegedly constituting sexual harassment in violation of Title IX, and the date and location of the alleged incident (if known).

c. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made at the conclusion of the grievance process.

d. A statement that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney.

e. A statement that each party will have the opportunity to inspect and review evidence provided.

f. A statement that parties who knowingly make false statements or knowingly submit false information during the grievance process may be disciplined.

3. If, during the course of the investigation, the investigator decides to investigate allegations not included in the original notice, the investigator will provide notice of the additional allegations to the parties whose identities are known.

4. Risk Assessment: Upon receipt of a formal Title IX written complaint, the Districtwide Title IX Coordinator and/or designee will undertake an individualized safety and risk analysis. If the Districtwide Title IX Coordinator and/or their designee determines that there is an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment that justifies removal of the respondent from the school setting, the Title IX Coordinator and/or their designee, in conjunction with the School Principal, if the respondent is a student, or the Executive Director of Human Resources and/or the Executive Director of Internal Investigations, if the respondent is an employee, will immediately remove the respondent from the school setting. If the respondent is a student, any decision to suspend or expel the student will follow the District's normal suspension/expulsion process. If the respondent is an employee, the District will follow its normal exclusionary proceedings for employees, including but not limited to placement on administrative leave.

5. The Title IX Coordinator will evaluate whether a report must be made to the Connecticut Department of Children and Families.

6. The District may consolidate two or more formal complaints where the allegations of sexual harassment arise out of the same facts or circumstances.

7. Mandatory Dismissal of Formal Complaint: If, during the course of the investigation, it is determined that the respondent's conduct, even if proved, did not occur in the District's education program or activity, or did not occur against a person in the United States, pursuant to the Title IX Regulations, the District is required to dismiss the formal complaint with regard to that conduct. Such dismissal must be approved by the Superintendent and/or designee or the Executive Director of Human Resources and/or the Executive Director of Internal Investigations. Such a dismissal does not preclude discipline

under another provision of the District's Code of Conduct or another District policy including but not limited to Board Policy 5163.1 (Sexual Harassment – Students).

8. Permissive Dismissal of Formal Complaint: The District may dismiss the formal complaint or specific allegations therein, if (a) any time during the investigation or decision-making process, the complainant notifies the Districtwide Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein, (b) the respondent is no longer enrolled or employed by the District, or (c) specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein. Such dismissal must be approved by the Superintendent and/or designee or the Executive Director of Human Resources and/or the Executive Director of Internal Investigations. Such a dismissal does not preclude discipline under another provision of the District's Code of Conduct or another District policy including but not limited to Board Policy 5163.1 (Sexual Harassment – Students).

9. Upon mandatory or permissive dismissal, the District must promptly send simultaneous written notice of the dismissal to all parties.

10. The exercise of rights protected under the First Amendment does not constitute sexual harassment under Title IX.

Formal Investigation Process:

1. The investigator must be free from bias and conflicts of interest and trained to serve impartially.

2. The investigator must ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the District, not the parties.

3. The investigator and decision makers cannot access, consider, disclose or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment of the party, unless the investigator or decision maker obtains that party's parent's/guardian's voluntary, written consent to do so (or the written consent of the party if the party is over the age of eighteen).

4. The investigator will provide an equal opportunity for all parties to present witnesses, including fact and expert witnesses, and other evidence.

5. No party will be prohibited from discussing the allegations under investigation or gathering and presenting relevant evidence.

6. Each party may be accompanied to any meeting or proceeding by an advisor of their choosing. The advisor, however, is merely there to provide advice to the party and may not actively participate in the meeting or proceeding. The advisor will not be allowed to ask or answer questions during the meeting or proceeding.

7. Each party will be given written notice of the date, time, location, participants and purpose of all hearings, investigative interview or other meetings to which the party is invited, at least three days in advance in order to provide the party sufficient time to prepare to participate.

8. To the extent the documents and information are not protected from disclosure by the Family Educational Rights and Privacy Act (FERPA), the Americans with Disabilities Act, the Individuals with Disabilities in Education Act or any other federal law, both parties will be given an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including evidence upon which the District does not intend to rely in reaching a determination regarding responsibility, so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation.

9. Prior to completing the investigative report, the investigator must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic formal or a hard copy, and the parties will be given a minimum of ten (10) calendar days to submit a written response to that information. The investigator must consider any written response prior to completing the investigative report.

10. After completing the investigation, the investigator must create an investigative report that fairly summarizes the relevant evidence and, at least ten (10) days before the decision maker makes a determination of responsibility, send a copy of the investigation report to each party and the party's advisor, if any, in an electronic format or hard copy, for their review and written response.

11. Credibility determinations may not be based on a person's status as a complainant, respondent or witness.

12. The investigative report must include the following:

    a. The identity of the parties;

    b. The conduct potentially constituting sexual harassment;

    c. A list of the evidence reviewed; and

    d. Findings of fact.

<u>The Formal Decision-Making Process</u>

The decision maker for student issues will be the school principal or his/her designee.

1. The Decision-maker cannot be the same person as the Title IX Coordinator or the investigator.

2. Before making a decision, the decision-maker must give each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness. After posing the relevant questions to the party or witness, the decision-maker must provide each party with the answers and allow for additional, limited follow-up questions from each party.

3. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant unless offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's sexual behavior with respect to the respondent and are offered to prove consent.

4. The Decision-maker may not require, allow, rely upon or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privileged has waived the privilege.

5. If the Decision-maker choses to exclude any requested questions, the decision-maker should explain to the party proposing the questions the decision to exclude a question as not relevant. To the extent that explanation is given verbally, the Decision-maker should document the decision in writing.

6. The Decision-maker must make a determination regarding whether the respondent is responsible for sexual harassment in violation of Title IX. To reach the determination, the Decision-maker must use the preponderance of the evidence standard. This standard is met if there is more than a fifty percent (50%) chance that the respondent is responsible for sexual harassment in violation of Title IX.

7. Credibility determinations may not be based on a person's status as a complainant, respondent, or witness.

8. The Decision-maker must issue a written determination that includes:

    a. Identification of the allegations potentially constituting sexual harassment;

    b. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence and hearings held;

    c. Findings of fact supporting the determination;

    d. Conclusions regarding the application of the District's code of conduct to the facts;

    e. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility. The formal report also must include any disciplinary sanctions the District imposes on the respondent, and whether remedies designed to restore or preserve equal access to the District's education program or activity will be provided by the District to the complainant. To the extent that the District does not have permission from the relevant party to reveal the discipline, remedies provided, or other information protected by FERPA, the IDEA, the ADA or other federal law, such portion of the report must be redacted before providing it to the other party.

    f. The District's appeal procedures and permissible bases for the complainant and respondent to appeal the decision.

9. The written decision must be provided to both parties simultaneously.

10. The decision is not considered final until after the date the District provides a written determination of any appeal or the deadline for appeal passes.

11. To the extent that the Decision-maker determines that the conduct in question meets the District's criteria for expulsion, the provisions of C.G.S. §10-233d and Board policy must be followed prior to the institution of an expulsion.

12. The Title IX coordinator is responsible for effective implementation of any remedies.

13. Conduct that is not found to rise to the level of a Title IX violation may still constitute prohibited discrimination on the basis of sex or another protected category as defined in federal, state or local law, Board policy or the school's code of conduct. A finding of no responsibility under Title IX does not prohibit the District from investigating and determining that the respondent's conduct violated another provision of Board policy and/or the student code of conduct including but not limited to Board Policy 5163.1 (Sexual Harassment – Students).

<u>The Formal Appeal Process</u>

Appeals shall be heard by the District Central Harrassment Team. Both parties have a right to appeal the determination of responsibility and/or the District's decision to dismiss the formal complaint or any allegations thereon. Appeals are only available on the following bases:

1. Procedural irregularities that affected the outcome of the matter;

2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, and that could affect the outcome of the matter; and/or

3. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

The appeal Decision-maker will not be the same individual as the original Decision-maker, the investigator and/or the Title IX Coordinator.

If an appeal is received, the appeal Decision-maker will notify the other party in writing.

Before issuing his/her decision, the Decision-maker must give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.

The Decision-maker must provide his/her/their written decision simultaneously to both parties. The written decision must describe the results of the appeal and the rationale for the result.

Informal Resolution Process

After a formal complaint has been filed, the parties may voluntarily agree to participate in the District's informal resolution process. The parties may not be required to participate in the informal resolution process as a condition of continued enrollment or employment or the enjoyment of any right to an investigation and/or adjudication of the formal complaint of sexual harassment.

Prior to participating in any informal resolution process, the parties will be provided with written notice disclosing the following:

1. The allegations;

2. The circumstances under which the informal resolution process would preclude the parties from resuming a formal complaint arising from the same allegations;

3. The right of any party to withdraw from the informal resolution process at any time prior to the parties agreeing to a resolution and to require the resumption of the formal complaint process after such withdrawal; and

4. The consequences resulting from participating in the informal resolution process, including whether records will be maintained or could be shared.

Each party must give written consent to engage in the informal resolution process. Such consent may be withdrawn at any time.

The informal resolution process may <u>not</u> be used to resolve allegations that an employee sexually harassed a student.

The District provides the following types of informal resolution processes:

1. Mediation,

2. An agreement to truncate the steps of the grievance procedure where the parties agree to some or all of the facts,

Recordkeeping

The District must maintain the following records for a minimum of seven years from the end of the grievance process:

1. The records of each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the district's education program or activity;

2. Any appeal and the result therefrom;

3. Any informal resolution and the result therefrom; and

4. Records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment.

The District must maintain for a minimum of seven years all materials used to train Title IX coordinators, investigators, decision-makers, and any person who facilities an informal resolution process. The District will make such training materials publicly available on its website.

Prohibition on Retaliation

Retaliation against any individual because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing regarding a claimed Title IX violation is prohibited. Retaliation shall include intimidation, threats, coercion or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment if the purpose is to interfere with any right or privilege secured by Title IX.

Complaints of retaliation must be filed through the formal complaint process.

The exercise of rights protected under the First Amendment does not constitute prohibited retaliation.

Confidentiality

TheDistrict will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, <u>except</u> as may be permitted by FERPA or as required by law, or to carry out the purposes of 34 C.F.R. part 106, including the conduct of any investigation, hearing or other proceedings arising thereunder.

Materially False Statements

A complainant, respondent or witness who is found to have made a materially false statement in bad faith during the grievance process shall be subject to discipline up to and including expulsion from school. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding does not constitute retaliation. A determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

Publication

A copy of this regulation must be provided to all students, parents or legal guardians of elementary and secondary school students, employees, and all unions holding collective bargaining agreements with the District and shall be made available on the District's website.

Training

All Title IX coordinators, investigators, decision-makers and any person who facilitates an informal resolution process, will receive training on the definition of sexual harassment in 34 C.F.R. §106.30, the scope of the District's education program or activity, how to conduct an investigation and grievance process including hearings, appeals and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of inerest, and bias. Decision-makers will receive training on issues of relevance of questions and evidence, including when questions and evidence about a complainant's sexual predisposition or prior sexual behaviors are not relevant. Investigators will receive training on issues of relevance to create an investigation report that fairly summarizes relevant evidence.

Legal Reference: 20 U.S.C. § 1681 Title IX of the Education Amendments of 1972,
34 CFR Section 106 Regulations implementing Title IX
Gebser v. Lago Vista Independnet School District, 524 U.S. 274 (1998)
Davis v. Monroe County Board of Education, 526 U.S. 629 (1999)

Regulation adopted: September 15, 2020

HARTFORD BOARD OF EDUCATION

Hartford, Connecticut

Students

Police Questioning School Children in School During School Hours

Students may be questioned by police in school regarding a school-related matter. Students may be questioned in school during school hours in the presence of school principal or designee, and a parent when possible and appropriate. The parent will be notified prior to questioning except in the event of an emergency or when the parent cannot be reached. In that event, the parent will be notified of what transpired as soon as practicable.

The Hartford Board of Education opposes the practice of questioning students in school for events which occur outside of school.

Policy adopted: September 14, 1999
Policy updated: November 1, 2005

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students
Search and Seizure

1. Search of a Student and His/Her Effects

    a. Fourth Amendment rights to be free from unreasonable searches and seizures apply to searches conducted by public school officials. A student and his/her effects may be searched if there are "reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school." The way the search is conducted should be "reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student and the nature of the infraction."

2. Search of a Locker, Desk and Other Storage Area

    a. Lockers, desks and other storage areas provided by the school system for use by students are the property of the school system. Such storage areas are provided for the temporary convenience of students only. The Board of Education authorizes the administration and/or law enforcement officials to conduct random inspections of lockers and other school property available for use by students for the presence of weapons, contraband or the fruits of a crime if there are reasonable grounds at the inception of the search for suspecting that the search will reveal evidence that the student has violated or is violating either the law or the rules of the school. Moreover, the scope of the search shall be reasonably related to the objectives of the search and shall not be excessively intrusive in light of the age and sex of the student and the nature of the infraction.

    b. If the school administration reasonably suspects that a pupil is not maintaining a locker or other storage area assigned to him/her in a sanitary condition, or that the storage area contains items the possession of which is illegal or in violation of school regulations or that endangers the health, safety or welfare of the student or others, it has the right to open and examine the storage area and to seize any such items that are found.

    c. When required by law and otherwise at the option of the building principal, items that have been seized shall be submitted to the police department for proper disposition. Items not submitted to the police department shall be disposed of as directed by the building principal.

3. The decision to search shall be made by the principal or the principal's designee. The search shall be made in the presence of at least one witness. Discovery of illegal or dangerous materials shall be reported to the Office of the Superintendent.

Use of drug-detection dogs and metal detectors, similar detective devices; and/or breathalyzers and other passive alcohol screening devices may be used only on the express authorization of the Superintendent, in accordance with such procedures as the Superintendent may devise.

Legal References:

Connecticut General Statutes:
Section 10-221, Boards of Education to prescribe rules
Section 54-33n, Searches

New Jersey v. T.L.O.; 469 U.S. 325 (1985)

Policy adopted: September 14, 1999
Policy updated: November 1, 2005
Revised: June 21, 2016

HARTFORD PUBLIC SCHOOLS

Hartford, Connecticut

Students
Search And Seizure

1. Search of a Student and His/Her Effects

    a. All searches of students shall be conducted or directed by an authorized school and/or district-level administrator, e.g., the principal or vice principal, in the presence of a witness.

    b. A search of a student's handbag, gym bag, cellular phone, personal electronic device or similar personal property carried by a student may be conducted if there are reasonable grounds for suspecting that the search will produce evidence that the student has violated or is violating either the law or the rules of the school. A student's other effects are also subject to the same rule. Effects may include motor vehicles located on school property.

    c. A search of a student's person may be conducted only if there are reasonable grounds at the inception of the search for suspecting that the search will reveal evidence that the student has violated or is violating either the law or the rules of the school. Moreover, the scope of the search shall be reasonably related to the objectives of the search and shall not be excessively intrusive in light of the age and sex of the student and the nature of the infraction. Metal detectors, breathalyzers and/or drug sniffing dogs may be used to detect the presence of contraband, including weapons, drugs or alcohol, in furtherance of this policy and to the extent authorized by law.

    d. Strip searches are prohibited except when there are reasonable grounds for suspecting that such a search will produce evidence of conduct which places students, staff or school property in immediate danger. Such searches may be conducted at the request of the school principal, generally by a member of the police department. During such searches, a member of the school staff shall be present at all times as a witness, and both the police officer conducting the search and the witness shall be of the same sex as the student searched.

    e. Any evidence of illegal conduct or conduct violative of the rules of the school produced as a result of searches according to these regulations shall be subject to seizure. Where required by law and otherwise at the option of an authorized central office official, or designee, such evidence shall be submitted to the police department for proper disposition. Evidence not submitted to the Police Department shall be disposed of as directed by the building principal.

2. Search of a Locker, Desk and Other Storage Area

    a. The Board of Education provides lockers, desks, gym baskets and other storage areas in which pupils may keep and store personal belongings and materials provided by the Board of Education. Such storage areas are the property of the Board of Education.

b. No pupil shall keep or store personal belongings or materials provided by the Board of Education in any storage area other than one provided by the Board of Education and designated for his/her use by the school administration.

c. Each pupil shall be responsible for maintaining any storage area assigned to him/her for his/her use in an orderly and sanitary condition.

d. No pupil shall keep or store in a storage area assigned to him/her for his/her use any item the possession of which is illegal or in violation of school regulations or that endangers the health, safety or welfare of self or others (such as matches, chemicals, ammunition, weapons, drugs, tobacco, alcoholic beverages, etc.).

e. The use of lockers and other storage areas by pupils is a privilege. At all times such storage areas remain the property of the Board of Education. If the school administration reasonably suspects that a pupil is not maintaining a storage area assigned to him/her in a sanitary condition, or that the locker contains items the possession of which is illegal or in violation of school regulations or that endangers the health, safety or welfare of the student or others, it has the right to open and examine the storage area and to seize any such items that are found. The school administration may authorize law enforcement officials to search lockers/storage areas in accordance with Board Policy 5142.12, Section 2(A).

f. When required by law and otherwise at the option of an authorized central office official, or designee, items that have been seized shall be submitted to the police department for proper disposition. Items not submitted to the police department shall be disposed of as directed by an authorized central office official, or designee.

3. Notice to Parents/Guardians

   a. The District shall provide notice to a student's parent/guardians when that student or his/her effects are subject to a search by District officials in accordance with this policy and these regulations.

Legal References:

Connecticut General Statutes:
Section 10-221, Boards of education to prescribe rules
Section 54-33n, Searches

New Jersey v. T.L.O., 469 U.S. 325 (1985)

Regulation adopted: September 14, 1999 HARTFORD PUBLIC SCHOOLS
Regulation updated: November 1, 2005
Regulation updated: June 21, 2016 Hartford, Connecticut

ADMINISTRATIVE REGULATION REGARDING SEARCH AND SEIZURE

The Board shall permit the administration to invite law enforcement agencies or other qualified agencies or individuals to search school property with dogs specially trained when necessary to protect the health and safety of students, employees or property, and for the purpose of detecting the presence of illegal substances or contraband, including alcohol and/or drugs.

The use of trained detection dogs is subject to the following:

1. The administration shall authorize the search and the Principal or his/her designee shall be present while the search is taking place.

2. All school property such as lockers, classrooms, parking areas and storage areas may be searched.

3. Dogs shall not be used in rooms occupied by persons except as part of a program designed to inform students/parents of the capabilities of the dogs. Individual(s) shall not be subjected to a search by dogs.

4. Parents and students shall be notified of the Board's policy concerning search and seizure and this regulation, which shall be publicized to students. Specific dates of planned searched need not be released

5. When conducting a search of an individual or his/her effects based upon a dog's signal, the Principal or his/her designee shall conform to the requirements of the Board's policy and regulation pertaining to searches of a student, his/her effects and/or locker searches.

6. The administration of the district shall have sole authority for determining internal disciplinary action in regard to illegal substances or contraband on school property.

7. Although detection dogs may be under the control of law enforcement agencies, the administration of the district shall have sole determination as to when a sweep of school property will be conducted.

8. When detection dogs are employed, the school should follow standard protocol for a lockdown procedure prior to the dogs and their handlers entering the building.

ADMINISTRATIVE REGULATION REGARDING SEARCH AND SEIZURE

The Board of Education (the "Board") supports the use of both passive alcohol screening ("PAS") devices and breathalyzers during the school day or at school-sponsored events, on or off campus, to deter the use of alcohol by students in the Hartford Public Schools (the "District") and to promote the health and safety of all students.

This regulation provides the basic structure for the use of passive alcohol sensors and breathalyzers in this District to detect/confirm alcohol consumption by students. Such instruments shall be used by the District to 1) to confirm a reasonable suspicion that a particular student has used or is under the influence of alcohol at school during the school day, or at a voluntary, extracurricular school-sponsored event; and/or 2) systematically screen students attending extracurricular/voluntary school-sponsored events for possible alcohol use.

The passive alcohol sensor ("PAS") device is a non-invasive high-speed breath alcohol-screening instrument which can be used as a "sniffer" for overt or covert alcohol detection. This device may be used to sample a student's breath in order to detect alcohol use, with results reported as either "positive" or "negative." A breathalyzer is a device that detects and measures alcohol in expired air so as to determine the concentration of alcohol in a person's blood.

Only designated school personnel will be trained in the use of the PAS device and/or breathalyzer test. All testing instruments shall be properly calibrated and will be checked for accuracy and for full calibration in accordance with the manufacturer's standards. Testing of students using these devices will be conducted in a separate area, to the extent practicable, to maintain student privacy.

Results from a PAS device or breathalyzer will be maintained in a confidential manner, and released in accordance with district policy and state and federal law.

A. Testing to Confirm Reasonable Suspicion of Alcohol Use

If there is reasonable suspicion that a student is under the influence of alcohol at school or at a school-sponsored event, the student shall be removed to a separate area for observation and questioning concerning alcohol consumption. The student will be informed as to how the PAS device operates and will be asked to breathe across the intake part of the device. Testing will be conducted by trained personnel, in a separate area whenever possible, to maintain student privacy. Any student who tests positive will be asked to submit to a second test using a breathalyzer. If the student tests positive for a second time, the school will contact his/her parents. If necessary, the student will be brought to the school nurse for medical treatment and emergency medical protocols shall be followed.

If the student tests positive on either test, or if the student refuses to take the test when there is reasonable suspicion of alcohol use, the student may be subject to appropriate disciplinary action consistent with District policies and procedures.

Reasonable suspicion shall include, but not be limited to, any of the following:

1. Observed use or possession of alcohol;

2. Alcohol odor or the presence of an alcohol container;

3. Slurred speech, unsteady gait, lack of coordination, bloodshot or glazed eyes; or

4. Marked changes in personal behavior not attributable to other factors.

B. Extracurricular/Voluntary School-Sponsored Events

The Board also allows for the use of PAS devices and breathalyzers in connection with students' participation in extracurricular/voluntary school-sponsored events and activities without the need for school personnel to first have reasonable suspicion of alcohol use. Such suspicionless testing will occur only if students are notified prior to the event or school-sponsored activity that a PAS or breathalyzer may be used, and that they may be denied entry and/or removed from the event or activity for either refusing to submit to such testing or for testing positive for alcohol use. Students will be notified through a variety of means, including orientation programs, student handbooks and/or electronic publication.

When PAS devices and/or a breathalyzer will be used at a voluntary school-sponsored event (i.e. school dances, proms, etc.), such devices shall be administered as follows:

1. All students participating in the activity or school-sponsored event will be asked to submit to a PAS screening. Students will be asked to breathe across the intake part of the device.

2. If the PAS device detects alcohol, the student shall be removed to a separate area for observation and questioning concerning alcohol consumption. After fifteen (15) minutes, the student will be asked to submit to a breathalyzer test to confirm the presence of alcohol.

3. Should the student test positive after the second test, school personnel will contact the student's parents and the student shall be removed/denied entry to the activity or school-sponsored event.

4. Any student who refuses to breathe into the PAS device, or who refuses to submit to the breathalyzer test, may be excluded or removed from the activity or school-sponsored event and may face additional disciplinary actions.

5. The district retains the right to contact local law enforcement officials at any time, as deemed appropriate, consistent with district practice and policy.

Students

Search and Seizure

Use of Metal Detectors

1. Deployment of Metal Detecting Devices

   A. In view of the escalating presence of weapons in America's schools today, the Hartford Board of Education for the Hartford Public Schools authorizes the use of handheld metal detectors to check a student's person or personal effects.

2. Non-discriminatory Metal Detector Searchers

   A. School officials or law enforcement officers may conduct metal detector checks of groups or individuals if the checks are done in a minimally- intrusive, nondiscriminatory manner (e.g., upon students entering the school; all students in a randomly selected class; on every third individual entering an athletic event). Metal detector checks of groups or individuals may not be used to single out a particular individual or category of individuals.

   B. If a school official or a law enforcement officer has a reasonable suspicion to believe that a particular student is in possession of an illegal or unauthorized metal-containing object or weapon, he or she may conduct a metal detector check of the student's person and personal effects. A student's failure to permit a metal detector check as provided in this policy will be considered grounds for disciplinary action.

3. Notification of Metal Detector Use

   A. Upon enrollment and at the beginning of each school year, students and parent/guardians shall receive notice that the district may use hand held metal detector checks as a part of its program to promote safety and deter the presence of weapons.

   B. If a school principal or his/her designee determine that they want to deploy hand-held metal detectors on a random basis. They shall consult with appropriate staff and parents.

Policy adopted: November 1, 2005

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students

Use of Physical Force

The use of physical force (corporal punishment) as a disciplinary measure is not permitted in the Hartford Public Schools.

In accordance with State statutes, a teacher, administrator, or other person entrusted with the care and supervision of a student may use reasonable physical force when he/she believes it is necessary to (a) protect himself/herself or others from immediate physical injury; (b) obtain possession of a dangerous instrument or controlled substance upon or within the control of such student; (c) protect property from physical damage; or (d) restrain or remove such student to another area to maintain order.

Legal Reference: Connecticut General Statutes
53-18a Use of reasonable force of deadly physical force generally; defense by teachers and certain other persons.

Policy adopted: September 14, 1999
Policy updated: November 1, 2005

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students
On-Campus Recruitment

Subject to the provisions of Section 1-210(b)(11) Connecticut General Statutes, secondary schools of the school district shall provide the same directory information and on-campus recruiting opportunities to representatives of the armed forces of the United States of America and state armed services as are offered to nonmilitary recruiters, recruiters for commercial concerns and recruiters representing institutions of higher education.

Secondary school students and their parents must be informed at the beginning of each school year of their right to request that the student's name, address and telephone number not be released to military recruiters or institutions of higher education. If a secondary school student or the parent of a secondary school student objects in writing to the disclosure of a student's name, address or telephone number to a military recruiter or an institution of higher education, then the district shall not disclose the student's name, address or telephone number to a military recruiter or an institution of higher education. The objection shall remain in force until the district re-issues the annual notification referenced above, after which time the parents and/or secondary school student must inform the school district in writing again of their objection to the disclosure of the information described above.

The school administrator may make the determination of when the recruitment meetings are to take place and reserves the right to deny such meeting where the holding of such meeting will materially and substantially interfere with the proper and orderly operation of the school.

Any person or organization denied the rights accorded under this policy shall have the right to request a review of the decision by the Board of Education by filing a written request with the Superintendent of Schools.

(cf. 5124 - Student Records; Confidentiality)

Legal Reference: Connecticut General Statutes

1-210(b)(11) Access to public records. Exempt records.

10-221b Boards of Education to establish written uniform policy re treatment of recruiters.

Policy adopted: September 14, 1999
Policy updated: November 1, 2005
Revised: June 21, 2016

HARTFORD PUBLIC SCHOOLS

Hartford, Connecticut

Students

Married / Pregnant Students

Married students shall have the same educational opportunities as unmarried students. The Board of Education's responsibility for the education of all school-age children includes pregnant students whether married or unmarried, who shall be allowed to remain in school and be provided appropriate support services as a part of the school program.

A pregnant student may remain in her school program as long as her physical and emotional condition permits. Any variation from a pregnant student's continuance in regular classes shall be based upon her specific needs and addressed through the Student Study Team (SST).

For students with an Individual Education Program (IEP) who require temporary removal from the school program, the Planning and Placement Team (PPT) must convene promptly to address the provision of homebound instruction and transportation. Homebound instruction shall be provided when a physician has certified that homebound instruction is in the student's best interest.

Legal Reference: Connecticut General Statutes
10-184 Duties of parents.
10-186 Duties of local and regional boards of education re school attendance.
State Board of Education Regulations
10-76a-2(4) – Definitions and Exceptionalities
10-76d-15 Homebound and hospitalized instruction (subsection b4).
10-76d-1 Special Education and Related Services
PA 96- An Act Concerning Technical Revisions to the Education Statutes.

Policy adopted: September 14, 1999
Policy updated: November 1, 2005
Policy updated: August 24, 2010

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students

Conducting Research in the Schools

The board recognizes the importance of research and surveys as means of improving the instructional program for the district's students and also recognizes the need to monitor and control the amount of time and energy expended by both staff and students on research projects sponsored by agencies and individuals from outside the district. Therefore, external agencies or individuals desiring to conduct research studies or surveys involving either students or staff members during the school day must submit a written prospectus to the superintendent or his/her designee, for approval prior to initiation of the study. To be approved, all such research proposals or surveys must demonstrate that the projected findings will have value to either the district as a whole or to a unit within the district, and not be unduly disruptive or time consuming of the normal educational process.

Policy adopted: September 14, 1999
Policy updated: November 1, 2005

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students

Conducting Research in the Schools

Application Procedures

Any individual or organization wishing to conduct a research, evaluation, survey, or test development project involving students or staff of the Hartford Public Schools must submit a letter of application to the Superintendent of Schools containing the following information:

1. A description of the study, no more than three pages in length. The following information should be included:
   a. Rationale and objectives;
   b. Population or subjects to be studied;
   c. Educational intervention (if any);
   d. Data collection procedures including what data will be collected, who will do the data collection, and how much student and/or staff time will be needed;
   e. Potential benefits to the District which may accrue from this project:
   f. Plan for obtaining informed consent;
   g. Plan for providing feedback and/or debriefing subjects and parents.

2. Samples of all instruments and/or instructional materials to be used;

3. Sample of informed consent letter(s) (See Appendix A);

4. Timelines or schedule of events for the project.

Review Process

Completed applications will be reviewed by the Superintendent of Schools or designee and such other personnel as may be necessary to evaluate the feasibility of conducting the proposed study in the Hartford Public Schools. A minimum of three weeks is required for review of the proposal

The Superintendent or designee will consider the following questions in deciding whether or not to approve the request.

1. Can the research be carried out without interfering with the teaching-learning process for students or staff?
2. Can school time reasonably be devoted to the request?
3. Are the instruments and/or instructional materials appropriate for use in the school setting?
4. Are the dignity and personal rights of those who would be involved in the study protected?
5. Is there any potential for invasion of privacy of students, families or employees?
6. Does the informed consent letter provide a clear and accurate description of the research?
7. Does the request contain a convincing statement of how the research may be useful?

Students

Conducting Research in the Schools

8. Is the research relevant to the mission of the school district rather than relevant to the goals of the sponsoring individual or agency?
9. Does the proposal appear feasible?
10. Does the design of the proposal achieve what is expected?
11. Is the proposal consistent with District policies?
12. Has the proposal been approved by the institution or funding agency with which the research is affiliated? If applicable, has the research been approved by "rights of human subjects" or other institutional review committee?
13. Does the research plan ensure confidentiality of sources of data?

Approval and Monitoring Procedures

If the proposed study passes the initial review, the following steps will be taken:

1. Contact principals/program managers in schools/programs where the study might be conducted. The written description of the project and other supporting materials will be sent to the principal/program manager for review. If the proposed study passes the principal's review, it will be returned to the Superintendent or designee for final approval.

2. A letter will be sent to the research applicant giving approval to conduct the proposed project in the school(s) programs(s) designated. A copy of this letter will be sent to each principal/program manager involved.

3. The research applicant will contact the principal(s) /program manager(s) to make arrangements for conducting the study.

It is expected that the researcher will conduct the project in accordance with the procedures as outlined in the approved proposal. The researcher is also expected to keep the principal/program manager and the Superintendent of Schools informed regarding the progress of the data collection and to submit a written report of the project when it is completed.

Students

Conducting Research in the Schools

Suggestions for Informed Consent Letters

1. Introduction of the researcher, institutional affiliation, source of funding, and any other pertinent information (e.g., part of doctoral dissertation research);

2. Purpose of the study stated in simple English avoiding jargon and unnecessary details;

3. Description of what the subject will be doing, where, when and for how long;

4. A sample "invitation" to participate in the study;

5. Assurances about confidentiality and independence of research from grades, school records, etc., if appropriate;

6. The assurances necessary under "rights of human subjects" regulations;

7. A name and number of someone to call, if there are questions about the study.

If you like, you may mention that your research has been approved by the District, or that the District and the school have agreed to cooperate in your study.

The consent form should be a tear-off so that a parent or subject can keep the description of your study for reference. The consent form should provide spaces for the subject's name, the name of the person signing for the subject, the name of the investigator asking for consent, and the date that the form was signed. It is generally helpful to provide a space to check "do or do not" consent, so that non respondents can be distinguished from those not giving consent. Also, it is wise to indicate where and how the consent form is to be returned.

Policy adopted: September 14, 1999
Policy updated: November 1, 2005

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

HARTFORD PUBLIC SCHOOLS
960 MAIN STREET
HARTFORD, CT 06103

Date Received
_____/_____/_____

Application for Conducting Research

Name of Applicant(s)_____

Address_____

Telephone(s)_____

Institutional Affiliation_____

Theme or Topic of Intended Research_____

Research is for:

Undergraduate Course Work_____
Graduate Course Work_____
Master's Degree_____
(indicate funding source if any)

Doctoral Degree_____
Post-doctoral Research_____
Institutional Study_____

Other (specify)_____

Research has been approved by:

Advisor_____
Prospectus or Dissertation Committee_____
Funding Agency_____
Human Subjects or _____
Other Institutional Review Committee

Rationale and objectives:_____

_____

Target Population:

Group	# Needed	Time Needed	Specific Characteristics of Group (grade, sex, etc.)
Students			
Administrators			
Teachers			
Parents			
Others			

Special sampling requirements (specify)_____

_____

Description of design_____

_____

Task and time requirements for individual subjects_____

_____

Task and time requirements for administrators, teachers, and other school staff_____

_____

Instruments and/or instructional materials to be used (specify & attach sample copies)_____

_____

Instruments to be administered by_____

Student record requirements_____

_____

Space and equipment requirements_____

_____

Plan for obtaining informed consent (attach sample letter(s))_____

_____

Plan for providing feedback and/or debriefing subjects_____

_____

Potential benefits to District_____

_____

Proposed duration of involvement of Hartford Public Schools (attach proposed timeline)

Start date_____ Completion Date_____

Signature_____ Date_____

Students

Acceptable Use and Internet Safety Policy

Purpose

Computers, computer networks, Internet access, and e-mail are effective and important technological resources in today's educational environment. The Board of Education has provided computers, local area (wired), and wireless networks and peripheral equipment that allow for Internet access, files and storage and an e-mail system (referred to collectively as "HPS Network"), in order to enhance both the educational opportunities for our students and the business operations of the district. These computer systems are business and educational tools. As such, they are made available to students in the district for education-related uses.

The Hartford Public Schools has and will continue to comply with the requirements of the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l), "CIPA". The district is committed to assuring the safe conduct of all students while online and has a comprehensive policy about the proper use of our technological resources. At the beginning of each school year, students and staff are made aware of the district's Acceptable Use and Internet Safety Policy. In addition, each student must sign an Internet use agreement before they are allowed access to the Internet both when they enter the district and each time they are promoted to a new building. It is the district's intent to preserve network bandwidth and improve network response times by limiting Internet access to educational-related sites.

Hartford Public Schools will use the HPS Network as a powerful and compelling means for students to learn core subjects and applied skills in relevant and rigorous ways. It is the district's goal to provide students with rich and ample opportunities to use technology for important purposes in schools just as individuals in workplaces and other real-life settings. The district's technology will enable students to communicate, learn, share, collaborate and create, to think and solve problems, to manage their work, and to take ownership of their lives. We will create strong electronic educational systems that support innovative teaching and learning, to provide appropriate staff development opportunities and to develop procedures to support this policy.

Scope

The Board will educate students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and online-bullying awareness and response. Additionally, the Board will implement a technology protection measure to block or filter Internet access to visual depictions that contain obscene material, contain child pornography, or are harmful to minors and ensure that such filtering technology is operative during use.

HPS Network

The HPS Network includes wired and wireless computers and peripheral equipment, files and storage, e-mail and Internet. The district reserves the right to prioritize the use of, and access to, the network.

Acceptable Use and Internet Safety Policy (continued)

All use of the HPS Network must support education and research and be consistent with the mission of the district. To the extent practical, steps shall be taken to promote the safety and security of users of the HPS online computer network when using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications.

Acceptable network use by district students includes:

- Creation of files, projects, videos, web pages and podcasts using network resources in support of educational purposes;
- Participation in blogs, wikis, bulletin boards, social networking sites and groups and the creation of content for podcasts, e-mail and web pages that support educational purposes;
- With parental permission, the online publication of original educational material, curriculum related materials and student work. Sources outside the classroom or school must be cited appropriately;

Unacceptable network use by district students includes but is not limited to:

- Accessing, uploading, downloading, storage and distribution of any personal files, including offensive, obscene, pornographic or sexually explicit material;
- Downloading, installation and use of games, audio files, video files or other applications (including shareware or freeware) without permission or approval from Metro Hartford Information Services;
- Personal gain, commercial solicitation and compensation of any kind;
- Non-educational uses of the HPS Network including, but not limited to games, wagering, gambling, junk mail, chain letters, jokes, private business activities, raffles, fundraisers, religious activities or political lobbying;
- Hacking, cracking, vandalizing, the introduction of viruses, worms, Trojan horses, time bombs and changes to hardware, software, and monitoring tools;
- Using another person’s account password, folder, work, or files;
- Using anonymous proxies to bypass content filtering tools;
- Cyberbullying, hate mail, defamation, harassment of any kind, discriminatory jokes and remarks;

No Expectation of Privacy

The district provides the network system, e-mail and Internet access as a tool for education and research in support of the district's mission. The district reserves the right to monitor, inspect, copy, review and store, without prior notice, information about the content and usage of:

- The HPS Network;
- User files and disk space utilization;
- User applications and bandwidth utilization;
- User document files, folders and electronic communications;
- E-mail;
- Internet access; and
- Any and all information transmitted or received in connection with network and e-mail use.

District user accounts and assigned devices shall be used only by the authorized user. Users shall not seek to learn or change or share other users' passwords, modify other users' files or data, or misrepresent other users of the network. Users shall not attempt to gain access to areas on the network to which they have not been granted privileges.

No student user should have any expectation of privacy when using the district's network. The district reserves the right to disclose any electronic message to law enforcement officials or third parties as appropriate. As part of monitoring and reviewing, the district will retain the capacity to bypass any individual password of a student or other user. The system's security aspects, such as personal passwords and the message delete function for e-mail, can be bypassed for these purposes. Users acknowledge that the District has in place Internet filters/protection measures which prohibit access of certain sites and/or inappropriate content. The District reserves the right to monitor and review all on-premises Internet traffic in compliance with applicable laws, as well as all Internet traffic transferred using District-issued devices and connectivity (e.g., hot spots). Users may not disable, alter settings of, or intentionally circumvent these filters/protection measures using technology like VPNs, or extensions. Users also acknowledge that no protection measure can guarantee that inappropriate content will never be accessible and that the District cannot and will not be liable should that happen.

Disciplinary Action

Misuse of the computer systems, or violation of these policies, may result in loss of access to such computer systems as well as other disciplinary action, including suspension and/or expulsion, or involvement of law enforcement agencies, depending on specific violation. Disciplinary Action will be taken pursuant to the District Student Discipline Policy 5131. These rules are consistent and applied to users bringing their own devices as pursuant to the BYOD policy.

Digital Citizenship Education

All users acknowledge that the District provides education regarding appropriate interaction with others via email, on social networking and messaging sites/apps, as well as cyberbullying awareness and responses to cyberbullying, and they agree to conduct themselves appropriately when using District technology.

All stakeholders subject to this policy will receive Digital Citizenship education providing guidance on appropriate behaviors, expectations, and protocols when using technology and online resources.

Oversight

The Administration shall develop regulations setting forth procedures to be used in an effort to ensure that such computer systems are used by students solely for education related purposes.
As the owner of the computer systems, the Board reserves the right to monitor the use of the district's computers and computer systems.

Legal References:
Children's Internet Protection Act, Pub. L. 106-554, codified at 47 U.S.C. 254(h)
Conn. Gen. Stat. 53a-182b; 53a-183; 53a-250
Electronic Communications Privacy Act, 18 U.S.C. 2510 through 2520
No Child Left Behind Act of 2001, Pub. L. 107-110, codified at 20 U.S.C. 6777
Protecting Children in the 21st Century Act, Pub. Law 110-385, codified at 47 U.S.C. 254(h)(5)(B)(iii).

Policy adopted: September 14, 1999
Policy updated: November 1, 2005
Policy revised: May 19, 2009
Policy revised: September 18, 2012
Policy revised: December 15, 2020

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students

5171.1

Bring Your Own Device ("BYOD") Policy

Hartford Public Schools believes that technology should play a vital role in meeting the needs of the broad range of abilities, disabilities, cultural backgrounds and ethnic populations presented in District schools. To assure that technology shall play a predominant role, this policy provides guidance for appropriate personal technology utilization and integration into the curriculum, as well as infusion into School/District administration and management.

Students and staff, with authorization, will be permitted to access the District's wireless network with their personal devices. Students, staff, and visitors may use their own devices to access the Internet, collaborate with other students and engage in appropriate educational activities. Although students are permitted to use their own devices, they are not required to do so.

Purpose

Hartford Public Schools shall permit the use of personally-owned, internet-connected technology (known as Bring Your Own Device, or "BYOD") for the following purposes:

a. To enhance student engagement and support staff and student success.

b. To foster and support innovation and experimentation in the transformation from a traditional approach to teaching, learning, and education management to a technology-infused model meeting the needs of the broad range of abilities, disabilities, cultural backgrounds, and ethnic populations represented in Hartford Public Schools.

c. To establish and maintain guidelines and procedures for appropriate technology utilization and infusion in the classroom, in the schools, in school and district administration and management, and in planning and evaluation to more effectively prepare students for the transition from school to work for success in the workplace.

Definition of "Device"

For purposes of BYOD, a "device" means privately owned wireless and/or portable electronic hand-held equipment that includes, but is not limited to, existing and emerging mobile communication systems and smart phones, tablets, laptops, wearable technologies, portable internet devices, Personal Digital Assistants (PDAs), hand-held entertainment systems, or portable information technology systems that can be used for word processing, wireless internet access, image capture/recording, sound recording and information transmitting/receiving/storing.

Internet
The only internet gateway that may be accessed while in Hartford Public Schools is the one provided by the District. Any device brought to the District will not be permitted to use outside internet sources.

Personal internet connective gateways, such as, but not limited to, cell phones/cell network adapters, are not permitted to be used to access outside internet sources at any time.

Virtual Private Networks (VPNs) shall not be used unless provided by the District, and recommended for the specific purpose they are used for (e.g., accessing on-premises District systems with authorization).

Bring Your Own Device/Technology Student and Parent Agreement
The use of technology to provide educational material is not a necessity, but a privilege. A student does not have the right to use his/her electronic device while at school. When abused, privileges will be taken away. When respected, they will benefit the learning environment as a whole.

Students and parents/guardians should be aware that if the student brings her or her own device, he/she must adhere to the Student Code of Conduct, as well as all applicable Hartford Public Schools policies, particularly the Acceptable Use policies linked below.

Student AUP - 5171.1 https://www.hartfordschools.org/wp-content/uploads/2019/10/5000_Series_Students_Updated_04162019B.pdf

Staff AUP - 4118.6 https://www.hartfordschools.org/wp-content/uploads/2018/09/4000_Series_Personnel_Updated_07242018.pdf

Staff will be responsible for educating, supervising, and monitoring the appropriate usage of personal devices used to access the District's online computer and telecommunications network(s) and will ensure that the Internet is accessed in accordance with this policy, the Children's Internet Protection Act (CIPA), the Family Educational Rights and Privacy Act (FERPA), and the Children's Online Privacy Protection Act (COPPA), and CT General Statute PA-16-189.

In schools, the use of personal devices is strictly at the discretion of the teachers and building administrators.

Security, Support and Damages
The responsibility to keep personal BYOD devices secure rests with the individual owner. Hartford Public Schools is not liable for any personal device stolen or damaged, either on or off campus. If a device is stolen or damaged, it will be handled through the administrative office in accordance with procedures for other personal items that are stolen or damaged. It is recommended that skins, etching, decals, and other custom touches be used to physically identify a student's device from others. Additionally, protective cases for technology are encouraged.

Hartford Public Schools may, but is not required, to provide limited support for personal BYOD devices. The scope of this support is restricted to ensuring connectivity to the Hartford Public Schools network, used as a gateway for Internet access. Support is limited to devices that meet the supported minimum hardware and software specifications found at this link: ADDENDUM - Minimum Supported Specifications.

Acceptable use of Computer Network and Online Telecommunications
Individuals who use District-owned or leased technology, applications, networks, or telecommunications infrastructure and systems agree to abide by the terms and tenets of this policy. The Hartford Public Schools does not warrant network or telecommunications functionality nor the accuracy of information, nor does it warrant the effectiveness of Internet filtering. No expectation of privacy is created or intended to be created by this Policy. Users of systems, networks, and telecommunications systems must recognize that all content created or stored utilizing District technology may be subject to monitoring for compliance with School Board policies and applicable laws.

Goals for Technology use and Internet Safety
1. Prevent user access over its computer and telecommunications network(s) to, or the transmission of, inappropriate material via Internet, electronic mail, instant messaging systems, social networks, or other forms of direct electronic communications;
2. Prevent unauthorized access or other unlawful online activity including, but not limited to, the "hacking" of systems within and outside of the District's enterprise;
3. Prevent unauthorized online disclosure, use, alteration, or dissemination of personally identifiable information of students or confidential information of staff;
4. Comply with the Children's Internet Protection Act (CIPA), the Family Educational Rights and Privacy Act (FERPA), the Children's Online Privacy Protection Act (COPPA) and all applicable laws;
5. Prevent the use of its computer and telecommunications network(s) for the purpose of harassment, unlawful discrimination, cyberbullying, cyberstalking and other unlawful activities; and
6. Protect students and staff from inappropriate, unlawful or unauthorized communications from individuals, including School Board employees.

7. Anyone using personally owned technology devices and/or telecommunications services on property owned by Hartford Public Schools must do so in accordance with the terms and tenets of this policy and the published "Personally Owned Device Guidelines". The latest version of the "Personally Owned Device Guidelines" will be posted on ADDENDUM - Minimum Supported Specifications.
8. Ensure that all users abide by all terms of the Student Code of Conduct.

Compliance
Students, employees, and community members/visitors using School Board equipment, networks, or telecommunications infrastructure or systems, on-site or off-site, must conform to the requirements of this policy.

Failure to adhere to, and conform online activities with, any provisions of this policy may subject users to some or all of the following: warnings, usage restrictions, disciplinary actions, or legal proceedings. Disciplinary actions will be taken consistent with the Student Code of Conduct.

Expectation of Privacy
No expectation of privacy is created or intended to be created for any users or participants of the Hartford Public Schools network or other virtual platforms used for any purpose, including, but not limited to public, online, virtual classrooms. All users and participants shall recognize and are hereby noticed that any and all content created or stored utilizing the Hartford Public Schools network or platform, or any other network or platform, may be subject to monitoring and recording for compliance with District policies and applicable laws.

Legal Reference: Connecticut General Statutes
10-221 Boards of education to prescribe rules

Policy adopted: December 15, 2020

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

ADDENDUM - Minimum Supported Specifications

SPECIFICATION	MINIMUM SUPPORTED
Operating System	• Windows 10 • Mac OS 10.13 (High Sierra) • Android 9.x • iOS 12.x • Chrome 83 OS
Browsers	• Microsoft Edge • Safari • Firefox • Chrome
Antivirus Protection	• Devices connecting to the District network should have antivirus protection software loaded on the device.
RAM	• 2 GB or greater
Hard Disk Drive (HDD) Storage	• 32 GB or greater
Processor	• Celeron or higher (x86/Win) • 1 Ghz or higher • 64-bit chip architecture
Wifi	• 802.11a/b/g/n compatible or greater

Please note that the District expects personal devices to be properly disinfected daily according to manufacturer, CDC, American Academy of Pediatrics, and other applicable guidelines.

Links:

https://support.apple.com/en-us/HT204172

https://www.cdc.gov/flu/school/cleaning.htm

https://www.cdc.gov/coronavirus/2019-ncov/community/reopen-guidance.html

https://downloads.aap.org/AAP/PDF/COVID-19%20School%20Re-entry%20Interim%20Guidance%20FINAL%20062520.pdf

https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2532878/

Students

Fees, Fines and Charges

The Board recognizes its responsibility to purchase books and supplies to meet the needs of instruction in the schools. The Board also recognizes that it is the responsibility of each student to exercise care in the use of instructional materials. A student may be assessed costs of replacing any materials or property which are lost or damaged through his or her negligence.

Textbooks

1. The Board feels it is the responsibility of the student, who has the loan of textbooks, workbooks, etc., to maintain and care for each textbook or workbook until it is returned to the proper authority at the end of the school year or upon the completion of its use.

2. If proper use or normal care is not practiced by the student, the student will be expected to pay a fee to cover the cost of replacement or repair.

a. Damaged books

The charges for damaged books will be determined by the principal and the book custodian.

b. Lost books

The student will reimburse the school system for the replacement cost of the book.

Fees for Materials of Non-Required Projects

Students involved in special interest work over and above the basic instructional program may be charged for materials necessary in their chosen project.

Athletic Uniforms and Equipment

Students will be responsible for the care and safe return of athletic uniforms and equipment loaned to them. Students will be required to pay the full costs of repairs for uniform or equipment damage due to misuse or negligence. Students will be responsible for full replacement cost for lost uniforms or equipment.

The Administration shall develop and implement appropriate uniform control procedures which shall be subject to the approval of the Superintendent of Schools.

Instruction

Fees, Fines and Charges

Uniforms

Students will be responsible for care and safe return of uniforms loaned to them. Students will be required to pay the full costs of repairs for uniform damage due to misuse or negligence. Students will be responsible for full replacement cost for lost uniforms.

The supervisor of the activity shall develop and implement appropriate uniform control procedures which shall be subject to the approval of the Superintendent of Schools.

Fines For Inappropriate Use of Library Materials

In order to encourage borrowers to return books promptly so that others may use them, the library imposes a fine on patrons who keep library materials beyond the due date. Where applicable, a fine of five (5) cents per item per day up to a maximum of no greater than replacement cost. If a book or other item is lost the borrower will only be charged for the replacement and reprocessing costs. In the case of damaged books or items, actual repair costs or replacement costs may be imposed.

Materials from the reserve collection kept beyond the specific stated period will incur a fine of ten (10) cents per item per day up to a maximum no greater than replacement cost.

Field Trips

In general, transportation costs for field trips must be borne by the student. In view of this fact, discretion should be used in planning field trips to avoid unreasonable costs. A minimal insurance cost for each student will also be required.

Lab Fees

No system of lab fees will be permitted. However, students in courses offered in grades seven through twelve may be charged for loss or breakage of equipment due to misuse or negligence after the facts have been determined.

Legal Reference: Connecticut General Statutes
10-22 1 (c) Boards of education to prescribe rules.

Policy adopted: September 14, 1999
Policy updated: November 1, 2005

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students

Physical Restraint and Seclusion of Students and Use of Exclusionary Time Out

The Hartford Board of Education (Board of Education) seeks to foster a safe and positive learning environment for all students. Board of Education employees will restrict the use of physical restraint and seclusion of students to emergency situations, in accordance with this policy and accompanying administrative regulations and applicable law. Physical restraint or seclusion of a student may be necessary in an emergency situation to maintain the safety of the student or another individual. The Board also regulates the use of exclusionary time out in accordance with this Policy and accompanying regulations and applicable law.

The Board of Education authorizes the Superintendent or his/her designee to develop and implement Administrative Regulations in accordance with this Policy and applicable law. The Board of Education mandates compliance with this Policy and the associated Administrative Regulations at all times. Violations of this Policy and/or associated Administrative Regulations by a Board of Education staff member or other individual working at the direction of, or under the supervision of, the Board of Education, may result in disciplinary action, up to and including possible termination of employment status and/or termination of contract for services.

Nothing within these regulations shall be construed to interfere with the Board's responsibility to maintain a safe school setting, in accordance with Connecticut General Statutes § 10-220. Under no circumstances shall employees or individuals under the supervision of the Board use corporal punishment with students or physically manage students for purposes of discipline.

Legal References:

Public Act 18-51, An Act Implementing the Recommendations of the Department of Education
Conn. Gen. Stat. § 10-76b
Conn. Gen. Stat. § 10-76d
Conn. Gen. Stat. § 10-236b
Conn. Gen. Stat. §§ 53a-18 to 53a-22
Reg. Conn. State Agencies. §§ 10-76b-5 to 10-76b-11

Other References:

Restraint and Seclusion: Resource Document, United States Department of Education, available at http://www2.ed.gov/policy/seclusion/restraints-and-seclusion-resources.pdf.

Understanding the Laws and Regulations Governing the Use of Restraint and Seclusion, Connecticut State Department of Education (July 2018).

Guidance Related to Recent Legislation Regarding Restraint and Seclusion, Connecticut State Department of Education (Revised, July 2018).

Policy adopted: May 17, 2011
Policy Revised: January 19, 2016
Policy Revised: January 15, 2019

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Physical Restraint and Seclusion of Students and Use of Exclusionary Time Out

The Hartford Public Schools (the "District") seeks to foster a safe and positive learning environment for all students. District employees will restrict the use of physical restraint and seclusion of students to emergency situations, in accordance with these administrative regulations and the associated policy and applicable law. Physical restraint or seclusion of a student may be necessary in an emergency situation to maintain the safety of the student or another individual. District employees will restrict the use of exclusionary time out with students to those instances permitted by applicable law, as described in these administrative regulations and applicable law.

The following sets forth the procedures for compliance with the relevant state law and regulations concerning the physical restraint and seclusion of, and use of exclusionary time out with, students in the District. The Superintendent mandates compliance with these regulations at all times. Violations of these regulations by a Board of Education staff member or other individual working at the direction of, or under the supervision of, the Board of Education, may result in disciplinary action, up to and including possible termination of employment status and/or termination of contract for services.

Nothing within these regulations shall be construed to interfere with the responsibility of the District to maintain a safe school setting, in accordance with Connecticut General Statutes § 10-220.

I. Definitions:

A. Exclusionary Time Out: A temporary, continuously monitored separation of a student from an ongoing activity in a non-locked setting, for the purpose of calming such student or deescalating such student's behavior.

B. Life Threatening Physical Restraint: Any physical restraint or hold of a person that (1) restricts the flow of air into a person's lungs, whether by chest compression or any other means, or (2) immobilizes or reduces the free movement of a person's arms, legs or head while the person is in the prone position.

C. Psychopharmacological Agent: Any medication that affects the central nervous system, influencing thinking, emotion or behavior;

D. Physical Restraint: Any mechanical or personal restriction that immobilizes or reduces the free movement of a person's arms, legs or head, including, but not limited to, carrying or forcibly moving a person from one location to another. The term does not include: (1) Briefly holding a person in order to calm or comfort the person; (2) restraint involving the minimum contact necessary to safely escort a person from one area to another; (3) medical devices, including, but not limited to, supports prescribed by a health care provider to achieve proper body position or balance; (4) helmets or other protective gear used to protect a person from

injuries due to a fall; (5) helmets, mitts and similar devices used to prevent self-injury when the device is (i) part of a documented treatment plan or an Individualized Education Program ("IEP"); or (ii) prescribed or recommended by a medical professional, as defined in section 38a-976 of the Connecticut General Statutes, and is the least restrictive means available to prevent such injury; or (6) an exclusionary time out.

E. School Employee: (1) Any individual employed by the Hartford Public Schools who is a teacher, substitute teacher, administrator, superintendent, guidance counselor, psychologist, social worker, nurse, physician, paraprofessional, coach; and (2) any other individual who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in the Hartford Public Schools pursuant to a contract with the Hartford Public Schools.

F. Seclusion: The confinement of a person in a room from which the student is physically prevented from leaving. Seclusion does not include the following: (i) an exclusionary time out; or (ii) any confinement of a student in which the person is physically able to leave the area of confinement including, but not limited to, in-school suspension.

G. Student: a child who is

1. Enrolled in grades pre-kindergarten to twelve, inclusive, in a public school under the jurisdiction of the board;

2. Receiving special education and related services in an institution or facility operating under a contract with a local or regional board of education pursuant to subsection (d) of section 10-76d of the Connecticut General Statutes;

3. Enrolled in a program or school administered by a regional education service center established pursuant to section 10-66a of the Connecticut General Statutes; OR

4. Receiving special education and related services from an approved private special education program.

II. Life-Threatening Physical Restraint

A No school employee shall under any circumstance use a life-threatening physical restraint on a student.

B. Nothing in this section shall be construed as limiting any defense to criminal prosecution for the use of deadly physical force that may be available under sections 53a-18 to 53a-22, inclusive, of the Connecticut General Statutes.

III. Procedures for Physical Restraint and Seclusion of Students

A. No school employee shall use physical restraint or seclusion on a student EXCEPT as an emergency intervention to prevent immediate or imminent injury to the student or to others.

B. Seclusion shall not be used as a planned intervention in a student's behavioral intervention plan, individualized education program or plan pursuant to Section 504 of the Rehabilitation Act.

C. No school employee shall use physical restraint or seclusion on a student unless the school employee has received training in accordance with state law and/or the District's trainings plans as described in Section X below, upon implementation thereof.

D. Physical restraint of a student, except as an emergency intervention to prevent immediate or imminent injury to the student or to others and shall never be used as a disciplinary measure or as a convenience.

E. School employees must explore ALL less restrictive alternatives prior to using physical restraint or seclusion for a student.

F. School employees must comply with all regulations promulgated by the Connecticut State Department of Education in their use of physical restraint and seclusion with a student.

G. Monitoring

1. Physical restraint: A school employee must continually monitor any student who is physically restrained. The monitoring must be conducted by either:

   a. direct observation of the student; or

   b. observation by way of video monitoring within physical proximity sufficient to provide aid as may be needed.

2. Seclusion: A school employee must frequently monitor any student who is placed in seclusion because of imminent danger to self or others. The monitoring must be conducted by either:

   a. direct observation of the student; or

   b. observation by way of video monitoring within physical proximity sufficient to provide aid as may be needed.

H. Length

1. Any period of physical restraint or seclusion:

   a. shall be limited to that time necessary to allow the student to compose him or herself and return to the educational environment; and

   b. shall not exceed fifteen (15) minutes, except as provided below.

2. If any instance of physical restraint or seclusion of a student used as an emergency intervention exceeds fifteen (15) minutes, one of the following individuals, who have received training in the use of physical restraint or seclusion, will determine whether continued physical restraint or seclusion is necessary to prevent immediate or imminent injury to the student or to others:

   a. an administrator, or such administrator's designee;

   b. a school health or mental health personnel; or

   c. a board certified behavior analyst.

3. The individual identified under subsection 2 (a-c) shall make a new determination every thirty (30) minutes thereafter regarding whether such physical restraint or seclusion is necessary to prevent immediate or imminent injury to the student or to others.

I. A school employee must regularly evaluate the student being physically restrained or secluded for signs of physical distress. The school employee must record each evaluation in the educational record of the person being physically restrained or secluded.

IV. Seclusion Room Requirements

Seclusion can happen in any location, although a district may designate an area or room for this purpose. Regardless of location, any room used for seclusion must:

A. be of a size that is appropriate to the chronological and developmental age, size and behavior of the student;

B. have a ceiling height that is comparable to the ceiling height of the other rooms in the building in which the seclusion room is located;

C. be equipped with heating, cooling, ventilation and lighting systems that are comparable to the systems that are used in the other rooms of the building in which the seclusion room is located;

D. be free of any object that poses a danger to the student who is being placed in the seclusion room;

E. conform to applicable building code requirements;

If the door or doors to a room used for seclusion are to be locked, latched or otherwise secured, a modification from the State Fire Marshal's office shall be secured prior to the installation of a locking mechanism. If a door locking mechanism is used, the student shall be constantly monitored notwithstanding any other provisions of the Connecticut General Statutes or Regulations to the contrary. The locking mechanism to be used shall be a device that shall be readily released by staff as soon as possible but in no case longer than within two minutes of the onset of an emergency and is connected to the fire alarm system so that the locking mechanism is released automatically when a fire alarm is sounded. An "emergency," for purposes of this subsection, includes but is not limited to the following:

1. the need to provide direct and immediate medical attention to the student;

2. fire;

3. the need to remove the student to a safe location during a building lockdown; or

4. other critical situations that may require immediate removal of the student from seclusion to a safe location.

F. have an unbreakable observation window or fixture located in a wall or door, which allows the student a clear line of sight beyond the area of seclusion, to permit frequent visual monitoring of the student and any school employee in such room. The requirement for an unbreakable observation window does not apply if it is necessary to clear and use a classroom or other room in the school building as a seclusion room for a student.

V. Use of Psychopharmacologic Agent

A. No school employee may use a psychopharmacologic agent on a student without that student's consent and the consent of the student's parent/guardian, except:

1. as an emergency intervention to prevent immediate or imminent injury to the student or to others; or

2. as an integral part of the student's established medical or behavioral support or educational plan, or, if no such plan has been developed, as part of a licensed practitioner's initial orders.

B. The use of psychopharmacologic agents, alone or in combination, may be used only in doses that are therapeutically appropriate and not as a substitute for other appropriate treatment.

C. Any administration of a psychopharmacologic agent must ONLY be done in accordance with applicable federal and state law and the Board of Education's Administration of Medication Policy.

VI. Procedures for Exclusionary Time Out

A. No school employee may use exclusionary time out as a form of discipline for a student.

B. At least one school employee must remain with the student, or be immediately available to the student such that the student and the employee are able to communicate verbally, throughout the exclusionary time out.

C. The space used for an exclusionary time out must be clean, safe, sanitary and appropriate for the purpose of calming the student or deescalating the student's behavior.

D. The exclusionary time period must end as soon as possible.

E. Consistent with subsection D above, the exclusionary time out period may vary depending on the student's chronological and developmental age, individual needs and behavior.

VII. Required Meetings

A. Students <u>not</u> eligible for special education (and not being evaluated for eligibility for special education)

1. In the event that physical restraint or seclusion is used on a student **four (4) or more times within twenty (20) school days**, a team composed of an administrator, one or more of the student's teachers, a parent or legal guardian of the student, and, if any, a school mental health professional, shall convene to:

a. conduct or revise a behavioral assessment of the student;

b. create or revise any applicable behavior intervention plan; and

c. determine whether such student may require a referral for consideration for special education pursuant to federal and state law.

2. The requirement to convene this meeting shall not supersede the District's obligation to refer a student to a planning and placement team ("PPT") as may be required in accordance with federal and state law.

B. Students eligible for special education (and students being evaluated for eligibility for special education)

1. In the event that physical restraint or seclusion is used on a student **four (4) or more times within twenty (20) school days**, the student's PPT shall convene to:

a. conduct or revise a functional behavioral assessment ("FBA");

b. create or revise any applicable behavior intervention plan ("BIP"), including but not limited to, such student's individualized education program ("IEP"); and

c. review or revise the student's IEP, as appropriate.

2. In the event that the exclusionary time out process is unsuccessful in addressing a student's problematic behavior, the student's PPT shall convene as soon as practicable to determine alternative interventions or strategies to address the student's behavior.

C. A District and/or school administrator(s) shall determine the school employee(s) responsible for reviewing the number of occurrences of the use of physical restraint or seclusion on a monthly basis to ensure that the appropriate meeting(s) has been convened following the fourth occurrence of physical restraint or seclusion in a twenty (20) day period.

VIII. Crisis Intervention Team

A. Each school year, each school in the District must identify a crisis intervention team consisting of any teacher, administrator, school paraprofessional or other school employee designated by the school principal (in coordination with other appropriate administrators), and who has direct contact with students.

B. Members of crisis intervention teams shall respond to any incident in which the use of physical restraint or seclusion may be necessary as an emergency intervention to prevent immediate or imminent injury to a student or others.

C. The District shall maintain a list of the members of the crisis intervention team for each school.

IX. Documentation and Communication

A. After each incident of physical restraint or seclusion, and no later than the school day following the incident, a school employee must complete the form provided by the Hartford Public Schools for reporting incidents of physical restraint and seclusion. The incident form must be included in the educational file of the student who was physically restrained or secluded. The information documented on the form must include the following:

1. in the case of an emergency use, the nature of the emergency and what other steps, including attempts at verbal de-escalation, were taken to prevent the emergency from arising if there were indications that such an emergency was likely to arise;

2. a detailed description of the nature of the restraint or seclusion;

3. the duration of the restraint or seclusion;

4. the effect of the restraint or seclusion on the student's established behavioral support or educational plan; AND

5. whether the seclusion of a student was conducted pursuant to an IEP.

B. A school employee must notify the parent or guardian of a student of each incident that the student is physically restrained or secluded.

1. A school employee must make a reasonable attempt to immediately notify a parent or guardian after a student is initially placed in physical restraint or seclusion; in all circumstances, a school employee shall notify the parent or guardian within twenty-four (24) hours after a student is initially placed in physical restraint or seclusion.

2. Notification must be made by telephone, e-mail, or other method which may include, but is not limited to, sending a note home with the student.

3. The parent or guardian of a student who has been physically restrained or placed in seclusion shall be sent a copy of the completed incident report of such action no later than two (2) business days after the use of physical restraint or seclusion, regardless of whether the parent received the notification described in subsections 1 and 2 above.

4. The Director of Special Education and/or designee shall determine what school employees shall be permitted to ensure that required parent/guardian notifications are made.

C. The Director of Special Education or his or her designee, must, at each initial PPT meeting for a student, inform the child's parent, guardian, or surrogate parent, or the student if such student is an emancipated minor or eighteen years of age or older, of the laws relating to physical restraint and seclusion as expressed through this regulation, and of the laws and regulations adopted by the Connecticut State Department of Education relating to physical restraint and seclusion.

1. The Director of Special Education, or his or her designee, shall provide to the child's parent, guardian, or surrogate parent, or the student if such student is an emancipated minor or eighteen years of age or older, at the first PPT meeting following the student's referral to special education the plain language notice of rights regarding physical restraint and seclusion developed by the Connecticut State Department of Education.

2. The plain language notice developed by the Connecticut State Department of Education shall also be provided to the student's parent, guardian, or surrogate parent, or the student if such student is an emancipated minor or eighteen years of age or older at the first PPT meeting at which the use of seclusion as a behavior intervention is included in the student's IEP.

D. The Director of Special Education, or his or her designee, must be notified of the following:

1. each use of physical restraint or seclusion on a student;

2. the nature of the emergency that necessitated its use;

3. whether the seclusion of a student was conducted pursuant to an IEP; AND

4. if the physical restraint or seclusion resulted in physical injury to the student.

X. Responsibilities of the Director of Special Education, or his or her designee:

A. The Director of Special Education or his or her designee, must compile annually the instances of physical restraint and seclusion within the District, the nature of each instance of physical restraint and seclusion, and whether instances of seclusion were conduct pursuant to IEPs.

B. The Director of Special Education, or his or her designee, must report to the Connecticut State Department of Education within two (2) business days any instance of physical restraint or seclusion that resulted in physical injury (serious and non-serious) to the student.

XI. Professional Development Plan and Training

A. The District shall provide training regarding the physical restraint and seclusion of students to the members of the crisis intervention team for each school in the District identified in Section VIII, above. The District may provide such training to any teacher, administrator, school paraprofessional or other school employee, designated by the school principal and who has direct contact with students. The District shall provide such training annually and the training shall include, but not be limited to:

1. Beginning with the school year commencing July 1, 2017, an annual overview of the relevant laws and regulations regarding the use of physical restraint and seclusion on students and the proper uses of physical restraint and seclusion. Such overview shall be provided by the Department of Education in a manner and form as prescribed by the Commissioner of Education.

2. The creation of a plan to provide training regarding the prevention of incidents requiring physical restraint or seclusion of students. This plan shall be implemented not later than July 1, 2018.

3. The creation of a plan to provide training regarding the proper means of physical restraint or seclusion of a student, including, but not limited to:

a. verbal defusing or de-escalation;

b. prevention strategies;

c. various types of physical restraint;

d. the differences between life-threatening physical restraint and other varying levels of physical restraint;

e. the differences between permissible physical restraint and pain compliance techniques;

f. monitoring methods to prevent harm to a student who is physically restrained or in seclusion; and

g. recording and reporting procedures on the use of physical restraint and seclusion.

This plan shall be implemented not later than July 1, 2018.

B. Each member of a crisis intervention team must be recertified in the use of physical restraint and seclusion pursuant to Section XI.A.3, above, on an annual basis.

XII. Review and Revision of Policies, Regulations and Procedures

A. The District shall make available policies and procedures regarding the physical restraint and seclusion of students and the use of exclusionary time out on the District's Internet web site and procedures manual.

B. The District shall update any policies, regulations and/or procedures regarding the physical restraint and seclusion of students and the use of exclusionary time out within sixty (60) days after the State Department of Education's adoption or revision of regulations regarding the same. Any and all such updates shall be made available in accordance with subsection A of this section.

Legal References:

Public Act 18-51, An Act Implementing the Recommendations of the Department of Education
Conn. Gen. Stat. § 10-76b
Conn. Gen. Stat. § 10-76d
Conn. Gen. Stat. § 10-236b
Conn. Gen. Stat. §§ 53a-18 to 53a-22
Conn. Agencies Reg. §§ 10-76b-5 to 10-76b-11

Other References:

Restraint and Seclusion: Resource Document, United States Department of Education, available at http://www2.ed.gov/policy/seclusion/restraints-and-seclusion-resources.pdf.

Understanding the Laws and Regulations Governing the Use of Restraint and Seclusion, Connecticut State Department of Education (July 2018).

Guidance Related to Recent Legislation Regarding Restraint and Seclusion, Connecticut State Department of Education (Revised, July 2018).

Regulations Revised: January 15, 2019

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

POLICY REGARDING STUDENTS AND SECTION 504 OF THE REHABILITATION ACT OF 1973 AND TITLE II OF THE AMERICANS WITH DISABILITIES ACT OF 1990

Section 504 of the Rehabilitation Act of 1973 ("Section 504") prohibits discrimination against individuals with a disability in any program receiving Federal financial assistance. Similarly, Title II of the Americans with Disabilities Act of 1990 ("Title II" or "ADA") prohibits discrimination against individuals with a disability by state and local governments. To be protected under Section 504 and the ADA ("collectively, "Section 504/ADA"), an individual must (1) have a physical or mental impairment that substantially limits one or more major life activities; (2) have a record of such an impairment; or (3) be regarded as having such an impairment.

In order to fulfill its obligation under Section 504/ADA, the Hartford Public Schools recognize a responsibility to avoid discrimination in policies and practices regarding its personnel, students, parents/guardians and members of the public who participate in school sponsored programs. In this regard, the Hartford Public Schools prohibit discrimination against any person with a disability in any of the services, programs or activities of the school system.

The school district has specific responsibilities under Section 504 to identify, evaluate and provide an educational placement for students who have a physical or mental impairment that substantially limits a major life activity. The school district's obligation includes providing access to a free appropriate public education ("FAPE") for students determined to be eligible under Section 504/ADA. Under Section 504, FAPE is defined as the provision of regular or special education and related services that are designed to meet the individual educational needs of a student with a disability as adequately as the needs of students without disabilities are met, and that are provided without cost (except for fees imposed on nondisabled students/parents).

If the parent/guardian of a student disagrees with the decisions made by the professional staff of the school district with respect to the identification, evaluation or educational placement of his/her child, the parent/guardian has a right to request an impartial due process hearing.

In addition, a student or parent/guardian of a student may also file an internal grievance/complaint on these issues or any other type of discrimination on the basis of disability by or within the district by utilizing the grievance/complaint procedures outlined in the Board's Administrative Regulations Regarding Students and Section 504 of Rehabilitation Act of 1973 and Title II of Americans with Disabilities Act, and/or may file a complaint with the Office for Civil Rights, U.S. Department of Education ("OCR"):

Office for Civil Rights, Boston Office
U.S. Department of Education
8th Floor
5 Post Office Square
Boston, MA 02109- 3921
(617) 289-0111

Anyone who wishes to file a grievance/complaint with the district, or who has questions or concerns about this policy, should contact Hartford Public Schools Office of Student Support Services, Office of Special Education/504 Complaince at phone number 860-695-8605 or email SECTeam@HartfordSchools.org.

Legal References:

29 U.S.C. §§ 705, 794
34 C.F.R. Part 104
42 U.S.C. § 12101 et seq.
28 C.F.R. Part 35

Protecting Students with Disabilities, Frequently Asked Questions About Section 504 and the Education of Children with Disabilities, Office for Civil Rights (March 17, 2011), available at http://www.ed.gov/about/offices/list/ocr/504faq.html

Dear Colleague Letter, United States Department of Education, Office for Civil Rights (January 19, 2012)

Policy adopted: February 18, 2020

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

STUDENTS AND SECTION 504 OF THE REHABILITATION ACT OF 1973 AND TITLE II OF THE AMERICANS WITH DISABILITIES ACT OF 1990
1.

Section 504 of the Rehabilitation Act of 1973 ("Section 504") and Title II of the Americans with Disabilities Act of 1990 ("Title II" or "ADA") (collectively, "Section 504/ADA") prohibit discrimination on the basis of disability. For the purposes of Section 504/ADA, the term "disability" with respect to an individual means: (a) a physical or mental impairment that substantially limits one or more major life activities of such individual; (b) a record of such an impairment; or (c) being regarded as having such an impairment.

I. Definitions

Free appropriate public education (FAPE): for purposes of Section 504, refers to the provision of regular or special education and related aids and services that are designed to meet individual educational needs of students with disabilities as adequately as the needs of students without disabilities are met, that are provided without cost (except for fees imposed on nondisabled students/parents), and is based upon adherence to procedures that satisfy the Section 504 requirements pertaining to educational setting, evaluation and placement, and procedural safeguards.

Major life activities: include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, sitting, reaching, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, interacting with others, and working. A major life activity also includes the operation of a major bodily function, such as the functions of the immune system, special sense organs and skin, normal cell growth, and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive systems. The operation of a major bodily function includes the operation of an individual organ within a body system.

2. **Mitigating Measures:** include, but are not limited to, (a) medication, medical supplies, equipment, appliances, low-vision devices (defined as devices that magnify, enhance, or otherwise augment a visual image, but not including ordinary eyeglasses or contact lenses), prosthetics including limbs and devices, hearing aid(s) and cochlear implant(s) or other implantable hearing devices, mobility devices, oxygen therapy equipment and supplies; (b) use of assistive technology; (c) reasonable modifications or auxiliary aids or services; (d) learned behavioral or adaptive neurological modifications; or (e) psychotherapy, behavioral therapy, or physical therapy.

Physical or Mental Impairment: (a) any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems, such as: neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, immune, circulatory, hemic, lymphatic, skin, and endocrine, (b) any mental or psychological disorder, such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disability; or (c) an impairment that is episodic or in remission if it would substantially limit a major life activity when active. Physical or mental impairment includes, but is not limited to, contagious and noncontagious diseases and conditions such as the following: orthopedic, visual, speech, and hearing impairments, and cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, intellectual disability, emotional illness, dyslexia and other

specific learning disabilities, Attention Deficit Hyperactivity Disorder, Human Immunodeficiency Virus infection (whether symptomatic or asymptomatic), tuberculosis, drug addiction, and alcoholism.

II. Procedures for Grievances/Complaints Alleging Discrimination on the Basis of Disability

A. Any eligible person, including any student, parent/guardian, staff member or other employee who feels that he/she has been discriminated against on the basis of disability (including differential treatment, harassment and retaliation) may submit a written complaint to the district's designated Section 504/ADA Coordinator (*see* contact information below) within thirty (30) school days of the alleged occurrence. Complaints by students and/or parents/guardians alleging discrimination involving students will be investigated under these procedures; complaints by employees or other non-students will be investigated under Administrative Regulation.

B. Timely reporting of complaints facilitates the prompt investigation and resolution of such complaints. A complaint may befiled relating to alleged discrimination occurring more than thirty (30) school days after the alleged occurrence, **however,** the Board's ability to investigate the allegations may be limited by the passage of time. Therefore, complaints received after thirty (30) school days of the alleged occurrence shall be investigated to the extent possible, given the passage of time and the impact on available information, witnesses and memory. If a complaint is made verbally, the individual taking the complaint will reduce the complaint to writing.

C. At any time, when a complaint involves discrimination that is directly related to a claim regarding the identification, evaluation or educational placement of a student under Section 504, the complainant may request that the Section 504/ADA Coordinator submit the complaint directly to an impartial hearing officer and request a due process hearing in accordance with Section III.D. Complaints regarding a student's rights with respect to his/her identification, evaluation or educational placement shall be addressed in accordance with the procedures set forth below in Section III.

D. Retaliation against any individual who complains pursuant to the Board's policy and regulations listed herein is strictly prohibited. The district will not tolerate any retaliation that occur as a result of the good faith reporting or complaint of disability-based discrimination or as a result of an individual's participation or cooperating in the investigation of a complaint. The district will take necessary actions to prevent retaliation as a result of filing a complaint or the participation in an investigation of a complaint.

E. If the Section 504/ADA Coordinator is the subject of the complaint, the complaint should be submitted directly to the Superintendent who may conduct the investigation or appoint a designee to conduct the investigation in accordance with these procedures. If the Superintendent is the subject of the complaint, the Board shall designate an appropriate party to conduct the investigation in accordance with these procedures**.**

F. Complaints will be investigated promptly. Timeframes may be extended as needed given the complexity of the investigation, availability of individuals with relevant information and other extenuating circumstances. Confidentiality will be maintained by all persons involved in the investigation to the extent possible.

G. If a disability discrimination complaint raises a concern about bullying behavior, the Section 504 Coordinator shall notify the Safe School Climate Specialist or designee who shall coordinate any bullying investigation with the Section 504 Coordinator, so as to ensure that any such bullying investigation complies with the requirements of applicable Board policies.

H. The complaint should contain the following information:

1. The name of the complainant;
2. The date of the complaint;
3. The date(s) of the alleged discrimination;
4. The names of any witnesses or individuals relevant the complaint;
5. A detailed statement describing the circumstances in which the alleged discrimination occurred; and
6. The remedy requested.

However, all complaints will be investigated to the extent possible, even if such information is not included in the complaint. In such circumstances, additional information may be requested by the investigator as part of the investigation process.

I. Upon receipt of the complaint, the individual investigating the complaint shall:

1. Provide a copy of the written complaint to the Superintendent of Schools;
2. Meet separately with the complainant and the respondent within ten (10) school days to discuss the nature of the complaint, identify individuals the complainant and respondent believe have relevant information, and obtain any relevant documents the complainant may have;
3. Provide the complainant and the respondent with a copy of the applicable Board Section 504/ADA Policy and these administrative regulations;
4. Consider whether and which interim measures might be appropriate for an alleged victim and the respondent pending the outcome of the District's investigation;
5. Conduct an investigation of the factual basis of the complaint that is adequate, reliable, and impartial, including conducting interviews with individuals with information and review of documents relevant to the complaint;
6. Maintain confidentiality to the extent practicable throughout the investigative process in accordance with state and federal law;
7. Communicate the outcome of the investigation in writing to the complainant, to the respondent (to the extent permitted by state and federal confidentiality requirements), within fifteen (15) school days from the date the complaint was received by the Section 504/ADA Coordinator or Superintendent. The written notice shall include a finding whether the complaint was substantiated and if so, shall identify how the district will remedy any identified violations of Section 504/ADA. The investigator may extend this deadline for no more than fifteen (15) additional school

days if needed to complete the investigation. The complainant and the respondent shall be notified of any such extension

8. If a complaint is made during summer recess, the complaint will be reviewed and addressed as quickly as possible given the availability of staff and/or other individuals who may have information relevant to the complaint, and no later than fifteen (15) school days after the start of the following school year. The complainant and the respondent will receive notice if the investigation has been impeded by the summer recess, and interim measures may be implemented as necessary (see sub-paragraph 4);
9. Ensure that appropriate corrective action is taken whenever allegations are verified. When allegations are verified, ensure that measures to remedy the effects of the discrimination and prevent its recurrence are appropriately considered, and offered, when appropriate. Corrective action should include steps to avoid continuing discrimination.
10. In the event the investigator concludes that there is no violation of Section 504/ADA, the district may attempt to resolve the complainant's ongoing concerns, if possible.

J. If the complainant or the respondent is not satisfied with the findings and conclusions of the investigation, the appealing party may request review and reconsideration of the conclusion of the complaint within thirty (30) days of receipt of the written outcome. In requesting review, the appealing party must submit the complaint, the written outcome of the complaint, and explain why he/she believes the factual information relied upon by the investigator was incomplete, the analysis of the facts was incorrect, and/or the appropriate legal standard was not applied, *and* how this information would change the investigator's determination in the case. Failure to provide all such information may result in the denial of the review.

Upon review of a written request from the appealing party, the Superintendent shall review the investigative results of the investigator and determine if further action and/or investigation is warranted. Such action may include consultation with the investigator and other relevant witnesses, a meeting with appropriate individuals to attempt to resolve the complaint or a decision affirming or overruling the investigator's conclusions or findings. The Superintendent shall provide written notice to the appealing party and the other party of his/her decision within ten (10) school days following the receipt of the written request for review. When a written request for review is received during summer recess, the Superintendent will conduct the review as quickly as possible given the availability of staff and/or other individuals who may have information relevant to the review, and no later than ten (10) school days after the start of the following school year. The Superintendent's decision shall be final.

III. Grievance/Complaint Resolution Procedures for Complaints Involving a Student's Identification, Evaluation or Educational Placement

Complaints regarding a student's <u>identification, evaluation or educational placement</u> shall generally be handled using the procedures described below. **However, at any time, the complainant may request that the Section 504/ADA Coordinator submit**

the complaint directly to an impartial hearing officer, and request a hearing in accordance with the provisions of subsection D (below).

A. Submission of Complaint to Section 504/ADA Coordinator

1. In order to facilitate the prompt investigation of complaints, any complaint regarding a student's identification, evaluation or educational placement under Section 504 should be forwarded to the district's Section 504/ADA Coordinator (*see* contact information below) within thirty (30) school days of the alleged date that the dispute regarding the student's identification, evaluation and/or education placement arose. Timely reporting of complaints facilitates the resolution of potential educational disputes.

2. The complaint concerning a student's identification, evaluation or educational placement should contain the following information:

   a. Full name of the student, age, and grade level;
   b. Name of parent(s);
   c. Address and relevant contact information for parent/complainant;
   d. Date of complaint;
   e. Specific areas of disagreement relating to the student's identification, evaluation and/or placement; and
   f. Remedy requested.

   However, all complaints will be investigated to the extent possible even if such information is not included in the written complaint. In such circumstances, additional information may be requested by the investigator as part of the investigation process.

3. Complaints will be investigated promptly within timeframes identified below. Timeframes may be extended as needed given the complexity of the investigation, availability of individuals with relevant information and other extenuating circumstances.

4. Upon receipt of the complaint, the Section 504/ADA Coordinator shall:

   a. Forward a copy of the complaint to the Superintendent of Schools;

   b. Meet with the complainant within ten (10) school days to discuss the nature of his/her concerns and determine if an appropriate resolution can be reached, or whether interim measures may be appropriate. If a complaint is made during summer recess, the complaint will be reviewed and addressed as quickly as possible given the availability of staff and other individuals who may have information relevant to the complaint, and no later than ten (10) school days after the start of the following school year;

   c. If, following such a meeting, further investigation is deemed necessary, the Section 504/ADA Coordinator shall promptly

investigate the factual basis for the complaint, consulting with any individuals reasonably believed to have relevant information, including the student and/or complainant; and

d. Communicate the results of his/her investigation in writing to the complainant and any persons named as parties to the complaint (to the extent permitted by state and federal confidentiality requirements) within fifteen (15) school days from the date the complaint was received by the Section 504/ADA Coordinator.

e. In the event that that the Section 504/ADA Coordinator has a conflict of interest that prevents him/her from serving in this role, the complaint shall be forwarded to the Superintendent who shall appoint an investigator who does not have a conflict of interest.

B. Review by Superintendent of Schools

1. If the complainant is not satisfied with the findings and conclusions of the investigation, the appealing party may present the complaint and written outcome to the Superintendent for review and reconsideration within thirty (30) calendar days of receiving the findings. This process provides an opportunity for the appealing party to bring information to the Superintendent's attention that would change the outcome of the investigation. In submitting the complaint and written outcome for review, the appealing party must explain why he/she believes the factual information relied upon by the investigator was incomplete, the analysis of the facts was incorrect, and/or the appropriate legal standard was not applied, *and* how this information would change the investigator's determination in the case. Failure to provide all such information may result in the denial of the review.

2. Upon review of a written request from the appealing party, the Superintendent shall review the investigative results of the investigator and determine if further action and/or investigation is warranted. Such action may include consultation with the investigator and other relevant witnesses, a meeting with appropriate individuals to attempt to resolve the complaint or a decision affirming or overruling the investigator's conclusions or findings. The Superintendent shall provide written notice to the appealing party of his/her decision within ten (10) school days following the receipt of the written request for review, or if the request is received during summer recess, as quickly as possible but no later than ten (10) school days after the start of the following school year.

3. If the complainant is not satisfied with the Superintendent's decision or proposed resolution, he/she may request that the Superintendent submit the matter to a neutral mediator or to an impartial hearing officer. This request for mediation or a hearing should be made within fifteen (15) school days of the Superintendent's decision.

C. Mediation Procedures:

1. A parent/guardian or student aged 18 or older may request mediation with a neutral mediator to attempt to resolve a disagreement with the decisions made by the professional staff of the school district with respect to the identification, evaluation or educational placement of the student.

2. A request for mediation regarding a student's identification, evaluation or educational placement under Section 504 should be forwarded to the district's Section 504/ADA Coordinator within thirty (30) school days of the alleged date that the dispute regarding the student's identification, evaluation, and/or education placement arose or within fifteen (15) school days of the Superintendent's decision in reviewing a complaint handled through the grievance/complaint procedure described in Section III.B, above. Mediation shall only occur by mutual agreement of the parties.

3. The request for mediation concerning a disagreement relating to a student's identification, evaluation or educational placement should contain the following information:

   a. Full name of the student, age, and grade level;
   b. Name of parent(s);
   c. Address and relevant contact information for parent/complainant;
   d. Date of complaint;
   e. Specific areas of disagreement relating to the student's identification, evaluation and/or placement; and
   f. Remedy requested.

4. Upon receipt of a request for mediation, the Section 504/ADA Coordinator shall:

   i. Forward a copy of the request for mediation to the Superintendent of Schools;
   ii. Inform the parent/guardian or student 18 years old or older as to whether the district agrees to mediation in writing;
   iii. If the district agrees to mediation, the Board shall retain a neutral mediator who is knowledgeable about the requirements of Section 504/ADA and has an understanding of a free appropriate public education ("FAPE") under Section 504 and the distinctions between and among Section 504, the ADA and the Individuals with Disabilities Education Act ("IDEA").
   iv. If the district does not agree to mediation, the Section 504/ADA Coordinator shall inform the parent/guardian or student aged 18 or older of their right to request an impartial hearing.

5. The mediator shall inform all parties involved of the date, time and place of the mediation and of the right to have legal counsel or other representation at the complainant's own expense, if desired.

6. The mediator shall meet with the parties jointly, or separately, as determined by the mediator, and shall facilitate a voluntary settlement of the dispute between the parties, if possible.

7. All statements, offers, or discussions and/or information shared during the mediation process, but not available from other means, shall be confidential, and may not be used in a subsequent hearing or other administrative or judicial proceeding related to the disagreement that is the subject of the mediation.

8. If the parties are not able to reach a voluntary settlement of the dispute, the complainant may request an impartial hearing, as described below.

D. Impartial Hearing Procedures:

An impartial due process hearing is available to a parent/guardian of a student, or a student aged 18 years of age or older who disagrees with the decisions made by the professional staff of the school district with respect to the identification, evaluation or educational placement of the student, or otherwise makes a claim of discrimination relating to the identification, evaluation or educational placement of the student.

1. The request for a due process hearing concerning a disagreement relating to a student's identification, evaluation or educational placement should contain the following information:

   a. Full name of the student, age, and grade level;
   b. Name of parent(s);
   c. Address and relevant contact information for parent/complainant;
   d. Date of complaint;
   e. Specific areas of disagreement relating to the student's identification, evaluation and/or placement; and
   f. Remedy requested.

2. Upon receipt of a request for an impartial due process hearing, the Board shall retain an impartial hearing officer. The impartial hearing officer must be someone who is knowledgeable about the requirements of Section 504/ADA and has an understanding of a free appropriate public education ("FAPE") under Section 504 and the distinctions between and among Section 504, the ADA and the Individuals with Disabilities Education Act ("IDEA").

3. The impartial hearing office shall schedule a pre-hearing conference with the District and the parent(s) or student aged 18 years of age or older (and/or legal counsel for the student) to identify the issue(s) for hearing, set the hearing schedule and address other administrative matters related to the hearing, including the option for mediation.

4. The impartial hearing officer shall inform all parties involved of the date, time and place of the hearing and of the right to present witnesses, other

evidence and to be represented by legal counsel at each party's own expense, if desired.

5. The impartial hearing officer shall hear all aspects of the complainant's complaint concerning the identification, evaluation or educational placement of the student and shall reach a decision within forty-five (45) school days of receipt of the request for hearing. The decision shall be presented in writing to the complainant and to the Section 504/ADA Coordinator. The impartial hearing officer's decision shall be final.

6. An impartial hearing officer under Section 504 does not have jurisdiction to hear claims alleging discrimination, harassment or retaliation based on an individual's disability unless such a claim is ***directly related*** to a claim regarding the identification, evaluation, or educational placement of a student under Section 504.

7. The time limits noted herein may be extended for good cause shown for reasons including, but not limited to, permitting more time for thorough review of the record, presentation of evidence or opportunity for resolution.

E. Drug/Alcohol Violations

If a student with a disability violates the Board's policies relative to the use or possession of illegal drugs or alcohol, the Board may take disciplinary action against such student for his/her illegal use or possession of drugs or alcohol to the same extent that the Board would take disciplinary action against nondisabled students. Such disciplinary action is not subject to the complaint or due process procedures outlined above.

IV. The Section 504/ADA Coordinator for this district is:

Dr. June Sellers, Assistant Superintendent of Student Support Services, 860-695-8605

V. Complaints to Federal Agencies

At any time, the complainant has the right to file a formal complaint with the U.S. Department of Education, Office for Civil Rights, 8th Floor, 5 Post Office Square, Suite 900, Boston, MA 02109-0111 (TELEPHONE NUMBER (617) 289-0111);
http://www2.ed.gov/about/offices/list/ocr/docs/howto.html.

Students

Transportation

The Board of Education will provide transportation for students under provisions of state law and regulations. In determining the provision of transportation, the superintendent of schools shall consider the guidelines contained in this policy and shall administer the operation so as to:

1. provide for the safety of students, including consideration of hazardous conditions whether or not described in this policy;

2. provide for appropriate supervision for students while on school transportation, consistent with the Board's student discipline policy; and

3. assist disabled students by providing appropriate specialized transportation when required by law.

Definitions

1. "School transportation" means the procedure, program, or implemented plan by which a pupil is transported to and/or from school from his/her residence or the bus stop at public expense, whether by use of publicly owned equipment or by contract. Such transportation shall be over public roads approved by the municipality or private roads approved pursuant to C.G.S. Section 10-220c.

2. "Walking distance" means the linear measure of a prescribed or authorized pedestrian route between the pupil's residence and his/her school from a point at the curb or edge of a public or private road nearest the pupil's residence to a point at the entrance of the school, or a safe entrance to the school grounds located within one hundred feet of the school building entrance or the bus pick-up area, or the route from the point on the public thoroughfare nearest the residence to the school bus or vehicle embarkation point established by the Board of Education.

3. "One mile walking distance" means a reasonable measurement of a route to be traversed extending from the point of measurement at least 5,280 feet, but not more than 5,380 feet.

4. "Grade K" means kindergarten, or a school program appropriate to a beginning pupil.

5. "Hazard" means a thing or condition, as prescribed in this policy under "Hazardous Conditions" that affects the safety of pupils walking to and from school and/or a designated bus pick-up area.

6. "Sidewalk" means a portion of the landscape right of way approximately three feet wide, usually parallel to the traffic lanes which may be paved or unpaved, and marked by curbing, drainage ditch, grass area or fencing; apart from and independent of any white line safety markings along the street pavement.

7. "Raised walk area" means a portion of the landscape right of way approximately three feet wide, usually parallel to the traffic lanes which may be paved or unpaved, distinguished by some elevation above the street pavement level and marked by curbing, drainage ditch, grass area or fencing; apart from and independent of any painted safety markings along the street pavement.

8. "Pupil" means any individual of school age enrolled in a public or nonprofit private school located within the school district or contiguous school district as the case may be.

Provision of Transportation

Transportation by private carrier may be provided whenever such practice is more economical than using school district-owned/leased facilities. If parents volunteer, and the administration permits, parents may be reimbursed for transportation of eligible students whenever such practice is more economical or convenient for the school district.

In determining the provision of transportation for resident public and eligible private school students, the following guidelines regarding walking distances will be considered. Distance measurements will be based on the most direct route from the student's home beginning at a point at the curb or edge of a public road or highway nearest the home to the edge of the school property or bus pickup areas.

Grade	Limit
K-1	1/2 mile
2-5	1 mile
6-8	1 1/2 miles
9-12	2 miles

Students living within the stated distance limits will receive transportation when, in the opinion of the Superintendent of Schools, it is in the best interests of the district to provide transportation.

Access to Bus Stops/Transportation

Parents and/or guardians are responsible for ensuring the safety of their children up until the point when students board the school bus or other school provided transportation, and after students get off the bus after school. This responsibility includes the selection of walking routes to/from any bus stop and/or the school building and the provision of supervision that is appropriate to the student’s age, maturity and conditions along the walking route and/or at the bus stop at all times.

Given that bus pick up times may vary, the Board expects that parents and/or guardians will ensure that their children arrive at the bus stop in advance of any scheduled pick up time.

Hazardous Conditions

The administration shall consider the following guidelines for hazardous conditions when making decisions regarding the transportation of children:

1. A street or road having an adjacent or parallel sidewalk or raised walk area shall be deemed hazardous when any one of the following conditions exist:

   a) For pupils under age ten, or enrolled in grades K through 3:
      (i) the absence of a pedestrian crossing light or crossing guard where three or more streets intersect, and a pupil is expected to cross the street; OR
      (ii) street crossings where there are no stop signs or crossing guards and the traffic count during the time that pupils are walking to or from school exceeds sixty vehicles per hour at the intersection, and a pupil is expected to cross the street.

   b) For pupils over age ten, or enrolled in grades 4 through 12, the absence of a traffic light or stop signs or crossing guard at an intersection where three or more streets intersect which has a traffic count which exceeds ninety vehicles per hour during the time that pupils are walking to or from school, and such pupils are expected to cross the street;

   c) For all pupils:
      (i) any street, road, or highway with speed limits in excess of forty miles per hour which does not have pedestrian crossing lights or crossing guards or other safety provisions at points where pupils must cross when going to or from school or the bus stop; OR

      (ii) the usual or frequent presence of any nuisance such as open man-holes, construction, snow plowed or piled on the walk area making walkways unusable, loading zones where delivery trucks are permitted to park on walkways, commercial entrances and exits where cars are crossing walking areas at speeds in excess of five miles per hour, and the like, including such nuisances which are hazardous or attractive to children.

2. Any street, road, or highway that has <u>no sidewalks</u> or raised walk areas shall be deemed hazardous if any one of the following conditions exist:

   a) For pupils under age ten, or enrolled in grade K through 3:
      (i) any street, road, or highway possessing a traffic count of sixty or more vehicles per hour at the time that pupils are walking to or from school; OR
      (ii) any street, road, or highway possessing a speed limit in excess of thirty miles per hour.

   b) For all pupils:
      (i) the presence of man-made hazards including attractive nuisances, as stated in 1(c)(ii) above; OR

      (ii) any roadway available to vehicles that does not have a minimum width of approximately twenty-two feet; OR

      (iii) any roadway available to vehicles that, when plowed free of snow accumulations, does not have a minimum width of approximately twenty feet; OR

(iv) any street, road, or highway where the line-of-sight visibility together with posted speed limits do not permit vehicular braking/stopping in accordance with the Connecticut Drivers Manual or Department of Transportation, Division of Design Standard, or other reasonable standard.

3. Any walkway, path, or bridge in an area adjacent or parallel to railroad tracks shall be considered hazardous unless a suitable physical barrier along the entire pedestrian route is present and fixed between pupils and the track; and any crossing of railroad tracks carrying moving trains during hours that pupils are walking to or from school or to and from a designated bus pick-up area shall be deemed hazardous unless:
   a) a crossing guard is present; OR
   b) for pupil under age ten, an automatic control bar is present at crossings; OR
   c) for pupils over age ten, a bar or red flashing signal light is operational.

4. For pupils in grades K through 4, the following conditions shall be deemed hazardous:

   a) a lake, pond, stream, culvert, water-way, or bridge shall be deemed a hazard in the absence of a fence or other suitable barrier fixed between the pupil and the water; OR

   b) any area adjacent to a roadway, sidewalk, or bridge having a drop of three or more feet per four feet of travel length on either side of the established lanes, in the absence of a fence or other suitable barrier.

5. For pupils in grades K through 8, walking to or from school or the bus stop at any time prior to one-half hour before sunrise or any time one-half hour after sunset shall be deemed hazardous.

6. For all students, walking along any street, road, walkway, sidewalk, or path designated as a walking route which passes through an area which has a history of aggressive acts of molestation resulting in actual or threatened physical harm or moral degradation during the hours when pupils ordinarily walk to or from school shall be deemed hazardous.

Applicability and Exceptions

1. This policy is applicable to private roads approved for passage of school transportation vehicles in accordance with C.G.S. Section 10-220c.

2. Special Education pupils and pupils eligible for accommodations under Section 504 of the Rehabilitation Act shall be judged on an individual basis, and appropriate transportation provided.

3. The Superintendent of Schools may grant an exception to any guideline set forth in this policy where a peculiar condition or combination or conditions renders such condition(s) a hazard based upon reasonable judgment; or where under the circumstances, other conditions exist under which the safety of students necessitates a variance with the guidelines within this policy.

Complaint Procedure

All complaints concerning school transportation safety shall be made in writing to the Superintendent of Schools or designee. The Superintendent or designee shall maintain a written record of all such complaints, and shall conduct appropriate investigations of the allegations in a timely manner. The investigation shall include 1) the review of the complaint raised with appropriate personnel responsible for transportation of students and 2) the opportunity for the parent or other person making the complaint to meet with the Superintendent to discuss the complaint and any possible resolution thereof. If a complaint covered by Section 10-186 of the Connecticut General Statutes, and is not resolved by the Superintendent, the Superintendent shall inform parent or guardian, or an emancipated minor or a pupil eighteen years of age or older, of his or her right to request a hearing regarding the complaint. Such hearing, if requested, shall be held in accordance with Section 10-186 of the Connecticut General Statutes, as it may be amended from time to time.

Legal Reference: Connecticut General Statutes

10-186	Duties of local and regional boards of education.
10-220	Duties of boards of education.
10-221c	Development of policy for reporting complaints regarding school transportation safety
14-275b	Transportation of mobility impaired students.
14-275c	Regulations re: school buses and motor vehicles used to transport special education students.

Policy adopted: September 14, 1999
Policy updated: November 1, 2005
Revised: June 21, 2016

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut

Students

Bus Conduct

School transportation privileges are extended to students conditional upon their satisfactory behavior on the bus.

Students will be advised that they may be suspended from transportation services for unsatisfactory conduct while awaiting or receiving transportation to and from school which endangers persons or property or violates a Board policy or administrative regulation.

If a student loses the bus privilege, be/she will be allowed to ride home that day only. Students who lose bus privileges are still required to attend school and it is the responsibility of parents to see that the students are in school. Students can be suspended / expelled from school due to unsatisfactory behavior on the school bus. Discipline code should be cross referenced.

(cf. 5131 - Suspension/Expulsion; Due Process)

Legal Reference: Connecticut General Statutes
10-186 Duties of local and regional boards of education re school attendance.
10-220 Duties of boards of education.
10-221 Boards of education to prescribe rules.
10-233c Suspension of pupils.

Policy adopted: September 14, 1999
Policy updated: November 1, 2005

HARTFORD PUBLIC SCHOOLS
Hartford, Connecticut