

**NEW MILFORD BOARD OF EDUCATION**  
**New Milford Public Schools**  
**50 East Street**  
**New Milford, Connecticut 06776**

**POLICY SUB-COMMITTEE**  
**MEETING NOTICE**

**DATE:** February 26, 2013  
**TIME:** 6:45 P.M.  
**PLACE:** Lillis Administration Building, Rm. 2

**AGENDA**

**New Milford Public Schools Mission Statement**

The mission of the New Milford Public Schools, a collaborative partnership of students, educators, family, and community, is to prepare each and every student to compete and excel in an ever-changing world, embrace challenges with vigor, respect and appreciate the worth of every human being, and contribute to society by providing effective instruction and dynamic curriculum, offering a wide range of valuable experiences, and inspiring students to pursue their dreams and aspirations.

- 1. Call to Order**
- 2. Public Comment**

The Board welcomes Public Participation and asks that speakers please limit their comments to three minutes. Speakers may offer objective comments of school operations and programs that concern them. The Board will not permit any expression of personal complaints or defamatory comments about Board of Education personnel and students, nor against any person connected with the New Milford Public School System.

**3. Discussion and Possible Action Items**

A. Policies Recommended for Revision and Approval at Initial Board Presentation:

1. 5124 Reporting to Parents/Guardians – Report Cards
2. 5132 Dress and Grooming
3. 5141 Student Health Services
4. 5141.3 Health Assessments and Immunizations

B. Policy Recommended for Revision:

1. 5141.231 Psychotropic Drug Use

C. Policies Recommended for Deletion:

1. 5131.21 Conduct
2. 5131.7 Weapons and Dangerous Instruments

D. Policies Post Second Review:

1. 6161.21 Fees, Fines and Charges
2. 6172.6 Virtual/Online Courses/College/University Courses

**4. Items of Information**

A. Regulation Revisions:

1. 5114 Suspension and Expulsion/Due Process
2. 5124.2 Release of Report Cards
3. 5125 Student Education Records

**5. Adjourn**

**Sub-Committee Members:** Vacant, Chairperson  
Mr. David A. Lawson  
Mr. David R. Shaffer  
Mrs. Daniele Shook

**Alternates:** Mr. Daniel W Nichols  
Mr. Tom McSherry

**RECOMMENDED FOR REVISION AND  
APPROVAL AT INITIAL BOARD PRESENTATION**

*Bold Italicized* language constitutes an addition

*COMMENTARY: Suggested revision regards amendment to law to require at least two parent-teacher conferences per year.*

**5124(a)**

## **Students**

### **Reporting to Parents/Guardians - Report Cards**

It is the belief of the Board that communication between school and home is vital to the growth and education of each student. A good rule of thumb is that parents should be kept informed enough so that they are not surprised by any grade reported on the report card.

#### ***Parent-Teacher Communication***

Recognizing its responsibility to keep parents/guardians informed of student welfare and progress in school, it is the policy of the New Milford Board of Education to maintain an accurate and effective system of reporting that will adequately communicate a student's level of achievement.

~~The New Milford Board of Education seeks to encourage parent teacher communication. As such, the Superintendent of Schools is authorized to develop and implement written procedures to encourage parent-teacher communication. These procedures may include monthly newsletters, required regular contact with all parents, flexible parent teacher conferences, drop-in hours for parents, home visits and the use of technology such as homework hot lines to allow parents to check on their children's assignments and students to get assistance if needed.~~

***The Superintendent of Schools is authorized to develop and implement procedures to encourage parent-teacher communication. These procedures shall require at least two flexible parent-teacher conferences for each school year. In addition, such procedures may include school newsletters, required regular contact with all parents, additional flexible parent-teacher conferences, drop-in hours for parents, home visits and the use of technology such as student/parent database communication systems, email, or homework hotlines to allow parents to check on their children's assignments and students to get assistance if needed.***

The Superintendent of Schools shall be responsible for the establishment and maintenance of the District's reporting system, as approved by the Board.

#### **Standards**

1. The reporting system shall be appropriate to grade level and curriculum content.
2. The reporting system shall include regularly scheduled written reports, such as report cards and progress reports, as well as parent-teacher conferences and any other means of communication that may be deemed necessary and effective. The school calendar shall include the dates that

## Students

### Reporting to Parents/Guardians - Report Cards

report cards will be issued and parent-teacher conferences held. Parent-teacher conferences shall be scheduled at such times to ensure the greatest participation by parents/guardians.

3. The reporting system shall be clear and easily understandable.
4. Teachers shall maintain the standard to notify parents/guardians regarding a student's performance whenever such notification would serve the best interest of the student (ex: when a student is in danger of failing or when there is a significant drop in grade or class, performance).
5. Individual results of standardized tests shall be available to parents/guardians.
6. If parents are separated or divorced, both have equal rights to be informed of their child's progress unless there is an order from the court to the contrary. Non-custodial parents shall receive written reports and conference notifications upon a written request to the School Principal.

Legal Reference: Connecticut General Statutes

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

46b-56 Access to records of minor children by non-custodial parent

10-221(f) – Board of Education to prescribe rules, policies  
and procedures

Policy adopted: June 12, 2001  
Policy revised: June 12, 2007

NEW MILFORD PUBLIC SCHOOLS  
New Milford, Connecticut

**RECOMMENDED FOR REVISION AND  
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*Bold Italicized* language constitutes an addition

*Commentary: Suggested revision is to legal reference only.*

**5132**

## **Students**

### **Dress and Grooming**

1. In order to promote a positive learning environment the Board of Education supports these standards for safe and appropriate student dress; nothing in this policy shall be intended to infringe upon students' freedom of expression or their religious beliefs.
  - a. Headwear: All headwear shall be removed prior to entering school and must be placed in the students' locker or where outer garments are stowed, for the entire school day.
  - b. Blouses/Shirts: Blouses/shirts should be constructed so that the tops of the shoulders are covered. Blouses/shirts will not allow exposure of any portion of the waist, hips, midriff or exposure of the chest.
  - c. Skirts/Shorts/Dresses/Pants: Skirts, shorts and dresses should have hemlines that are mid-thigh. With safety as our primary concern, pants should be worn to stay close to the waist; undergarments shall be completely covered.
  - d. Outdoor Garments: All outdoor garments will be placed in the students' locker immediately upon entering the school and will remain there for the entire school day.
  - e. Shoes: Safe footwear must be worn at all times.
  - f. Attire: Attire that displays indecent language, pictures or symbols that contain sexual references, or that advertise or encourage the use of drugs, tobacco products, alcoholic beverages are prohibited. Messages of violence or gang allegiance are prohibited. Pajamas, slippers and other lounging attire are not allowed.
  - g. Accessories: Students may not wear accessories that could cause injury to others or that are substantially or materially disruptive of the education process.
2. The school administration and faculty are responsible for the implementation of this policy. Exceptions to the above dress standards will be considered for medical reasons, special events and cultural beliefs or to promote school spirit as determined by the school principal or his/her designee.
3. When the above stated standards have not been met, any or all of the following will occur:
  - a. individual counseling
  - b. sending the student home to change and return to school;
  - c. parental conferences;
  - d. suspension for insubordination (refusal to change and/or follow the directions of the administration/designee);

Legal Reference: Connecticut General Statute § 10-233 et seq.  
***10-221f School Uniforms***

Policy adopted: June 12, 2001  
Policy revised: June 24, 2004  
Policy revised: June 13, 2006  
Policy revised: June 12, 2007

NEW MILFORD PUBLIC SCHOOLS  
New Milford, Connecticut



**RECOMMENDED FOR REVISION AND  
APPROVAL AT INITIAL BOARD PRESENTATION**

*Bold Italicized* language constitutes an addition

*Commentary: Suggested revisions (two locations highlighted in gray and also in the legal reference) are consistent with the McKinney Vento Act, the federal law regarding the education of homeless children.*

**5141(a)**

## **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 student and school personnel;
2. Counseling students, 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. No record of any medical examination made or filed in accordance with Sections 10-205, 10-206, 10-207 or 10-214 of the Connecticut General Statutes ["C.G.S."], or any psychological examination made under the supervision or at the request of a Board of Education, shall be open to public inspection. Furthermore, all other health records maintained by the school district shall be treated in the same manner as the student's cumulative academic record.

#### **Regular Health Assessments**

Prior to enrollment in kindergarten, each child shall have a health assessment by one of the following medical personnel of the parents or guardians choosing to ascertain whether the student has any physical disability or other health problem tending to prevent him or her from receiving the

**Students**  
**Student Health Services**

**Regular Health Assessments** (continued)

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:

1. a legally qualified practitioner of medicine;
2. an advanced practice registered nurse, or registered nurse; licensed pursuant to chapter 378
3. a physician assistant licensed pursuant to chapter 370, [or by the]
4. a school medical advisor, or
5. a legally qualified practitioner of medicine, an advanced practice nurse or a physician assistant stationed at any military base.

Students entering from out of state must meet State of Connecticut health requirements. All new students entering school district must fill out a questionnaire with the school nurse to assess the risk to exposure to tuberculosis. Any student who has any risk factors will have Mantoux test prior to entry.

Such health assessment shall include:

1. Physical examination which shall include hematocrit or hemoglobin tests, height, weight, and blood pressure;
2. Updating of immunizations required under C.G.S. §10-204a;
3. Vision, hearing, postural, gross dental screening and a chronic disease assessment, which shall include, but not be limited to, asthma as defined by the Commissioner of Public Health pursuant to C.G.S. §19a-62a;
4. A determination at each mandated examination as determined by the Connecticut Department of Public Health of the risk of exposure to tuberculosis. All students from high-risk countries (as defined by the Connecticut Department of Public Health) who are entering the system for the first time must receive a Mantoux test. A history of bacilli Calmette-Guerin (BCG) is not a contraindication to testing nor should it be considered interpretation of the skin test results. Test should be read prior to entry. All students who are identified as positive reactors to the Mantoux test for the first time shall consult a

## Students

### Student Health Services

#### Regular Health Assessments (continued)

physician and bring verification to the school nurse stating that they have had a chest x-ray and are free of active tuberculosis;

5. Any other information including a health and developmental history as the physician believes to be necessary and appropriate.

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 be answered by the medical provider.

Health assessments shall also be required at school entry and in grades 6 and 9 (effective school year 2009-10) by a legally qualified physician of each student's parents or guardians own choosing, or by the school medical advisor, or the advisor' designee, to ascertain whether a student has any physical disability or other health problem. Such health assessments shall include:

1. Physical examination which shall include hematocrit or hemoglobin tests, height, weight, and blood pressure;
2. Updating of immunizations required under C.G.S. §10-204a;
3. Vision, hearing, postural, gross dental screening, and a chronic disease assessment which shall include, but not be limited to, asthma as defined by the Commissioner of Public Health pursuant to C.G.S. §19a-62a;
4. Students in high risk groups for TB who have not had a positive test should receive a Mantoux tuberculin skin test;
5. Any other information including a health and developmental history as the physician believes to be necessary and appropriate.

A child will not be allowed, as the case may be, to begin or continue in district schools unless health assessments are performed as required. Students transferring into the district must provide evidence of required Connecticut vaccinations, immunizations, and health assessments at enrollment and prior to school attendance. ***Students who are homeless will be permitted to attend school even if the they are unable to provide proof of required immunizations. Such students shall be referred to the district's homeless liaison who will assist the parent or guardian with obtaining the necessary immunizations and/or records.***

## **Students**

### **Student Health Services**

#### **Regular Health Assessments** (continued)

Health assessments will be provided by the school medical advisor or the advisor's designee without charge to all students whose parents or guardians meet the eligibility requirement of free and reduced priced meals under the National School Lunch Program or for free milk under the special milk program. The Board may utilize existing community resources and services in the provision of such assessments.

Health assessment results and recommendations signed by the examining physician or authorized medical personnel shall be recorded on forms provided by the Connecticut State Board of Education and kept on file in the school the student attends. If a student permanently leaves the jurisdiction of the board of education, the student's original cumulative health records shall be sent to the chief administrative officer of the school district to which such student moves and a true copy of the student's cumulative health records maintained with the student's academic records. Each physician, advanced practice registered nurse, physician assistant or registered nurse performing health assessments and screenings shall completely fill out and sign each form and any recommendations concerning the student shall be in writing. When in the judgment of appropriate school health personnel, the results and recommendations of such assessment reflect that a student is in need of further testing or treatment, the Superintendent of Schools, or designee, shall notify parents of any health-related problems detected in health assessments and shall make reasonable efforts to assure that further testing and treatment is provided, including advice on obtaining such required testing or treatment.

Students who are in violation of Board requirements for health assessments and immunizations will be excluded from school after appropriate parental notice and warning.

#### **Vision Screening**

All students in grades K-6, and grade 9 will be screened annually using a Snellen chart, or equivalent screening, by the school nurse or school health aide. Additional vision screening will also be conducted in response to appropriate requests from parents/guardians or professionals working with the student in question. Results will be recorded in the student's health record on forms supplied by the Connecticut State Board of Education, and the Superintendent or designee shall cause a written notice to be given to the parent or guardian of each student found to have any defect of vision or disease of the eyes, with a brief statement describing such defect or disease.

As necessary, modifications and/or accommodations shall be made for students with physical disabilities.

## Students

### Student Health Services

#### Hearing Screening

All students will be screened for possible hearing impairments in grades K-3, grade 5, and grade 8. Additional audiometric screening will be conducted in response to appropriate requests from parents/guardians or professionals working with the student. Results will be recorded in the student's health record on forms supplied by the Connecticut State Board of Education, and the Superintendent or designee shall cause a written notice to be given to the parent or guardian of each student found to have any defect of vision or disease of the eyes, with a brief statement describing such defect or disease.

As necessary, modifications and/or accommodations shall be made for students with physical disabilities.

#### Postural Screening

School nurses will screen all students in grades 5 through 9 inclusive for scoliosis or other postural problems. Additional postural screening will also be conducted in response to appropriate requests from parents/guardians or professionals working with the student. Results will be recorded in the student's health record on forms supplied by the Connecticut State Board of Education, and the Superintendent or designee shall cause a written notice to be given to the parent or guardian of each student found to have any postural defect of problem, with a brief statement describing such defect or disease.

As necessary, modifications and/or accommodations shall be made for students with physical disabilities.

#### Immunizations/Vaccinations

~~No~~ ***Except as required by law, no*** student will be allowed to enroll in any program operated as part of the district schools without adequate immunization against the following diseases:

1. Measles
2. Rubella
3. Poliomyelitis
4. Diphtheria
5. Tetanus
6. Pertussis
7. Mumps
8. Hemophilus influenza type B

## **Students**

### **Student Health Services**

#### **Immunizations/Vaccinations** (continued)

9. Any other vaccine required by Section 19a-7f of Connecticut General Statutes.
10. Hepatitis B
11. Varicella (chickenpox)

Such list may be amended as required by State of Connecticut guidelines and schedules.

Before entering the seventh grade, each child shall show proof of having received 2 doses of measles-containing vaccine or serologic evidence of infection.

Students entering the eighth grade must show proof of 3 doses of Hepatitis B vaccine or serologic evidence of infection with Hepatitis B.

Students shall be exempt from the appropriate provisions of this policy when:

1. they present a certificate from a physician or local health agency stating that initial immunizations have been given and additional immunizations are in process under guidelines and schedules specified by the Commissioner of Health Services; or
2. they present a certificate from a physician stating that in the opinion of such physician, immunization is medically contraindicated because of the physical condition of such child; or
3. they present a statement from their parents or guardians that such immunization would be contrary to the religious beliefs of such child; or
4. in the case of measles, mumps or rubella, present a certificate from a physician 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
5. in the case of hemophilus influenza type B has passed his or her fifth birthday; or
6. in the case of pertussis, has passed his or her sixth birthday.

The school nurse will report to the local Director of Health any occurrence of State of Connecticut defined reportable communicable diseases.



## **Students**

### **Student Health Services**

#### **Health Assessments/Interscholastic Sports Programs**

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.

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.

Coaches and physical education staff shall insure appropriate monitoring of an athlete's physical condition.

#### **Student Medical Care at School**

Student medical problems and emergencies are outlined in Categories I through IV in administrative regulation #5143. Schools personnel are responsible for the immediate care necessary for a student whose sickness or injury occurs on the school premises during school hours or in school-sponsored and supervised activities. Depending upon specific circumstances, Category V issues may also be considered emergencies by attending school personnel.

Schools shall maintain files of emergency information cards for each student. 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 student's condition. When immediate medical or dental attention is indicated, and when parents or guardians cannot be reached, 911 will be called and the student will be transported to the nearest hospital. In this event, the family physician/dentist and school district medical advisor will be notified of school district actions.

- (cf. 5142 - Student Safety)
- (cf. 5141.4 - Child Abuse and Neglect)
- (cf. 5141.5 - Suicide Prevention)
- (cf. 6142.1 - Family Life and Sex Education)
- (cf. 6145.2 - Interscholastic/Intramural Athletics)
- (cf. 6171 - Special Education)

## **Students**

- Legal Reference: Connecticut General Statutes
- 10-203 Compliance with public health statutes and regulations.
  - 10-204(a) Required immunizations.
  - 10-204(c) Immunity from liability
  - 10-205 Appointment of school medical advisors.
  - 10-206 Health assessments (as amended by PA 11-179).
  - 10-206(a) Free health assessments.
  - 10-206(c) Health assessments for adolescents (as amended by PA 07-58)
  - 10-207 Duties of medical advisers.
  - 10-208 Exemption from examination or treatment.
  - 10-208(a) Physical activity of student restricted; boards to honor notice.
  - 10-209 Records not to be public.
  - 10-210 Notice of disease to be given parent or guardian.
  - 10-212 School nurses and nurse practitioners.
  - 10-212(a) Administration of medicines by school personnel.
  - 10-213 Dental hygienists.
  - 10-214 Vision, audiometric and postural screening: When required; notification of parents re defects; record of results.

## Students

Legal Reference: Cont’.

10-214(a) Eye protective devices.

10-214(b) Compliance report by local or regional Board of Education

10-217(a) Health services for children in private nonprofit schools. Payments from the state, towns in which children reside and private nonprofit schools.

***42 U.S.C. 11432(g) McKinney Vento Act***

Policy adopted:	June 12, 2001
Policy revised:	June 11, 2002
Policy revised:	June 10, 2003
Policy revised:	June 24, 2004
Policy revised:	June 12, 2007
Policy revised:	November 18, 2008
Policy revised:	October 11, 2011

NEW MILFORD PUBLIC SCHOOLS  
New Milford, Connecticut

**RECOMMENDED FOR REVISION AND  
APPROVAL AT INITIAL BOARD PRESENTATION**

*Bold Italicized language constitutes an addition*

*Commentary: Proposed revisions to legal references only.*

**5141.3(a)**

## **Students**

### **Health Assessments and Immunizations**

The Board of Education recognizes the importance of periodic health assessments according to state health regulations.

To determine health status of students, facilitate the removal of handicaps to learning and find whether some special adaptation of the school program may be necessary, the Board of Education requires that students have health assessments.

The Board of Education adheres to those state laws and regulations that pertain to school immunizations and health assessments. It is the policy of the Board of Education to insure that all enrolled students are adequately immunized against communicable diseases. The Board may deny continued attendance in school to any student who fails to obtain the health assessments required under C.C.S. 10-206.

Parents wishing their children exempted or excused from health assessments must request such exemption to the Superintendent of Schools in writing. This request must be signed by the parent/guardian.

It is the responsibility of the Principal to insure that each student enrolled has been adequately immunized and has fulfilled the required health assessments. The school nurse shall check and document immunizations and health assessments on all students enrolling in school and to report the status to the school principal. The school nurse shall also contact parents or guardians to make them aware if immunizations and/or health assessments are insufficient or not up-to-date. The school nurse will maintain in good order the immunization and health assessment records of each student enrolled.

No record of any student's medical assessment may be open to the public.

(cf. 5111 - Admission)

(cf. 5141.31 - Physical Examinations for School Programs)

(cf. 5125 - Student Records)

Legal Reference:        Connecticut General Statutes

10-204a Required immunizations ~~as amended by PA 96-244.~~

10-204c Immunity from liability

10-205 Appointment of school medical advisers

## Students

### Health Assessments and Immunizations

Legal Reference (continued)

10-206 Health assessments ~~as amended by PA 11-179~~

10-207 Duties of medical advisors

10-206a Free health assessments

10-208 Exemption from examination or treatment

10-208a Physical activity of student ~~restricted~~ ~~rest~~ ~~sites~~; board to *honor* ~~honor~~ notice

10-209 ~~School nurses~~ *Records not to be public. Provision of reports to schools.*

10-212 School nurses *and nurse practitioners.*

10-214 Vision, audiometric and postural screenings. When required. Notification of parents re defects; record of results, ~~as amended by PA 96-229, An Act Concerning Scoliosis Screening~~

Policy adopted: June 12, 2001  
Policy revised: June 12, 2007  
Policy revised: October 11, 2011

NEW MILFORD PUBLIC SCHOOLS  
New Milford, Connecticut

## RECOMMENDED FOR REVISION

*Commentary: February 2013. Suggested revision clarifies the required elements of the policy per Conn. Gen. Stat. Section 10-212b. The law requires your policy to do three things: (1) identify the procedure for communications between school personnel and school health or mental health personnel about a child who may need to be recommended for a medical evaluation (2) the method for school health or mental health personnel to communicate with parents and (3) the method to obtain consent from the parent for the school health personnel to communicate about the child with outside medical practitioners. In this proposed revision, the Board has the option to expand the definition of "school health or mental health personnel" in the policy to meet the current needs or desired practice of the district.*

**5141.231(a)**

### **Students**

#### **Psychotropic Drug Use**

The Board of Education prohibits all school personnel from recommending the use of psychotropic drugs for any student enrolled within the school system. For purposes of this policy, the term "recommend" shall mean to directly or indirectly suggest that a child use psychotropic drugs.

Psychotropic drugs are defined as prescription medications for behavioral or social-emotional concerns, such as attentional deficits, impulsivity, anxiety, depression and thought disorders and includes, but is not limited to stimulant medications and anti-depressants.

~~However, school health or mental health personnel, including school nurses or nurse practitioners, the District's Medical Advisor, school psychologists, and school social workers may recommend that a student be evaluated by an appropriate medical practitioner.~~***School health or mental health personnel (nurses, nurse practitioners, medical advisers, psychologists, and social workers) may recommend to a parent or guardian that a child be evaluated by an appropriate medical practitioner. In addition, school health and mental health personnel may request written consent from a parent or guardian to communicate about such child with a medical practitioner outside the school.***

Communications between and among school health, mental health personnel and other school personnel (school nurse, school psychologist or school social worker) pertaining to a child in possible need of a recommendation for a medical evaluation shall be accomplished through the District's established child study teams, Section 504 Team and/or the planning and placement team and its procedures, in conformity with state and federal special education statutes.

The Board recognizes that the refusal of a parent or other person having control of a child to administer or consent to the administration of any psychotropic drug to the child shall not, in and of itself, constitute grounds for the Department of Children and Families (DCF) to take such child into custody or for any court of competent jurisdiction to order that such child be taken into custody by the Department, unless such refusal causes such child to be neglected or abused, as defined in C.G.S. 46b-120.



## **Students**

The Superintendent of Schools or his/her designee shall promulgate this policy to district staff and parents/guardians of students annually and upon the registration of new students.

(cf. 5141.4 - Reporting of Child Abuse and Neglect)

Legal Reference: Connecticut General Statutes

10-212b Policies prohibiting the recommendation of psychotropic drugs by school personnel.

46b-120. Definitions

10-76a Definitions.

10-76b State supervision of special education programs and services.

10-76d Duties and powers of boards of education to provide special education programs and services.

10-76h Special education hearing and review procedure. Mediation of disputes.

State Board of Education Regulations.

34 C.F.R. 3000 Assistance to States for Education for Handicapped Children.

United States Code

American with Disabilities Act, 42 U.S.C. §12101 *et seq.*

Individuals with Disabilities Education Act, 20 U.S.C. §1400 *et seq.*

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

Policy adopted: October 8, 2002  
Policy revised: August 26, 2003  
Policy revised: June 12, 2007

NEW MILFORD PUBLIC SCHOOLS  
New Milford, Connecticut

<b>RECOMMENDED FOR DELETION</b>
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*Commentary: This policy should be deleted as it is unnecessarily repetitive. The content is already covered in Board Policies 5114 (Removal/Suspension/Expulsion), 5131.911 (Safe School Climate Plan/Bullying) and 5145.5 (Harassment). A revision to Regulation 5114 includes language taken from this policy regarding stalking.*

**5131.21(a)**

## **Students**

### **Conduct**

#### **Violent or Aggressive Behavior**

The Board of Education recognizes that there are certain behaviors that, if tolerated, would quickly destroy the type of learning environment to which the students and staff are entitled within this school system. These behaviors, categorized as violent or aggressive, will not be tolerated and shall result in immediate action by the school system.

All acts of violence or aggression, as defined within this policy, shall result in specific consequences, determined by the seriousness of the act, including suspension from school and consideration of expulsion from school by the Board of Education.

Acts of violence or aggression must be well-documented and communicated to the school principal or his/her designee. The Superintendent of Schools is to be notified immediately of all acts pertaining to possession, threat with, or use of a weapon; physical assaults; stalking; and terroristic threats or acts. The Board of Education will be informed and involved where deemed necessary by the Superintendent or where required by law. The immediate involvement of the parent(s) or guardians(s) is viewed as essential.

The police shall be involved if there is any violation of the law. Furthermore, if deemed appropriate by the school principal or his/her designee, in consultation with the Superintendent of Schools, serious consideration shall be given to the involvement of appropriate law enforcement agencies and other agencies in all such cases, regardless of whether or not it has been determined that the acts of violence or aggression constitute a violation of the law.

The following behaviors are defined as violent or aggressive.

#### **Possession, Threat With, or Use of a Weapon or Dangerous Instrument**

**Possession** is defined as having a weapon or dangerous instrument (as defined in policy 5131.7, 'Weapons and Dangerous Instruments') on one's person, or in an area subject to one's control, in any school building on school grounds, in any school vehicle, or at any school-sponsored activity. A student's conduct off school grounds that is seriously disruptive of the educational process and violative of the Board's publicized policies shall also be considered for disciplinary action by school officials under this policy. A student found to be in possession and/or use of a firearm or dangerous weapon as defined within these policies shall be subject to expulsion of one calendar year, unless said expulsion is modified on an individual, case-by-case basis.

## **Students**

### **Conduct**

#### **Violent or Aggressive Behavior (continued)**

##### **Physical Assault**

Note: A student who finds a firearm, weapon or dangerous instrument and immediately advises a teacher or other adult, shall not be considered in possession of such device. Students who find firearms, weapons or dangerous instruments are advised to seek adult assistance and are advised not to touch the weapon.

Physical assault is the act of striking or touching a person or that person's property with a part of the anatomy or any object, with the intent of causing hurt or harm.

##### **Verbal Abuse**

Verbal abuse shall include but is not limited to swearing, screaming, obscene gestures or threats when directed, either orally, including the telephone or in writing, at an individual, his/her family or a group.

##### **Intimidation**

Intimidation is an act intended to frighten or coerce someone into submission or obedience.

##### **Extortion**

Extortion is the use of verbal or physical coercion in order to obtain financial or material gain from others.

##### **Bullying**

Bullying is the use of physical or verbal coercion to obtain control over others or to be habitually cruel to others who are assumed to be weaker.

##### **Gangs**

Gangs are groups of youths who share common beliefs, attitudes, and attire and exhibit unlawful and anti-social behavior.

##### **Terroristic Threat**

Terroristic threat is a threat to commit violence communicated with the intent to terrorize another, to cause evacuation of a building, or to cause serious public inconvenience, in reckless disregard of the risk causing such terror or inconvenience.

## **Students**

### **Conduct**

#### **Violent and Aggressive Behavior (continued)**

##### **Terroristic Act**

Terroristic act is an offense against property or involving danger to another person or persons.

##### **Sexual Harassment**

Sexual harassment is 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 or staff member's submission to or rejection of unwelcome conduct will in any way influence a decision regarding that student or staff member; or a pattern of conduct of a sexual nature which substantially interferes with a student's learning; or staff member's performance of duties, or creates an intimidating, hostile or offensive learning or working environment, such as the display in the educational setting of sexually suggestive objects or pictures.

##### **Stalking**

Stalking is the persistent following, contacting, watching or any other such threatening actions that compromise the peace of mind or the personal safety of the individual.

##### **Defiance**

Defiance is the act or instance of challenging or opposing a lawful and reasonable request, instruction, or command from a person in authority, and includes but is not limited to insubordination and disobedience.

##### **Racial Slurs**

Racial slurs are insulting, disparaging or derogatory comments made directly or by innuendo regarding a person's racial origin.

(cf. 5114 - Suspension and Expulsion/Due Process)  
(cf. 5131.7 - Weapons and Dangerous Instruments)  
(cf. 5141.6 - Safety)  
(cf. 5144.2 - Use of Physical Force)  
(cf. 5145.12 - Search and Seizure)

(cf. 5130 - Student Conduct)  
(cf. 5141.5 - Crisis Management)  
(cf. 5144 - Discipline/Punishment)  
(cf. 5144.3 - Discipline of Students/Disabilities)  
(cf. 5145.5 - Sexual Harassment)

## **Students**

### **Conduct**

Legal References: 18 U.S.C. § 921 Definitions  
20 U.S.C. § 1400 et seq, Individuals with Disabilities Education Act  
20 U.S.C. § 7151 Gun Free Schools Act  
Civil Rights Act of 1964, Title VII, 42 U.S.C.  
Title IX of the Education Amendments of 1972  
Conn. Gen. Stat. §§ 10-233 a through 10-233i  
§ 29-38  
§ 46a-60  
§ 53a-3 Definitions  
§ 53a-217b Possession of firearms/weapons on school grounds  
§ 53-206 Carrying of dangerous weapons prohibited

Policy adopted: June 12, 2001  
Policy revised: June 24, 2004  
Policy revised: June 12, 2007

NEW MILFORD PUBLIC SCHOOLS  
New Milford, Connecticut

<b>RECOMMENDED FOR DELETION</b>
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*Commentary: This policy should be deleted, as the content is covered thoroughly in Board Policy 5114. The original intent of this policy was to comply with the following requirement of the Gun Free Schools Act, 20 U.S.C. §7151: "No funds shall be made available under any subchapter of this chapter to any local educational agency unless such agency has a policy requiring referral to the criminal justice or juvenile delinquency system of any student who brings a firearm or weapon to a school served by such agency." This policy is documented in Section VII of Board Policy 5114 and need not be repeated in a separate policy.*

**5131.7(a)**

## **Students**

### **Weapons and Dangerous Instruments**

The Board of Education determines that possession and/or use of a weapon or dangerous instrument by a student is detrimental to the welfare and safety of the students and school personnel and seriously disrupts the educational environment. Possession and/or use of any weapon or dangerous instrument as defined within section II of this policy in any school building, in any school vehicle, on school grounds, or at any school-sponsored activity, whether or not that activity is on school grounds, is prohibited.

The possession or use of any such weapon or dangerous instrument shall require that the proceedings for the suspension and/or expulsion of the student involved will be initiated immediately by the principal. Recommendation for expulsion for up to one calendar year will be considered in all incidents involving the possession and/or use of a weapon or dangerous instrument. In addition, expulsion proceedings shall be mandatory in certain situations as required by law. The Board of Education or hearing board may modify the period of expulsion on a case-by-case basis. All legal rights, restrictions and requirements will be adhered to pertaining to special education students.

The Board shall consider a student's conduct off school grounds that is seriously disruptive of the educational process and is violative of publicized policies of the Board as grounds for expulsion. Furthermore, expulsion proceedings shall be mandatory in certain situations as required by law when student conduct off school grounds involves the possession of a firearm or the possession and use of a firearm, deadly weapon, dangerous instrument, or martial arts weapon, with the period of expulsion to last one calendar year unless said expulsion is modified on an individual, case-by-case basis.

(cf. 5114 - Suspension/Expulsion)

(cf. 5145.12 - Search and Seizure)

(cf. 5131.21 Violent and Aggressive Behavior)



## Students

### Weapons and Dangerous Instruments

Legal Reference: Connecticut General Statutes  
4-176e through 4-185 Uniform Administrative Procedure Act  
10-221 Boards of education to prescribe rules.  
10-233a through 10-233i  
29-35 Carrying of pistol or revolver without permit prohibited  
29-38 Weapons in vehicles  
53a-3 Firearms and deadly weapons  
53a-217b - Possession of firearms and deadly weapons on school grounds  
53-206 Carrying and sale of dangerous weapons.  
20 U.S.C. § 7151  
Free Requirements: Gun Free School Act of 1994  
18 U.S.C. 921 Definitions.  
  
Kyle P. Packer PPA Jane Packer v. Thomaston Board of Education (SC15862)

Policy adopted: June 12, 2001  
Policy revised: June 11, 2002  
Policy revised: June 24, 2004  
Policy revised: June 12, 2007

NEW MILFORD PUBLIC SCHOOLS  
New Milford, Connecticut

<b>FOR APPROVAL</b>
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*Commentary: Note addition of “unless otherwise required by law” to page 6161.21(c)*

**6161.21(a)**

## **Instruction**

### **Fees, Fines and Charges**

The Board of Education recognizes its responsibility to purchase books and supplies to meet the needs of instruction in the schools of the District. The Board of Education 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 of Education 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 the 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 uniforms or equipment damage due to misuse or negligence. Students will be responsible for full replacement cost for lost uniforms or equipment.

The Supervisor of Physical Education and Athletics 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 (continued)**

#### **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**

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.

#### **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 may be charged for loss or breakage of equipment due to deliberate misuse or negligence after the facts have been determined.

#### **Other fees**

In accordance with Board policy, the cost of the following items are to be borne by the student unless waived by the principal:

- Cap and gown for graduation;
- Class ring;
- Yearbook;
- Class dues;
- Materials used in club activities;
- Musical instruments for participating in a school band or orchestra except those provided by the school;
- Club dues;
- Dances.

## **Instruction**

### **Fees, Fines and Charges (continued)**

With regard to fines assessed for damaging or failing to return textbooks, library materials, or other educational materials, ***unless otherwise required by law***, the Board may withhold grades, transcripts or report cards until a student pays for or returns the textbook, library book or other educational material.

Legal reference:       Connecticut General Statutes

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

Policy adopted:       June 10, 2003  
Policy revised:       March 12, 2013

NEW MILFORD PUBLIC SCHOOLS  
New Milford, Connecticut

## **Instruction**

### **Virtual/Online Courses/College/University Courses**

The Board of Education believes that education through virtual/on-line courses or through university or college courses is an effective means of instruction for students. A virtual school is hereby defined as an educational organization that offers courses at various grade levels through Internet or Web-based methods. These schools can offer courses to enhance, supplement or enrich the existing curriculum and can also provide an alternative means of instruction. Interactive learning does not require the student to be physically present in the same location as the instructor or other students.

Virtual/on-line courses will be part of this District's educational program delivery system to increase accessibility and flexibility in the delivery of instruction. In addition to regular classroom-based instruction, students in the District may earn credit through programs provided by virtual/on-line courses.

All virtual/on-line educational programs and courses will be consistent with District instructional goals and aligned with Connecticut's academic standards, curriculum frameworks and assessments. The administration is directed to periodically review instructional materials of virtual on-line courses to ensure they meet program standards.

The Board of Education recognizes students may benefit from on-line courses or post-secondary courses to assist students in obtaining credits necessary to earn a New Milford High School diploma, to maintain academic standing, or to provide enrichment for those who might require special courses.

The District will not use on-line courses as the sole medium for instruction in any required subject area for students in grades K-8.

High school students may earn a maximum of three (3) units of academic credit to be applied toward graduation requirements by completing on-line or virtual courses or university/college courses through agencies approved by the Board unless the principal waives that provision in writing stating the reasons why, citing whatever circumstances that has caused this waiver.

Credits from an on-line or virtual course or a university/college course may be earned toward graduation only in the following circumstances:

1. The workload required by the on-line course is equivalent to that of a similar course taught in a traditional classroom setting.

## **Instruction**

### **Virtual/Online Courses/College/University Courses (continued)**

2. The content is rigorous and aligned with curriculum guidelines approved by the State Board of Education, where appropriate.
3. The course engages students and has interactive components, which may include, but are not limited to, required interactions between students and their teachers, participation in on-line demonstrations, discussion boards or virtual labs.
4. The program of instruction for such on-line coursework is planned, ongoing and systematic.
5. The courses are (a) taught by teachers who are certified in the state or another state and have received training on teaching in an on-line environment, or (b) offered by institutions of higher education that are accredited by the Board of Regents for Higher Education or State Board of Education or regionally accredited;
6. The course is not offered at the District's high school.
7. The high school does offer the course, but the student is unable to take it due to an unavoidable schedule conflict.
8. The course will serve as an alternative or a supplement to extended homebound instruction.
9. The District has expelled the student from the regular school setting, and the student has been offered an alternative educational opportunity.
10. The Principal, with agreement from the student's teachers and parents/guardians, determines the student requires a differentiated or accelerated learning environment.
11. A student has failed a course and wishes to recover credits in that course area.
12. The student's PPT or Section 504 Team has determined it to be an appropriate means of instruction.

As determined by Board/school policy, students applying for permission to take a virtual course will do the following:

- Complete prerequisites and provide teacher/counselor recommendations to confirm the student possesses the maturity level needed to function effectively in an on-line/college learning environment.



## **Instruction**

### **Virtual/Online Courses/College/University Courses (continued)**

- Obtain the written approval of the Principal or his/her designee before a student enrolls in a virtual course or the university/college course.
- Adhere to the District code of conduct to include rules of behavior and consequences for violations.
- Adhere to attendance requirements of the District.
- Understand that any and all fees imposed on the learner are the sole responsibility of the learner and not the New Milford Board of Education or its designee.

The school must receive an official record of the final grade before awarding credit toward graduation. Only approved courses shall be posted on student transcripts.

Students will have access to sufficient library media resources such as a “virtual library” available through the World Wide Web, laboratory facilities, technical assistance, and hands-on training and information.

- Approval of any course shall be based upon its compliance with Connecticut’s academic standards and requirements.

On-line course delivery must be from institutions accredited by the new England Association of Schools and Colleges, Southern Association of Colleges and Schools, Middle States Association of Colleges and Schools, North Central Association of Colleges and Schools, Northwest Association of Schools and Colleges or Western Association of Schools and Colleges or, if the institution is foreign, recognized by the Connecticut State Department of Education as having appropriate academic standards.

Legal Ref: Connecticut General Statutes Section  
10-221 (Board of Education to prescribe rules, policies and procedures)  
10-221a High school graduation requirements. Student support and remedial services.

<b>ITEM OF INFORMATION REGULATION REVISION</b>
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*COMMENTARY: Suggested revisions are located on page(c) in Section III and on page(d), Section V(2).*

**5114(a)**

## **Students**

### **Suspension and Expulsion/Due Process**

All school district employees share responsibility for supervising the behavior of students to help them meet standards of conduct established by the Board of Education or the school administration.

In working with students, emphasis shall be placed upon developing effective self-discipline as the most effective disciplinary approach.

#### **Suspension**

Suspensions shall be in-school suspensions unless during the informal suspension hearing the administration determines that the student facing suspension poses such a danger to persons or property or such disruption of the educational process that the student must receive an out-of-school suspension or the administration determines that an out-of-school suspension is appropriate for such student based on evidence of (A) previous disciplinary problems that have led to suspensions or expulsion, and (B) efforts by the administration to address such disciplinary problems through means other than out-of-school suspension or expulsion, including positive behavioral support strategies.

An in-school suspension may be served in the school that the student attends, or in any school building under the jurisdiction of the board of education. An in-school suspension may include reassignment to a regular classroom program in a different school in the school district; such reassignment shall not constitute a "suspension" or "expulsion."

When the Principal or other responsible administrator has determined that there is cause for suspension of a student, unless an emergency exists, the following procedures shall be observed:

1. The student shall be given an informal hearing before the Principal or his/her designee, at which time the charges against the student will be stated and the student will be given an opportunity to respond to the charge. This hearing must be granted except when an emergency situation exists, in which case the hearing must be held as soon after the suspension as possible.
2. The Principal or his/her designee shall make every possible attempt to reach the parent or guardian of the student, stating the charges against the student and the terms and conditions of the suspension.

**Students****Suspension and Expulsion/Due Process****Suspension** (continued)

3. Whether the telephone contact is made or not, the Principal or his/her designee shall forward a letter to the parent or legal guardian at the last known address according to school records (unless a newer address is determined) within one school day of the suspension, stating the charges and the terms and conditions of the suspension, and offering the parent or legal guardian the opportunity for a conference to discuss the suspension.
4. Notice of the suspension shall be transmitted by the Principal to the Superintendent of Schools by the close of the school day following the commencement of the suspension.
5. If a student is eighteen or older, any notice required by Board policy and this regulation shall be given to the student.
6. Textbooks and homework are to be provided each student for the duration of the suspension period and the student shall be allowed to complete any class work, including examinations, without penalty, which were missed during the suspension.
7. The Superintendent shall report any unusually serious cases of student suspension to the Board of Education at the first meeting following such action.
8. Whenever a student is suspended, notice of the suspension and the conduct for which the student was suspended shall be included on the student's cumulative educational record. Such notice shall be expunged from the cumulative educational record if the student graduates from high school. In addition, such notice may be expunged at the discretion of the administration in cases where the suspension period is shortened or waived due to the student's successful completion of a program or conditions specified by the administration.

The foregoing procedure will be followed unless the student has had a total of ten suspensions during the current school year, or has been suspended for a total of fifty days during the current school year. If the student's proposed suspension would exceed either figure, the suspension shall not take effect until so ordered by the Board of Education after a formal hearing such as that required for expulsion.

**Regulations**

The disciplinary regulations are designed and implemented to ensure the successful operation of the educational program and to instill the prevailing societal values of responsibility and respect for regulations for all students.

## Students

### Suspension and Expulsion/Due Process

#### Regulations (continued)

#### **I. The most common types of student offenses:**

- a. Tardies to class (homeroom)
- b. Cuts
- c. Disrupting class
- d. Loitering
- e. Smoking
- f. Fighting
- g. Insubordination

#### **II. Forms of staff disciplinary action:**

- a. Verbal warnings
- b. Parental conference (letter, telephone, interview)
- c. Referral to the Assistant Principal;  
Student notification of the infraction

#### **III. Supportive agencies utilized to resolve disciplinary problems:**

- a. Guidance Department
- b. Special Education Department
- c. Police Department's Youth Liaison Officer
- d. Community Youth Officer
- e. Community Liaison Officer
- f. Wesleyan University's Upward Bound Program, etc.

#### **IV. Procedures**

- a. After two referrals, a letter may be sent to the home informing the parents of the infractions and requesting a parental conference.
- b. The parent and/or student are responsible for clarifying any questions relating to any referral listed on the letter of notification.
- c. A third referral places the student in jeopardy of being suspended for a three-day period.
- d. There are four terms within a school year.
- e. The Principal/Assistant Principal is responsible for administering disciplinary policy.

#### **V. Alternatives**

State law requires that prompt referrals be made to the special education Planning and Placement Team for students who have been suspended repeatedly or whose behavior, attendance or progress in school is considered unsatisfactory.

## Students

### Suspension and Expulsion/Due Process

#### Expulsion

Any Principal or other responsible administrator of the school system may recommend expulsion of a student pursuant to Board Policy No. 5114. All administrators shall review Board Policy No. 5114 annually and ensure that students are made aware of conduct that may result in suspension and/or expulsion.

The procedures leading to expulsion are as follows:

1. Requests for expulsion are to be directed to the Board of Education through the Superintendent of Schools.
2. If the student receives special education and related services *or has been identified as eligible for accommodations pursuant to Section 504 of the Rehabilitation Act*, the Director of Special Education must be immediately notified of a request for expulsion. Prior to any expulsion hearing, the Planning and Placement Team *or 504 Team* must meet to determine whether the conduct in question was a manifestation of the student's disability.
3. Upon receipt of an expulsion request the Superintendent will conduct an inquiry.
4. If after the inquiry the Superintendent or designee determines that the student ought to be expelled, the Superintendent shall forward such request to the Board of Education promptly after the inquiry.
5. A student is entitled to the services of a translator, to be provided by the Board of Education, whenever the student or his/her parent or legal guardian do not speak the English language. Administrators requesting expulsion shall notify the Superintendent of any need for translation services for the student or the student's parent.
6. Whenever a student against whom a expulsion hearing is pending withdraws from school and after notification of such hearing but before the hearing is completed and a decision rendered, (1) notice of the pending expulsion hearing shall be included on the student's cumulative educational record and (2) the Board shall completed the expulsion hearing and render a decision.
7. Except in an emergency situation requiring the student's immediate removal, the Board shall conduct a hearing to be governed by the procedures established by Board Policy 5114.

## **Students**

### **Suspension and Expulsion/Due Process**

#### **Annual Notice**

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

Regulation approved: June 12, 2001  
Regulation revised: November 18, 2008  
Regulation revised: December 14, 2010

NEW MILFORD PUBLIC SCHOOLS  
New Milford, Connecticut

## ITEM OF INFORMATION REGULATION REVISION

*Commentary: The suggested revision more accurately reflects Conn. Gen. Stat. Sec. 10-221(c). Although state law permits the withholding of grades, transcripts and report cards until students pay fines for educational materials lost or damaged, arguably the various statutes regarding records access (FERPA, IDEA, FOIA) do require release upon request, hence the phrase "unless otherwise required by law."*

**5124.2**

### **Students**

#### **Release of Report Cards**

Unless a specific request has been obtained from a parent to act otherwise, report cards are to be given only to the student to whom the report card belongs and not to a sibling or friend.

A non-custodial parent, upon written request to the Principal, may receive a copy of his/her child's report card unless there is a court order to the contrary.

~~Report cards~~ *Unless otherwise required by law, grades, transcripts and report cards* ~~other student records~~ may be withheld from release to those students who *owe money for lost or damaged textbooks, library materials or other educational materials until such time as the student pays for or returns the materials.* ~~have outstanding obligations with the district until such time that those obligations are met.~~

**Legal Reference:**      *Connecticut General Statutes  
10-221 (c) Boards of education to proscribe rules, policies and procedures.*

Regulation approved:      June 12, 2001  
Regulation reviewed:      June 12, 2007

NEW MILFORD PUBLIC SCHOOLS  
New Milford, Connecticut



<b>ITEM OF INFORMATION REGULATION REVISION</b>
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*COMMENTARY: Very recently, the State Department of Education revised its special education regulations and deleted reference to the three day requirement within which to respond to requests for records. Therefore, Section II, B, 2 has been revised accordingly.*

**5125(a)**

## **Students**

### **Student Education Records; Access, Confidentiality, and Amendment**

#### **I. DEFINITIONS**

1. **“Education records”** Records directly related to a student which are collected, maintained or used by the District. It includes information recorded in any way, including, but not limited to, handwriting, print, computer media, video or audio tape, film, microfilm, and microfiche. The term does not include records that are kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record. Furthermore, this term does not include the records of a law enforcement unit of the District
2. **“Directory information”** means one or more of the following items: student's name, address, telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, photograph, grade levels, electronic mail address, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous public or private school attended by the student.
3. **“Parent”** means a natural parent, an adopted parent, or legal guardian or an individual acting as a parent in the absence of a parent or guardian. If parents are divorced or legally separated, both the parent granted custody and the parent not granted custody have the legal right of access to the academic, medical, hospital or other health records of the child, unless a court order prohibits access.

Whenever a student has attained eighteen (18) years or is attending an institution of post-secondary education, the permission or consent required of, and the rights accorded to, the parents or guardian of the student shall thereafter only be required of, and accorded to, the student. The parents of such a student may continue to have access to education records or personally identifiable information without the prior written consent of their child if the child is their legal dependent (as defined by the U. S. tax code, section 152 of the Internal Revenue Code of 1986) or if the disclosure is in connection with health or safety emergency.

4. **“School official”** School officials are broadly defined as persons who are employed by the District in an administrative, counseling, supervisory, academic, student support services, research position, or a support person to these positions as well as certain contractors,

## Students

### Student Education Records; Access, Confidentiality, and Amendment

#### DEFINITIONS (continued)

consultants, volunteers or other parties engaged to perform a special task or service for the District. Using this criteria, the term “school official” includes, but is not limited to the following: employees of the school district such as the superintendent, administrators,

supervisors, teachers, school nurses, medical advisors, psychologists, social workers, guidance counselors, occupational therapists, speech and language therapists, paraprofessionals, support or clerical staff, security personnel, members of the Board of Education, attorneys who represent the District, accountants, auditors, bus contractors, medical or educational consultants or therapists; or a person serving on a Board of Education committee or as a hearing officer in discipline cases.

5. **“Disclosure”** means to permit access to or the release, transfer, or other communication of personally identifiable information contained in education records, to any party, by any means including oral, written, or electronic means except the party identified as the party that provided or created the record.
6. **“Personally identifiable information”** The term includes, but is not limited to: the student's name; name of the student's parent or other family members; address of the student or student's family; a personal identifier, such as the student's social security number, student number, or biometric record (measurable characteristic such as handwriting, fingerprints, retina or iris pattern, voiceprints, DNA sequence, facial characteristics); 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.
7. **“Access”** means a personal inspection and review of a record or an accurate copy of a record, an oral description or communication of a record or an accurate copy of a record and a request to release a copy of any record.
8. **“Student”** means a person who is or was enrolled in a school.
9. **“Eligible student”** means a student who has attained eighteen (18) years or is attending an institution of post-secondary education.

## Students

### Student Education Records; Access, Confidentiality, and Amendment

#### II. ACCESS

##### A. Parents have the right to inspect and review their child's education records.

1. Access rights of non-custodial parent  
The District gives full rights of access to either parent, unless it has been provided with evidence that there is a court order or legally binding document relating to such matters as divorce, separation, or custody that specifically revokes these rights.
2. Parents' access rights when student is age 18 or older  
When a student reaches the age of majority (18), the rights accorded to, and consent required of parents transfer from the parents to the student. The parents of such a student may continue to have access to education records or personally identifiable information without the prior written consent of their child if the child is their legal dependent (as defined by the U. S. tax code, section 152 of the Internal Revenue Code of 1986) or if the disclosure is in connection with health or safety emergency.
3. Surrogate parent  
A surrogate parent (person appointed by the Commissioner of Education pursuant to Connecticut General Statutes §10-94g to advocate for a student with a disability in the educational decision-making process) of any child shall have the same right of access as the natural parents or guardian to all records concerning the child.

##### B. Procedure to inspect, review and request copies of education records:

1. Written request  
A parent or eligible student may request to inspect, review or obtain copies of a student's education records. All requests shall be made in writing and submitted to the principal of the student's school. For students who receive special education, a copy of the request should also be submitted to the Director of Pupil Personnel and Special Services. The school shall also respond to reasonable requests for explanations and interpretations of the records.

## Students

### Student Education Records; Access, Confidentiality, and Amendment

#### ACCESS (continued)

#### **B. Procedure to inspect, review and request copies of education records:** (continued)

2. Time for District to respond to request  
The District shall comply with a request for access to records *from a parent or eligible student* within a reasonable period of time *and without unnecessary delay*, but not more than 45 days after it has received the request. If the student who is the subject of the request receives special education, the District shall comply with a request ~~of a parent or eligible student within ten (10) school days, or within three (3) school days if the request is in order to prepare for a~~ *for records before any* meeting regarding an individualized education program or any due process proceeding *and no later than ten (10) school days after the request has been made.*
  
3. Fee for copy of education records
  - a. Standard fee for copies:  
The fee for copies of education records is fifty (50) cents per page.
  - b. Waiver of fee:  
If the imposition of the fee effectively prevents a parent from exercising the right to inspect and review the student's education records, the fee shall be waived.
  - c. No fee for search:  
The District will not charge a fee to search for or to retrieve the education records of a student.
  - d. One free copy for students receiving special education:  
If the student who is the subject of the request receives special education, the parents have the right to one free copy of those records. A request for the free copy shall be made in writing.
  
4. Situations where access to records and information may be limited:
  - a. Records relate to more than one student:  
If the education records of a student contain information on more than one student, the parents may only have access to the specific information about their child.
  - b. Privileged communications between student and professional employee:  
Administrators, teachers and nurses are not required to disclose information concerning a student's alcohol or drug problem if the information was revealed during a communication made privately and in confidence by the student to the professional employee.

## Students

### Student Education Records; Access, Confidentiality, and Amendment

#### ACCESS (continued)

#### **B. Procedure to inspect, review and request copies of education records:** (continued)

- c. Access to copyrighted instruments:  
Any test instrument or portion of a test instrument for which the test manufacturer asserts a proprietary or copyright interest shall not be copied. The parent may review and inspect such information at the location where the records are kept if the records have been retained (state law allows test protocols to be discarded at the discretion of the school administration). The District shall respond to reasonable requests from the parent for explanations and interpretations of the copyrighted material.
- d. Confidential HIV-related information:  
If the education records include confidential HIV-related information (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), such information may not be released without a written authorization specifically allowing for the disclosure of confidential HIV-related information.

### **III. CONFIDENTIALITY**

#### **A. Written consent required to disclose information**

- 1. Requirements for the written consent  
Before the District discloses education records or personally identifiable information from a student's educational records to persons other than the parent or eligible student, the parent or eligible student shall provide a signed and dated written consent. The written consent shall 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.
- 2. Sufficiency of identification  
The District uses reasonable methods to authenticate the identity of parents, students, school officials, and any other parties to whom personally identifiable information from education records is disclosed. "Signed and dated written consent" may include a record and signature in electronic form that identifies and authenticates a particular person as the source of the electronic consent; and

## Students

### Student Education Records; Access, Confidentiality, and Amendment

#### CONFIDENTIALITY (continued)

##### A. Written consent required to disclose information (continued)

indicates such person's approval of the information contained in the electronic consent.

3. Copy of records disclosed

If a parent or eligible student so requests, the District shall provide him or her with a copy of the records disclosed subject to payment of appropriate fees.

##### B. Exceptions to the requirement for written consent of parent or eligible student

FERPA and its federal regulations give the District discretion to disclose education records or personally identifiable information from education records without the prior written consent of a parent or eligible student in a number of situations. Among these exceptions are the following:

1. Parents of eligible students

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

2. School officials who have a legitimate educational interest:

The disclosure is to other school officials, including teachers who have legitimate educational interests.

a. Criteria for determining who constitutes a "school official"

School officials are broadly defined as persons who are employed by the District in an administrative, counseling, supervisory, academic, student support services, research position, or a support person to these positions. Contractors, consultants, volunteers or other parties to whom the District has outsourced its functions may also be considered as "school officials" provided that such persons or entities perform a function for which the District would otherwise use employees, are under the direct control of the District with respect to the use and maintenance of education records and are subject to the same requirements regarding redisclosure as any other recipient of such information.



## Students

### Student Education Records; Access, Confidentiality, and Amendment

#### CONFIDENTIALITY (continued)

#### **B. Exceptions to the requirement for written consent of parent or eligible student (cont'd.)**

##### b. Examples of school officials

Using the criteria in section (a), the term “school official” includes, but is not limited to the following: employees of the school district such as the superintendent, administrators, supervisors, teachers, school nurses, medical advisors, psychologists, social workers, guidance counselors, occupational therapists, speech and language therapists, paraprofessionals, support or clerical staff, security personnel; members of the Board of Education; attorneys who represent the District, accountants, auditors, bus contractors, medical or educational consultants or therapists; or a person serving on a Board of Education committee, or as a hearing officer in discipline cases.

##### c. What constitutes a “legitimate educational interest”

A legitimate educational interest exists where access to information in a student’s education records is necessary for a school official to fulfill his or her professional responsibility.

#### 3. Directory Information:

The disclosure is information deemed to be “directory information” by the District and the parent or eligible student has not refused disclosure of such directory information. The term “directory information” refers to information that would not generally be considered harmful or an invasion of privacy if disclosed.

##### a. Definition of “directory information:”

The District considers the following categories to fall within the definition of directory information: the student’s name, address, telephone listing, electronic mail address, photograph, date and place of birth, major field of study, grade level, dates of attendance, participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees, honors and awards received, and the most recent school previously attended.

##### b. “Directory information” does NOT include either of the following: a student’s social security number; a student identification number that, by itself, may be used to gain access to education records.



## Students

### Student Education Records; Access, Confidentiality, and Amendment

#### CONFIDENTIALITY (continued)

#### **B. Exceptions to the requirement for written consent of parent or eligible student** (cont'd.)

- c. Annual notice of right to refuse disclosure of directory information:  
On an annual basis, the school district shall provide parents and eligible students with notice of the right to refuse to let the District designate any or all of the above types of information about the student as directory information. The annual notice shall give the parent or eligible student two weeks to notify the District in writing that he or she does not want any or all of those types of information about the student designated as directory information.

#### 4. Recruiters- Military and Colleges

The disclosure of name, address, and telephone listing is to recruiters and the parent or eligible student has not requested that prior written consent be obtained.

- a. Access to certain information:  
Upon a request made by military recruiters or an institution of higher education, the school district will provide access to secondary school students' names, addresses, and telephone listings.
- b. Annual notice of right to refuse recruiter access to information:  
A secondary school student or the parent of the student may request that the student's name, address, and telephone listing not be released to recruiters without prior written consent. On an annual basis, the school district shall provide parents and eligible students with notice of the right to file such a request.

#### 5. Student's new school:

The District will forward education records to other agencies or institutions that have requested the records and in which a student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer. This includes the transfer of disciplinary records with respect to a suspension or expulsion. When such records are requested without a written consent of a parent or eligible student, notification of the transfer of records shall be sent to the parent or eligible student at the same time that the records are transferred.

## Students

### Student Education Records; Access, Confidentiality, and Amendment

#### CONFIDENTIALITY (continued)

#### **B. Exceptions to the requirement for written consent of parent or eligible student (cont'd.)**

6. Health or safety emergency  
The school district may disclose education records or personally identifiable information from such records to appropriate parties (including the parents of an eligible student) if knowledge of the information is necessary to protect the health or safety of the student or other individuals. In making the decision to disclose information under this exception, the district must look at the totality of the circumstances. Disclosure is permitted where there is an articulable and significant threat to the health or safety of students, staff or other individuals. The disclosure should be limited to parties who need the information to address the emergency situation. The amount of information disclosed shall be narrowly tailored to the specific need and limited to the duration of the emergency. Disclosures for health and safety emergencies must be recorded in the student's education records (see "Recordkeeping").
7. Financial Aid  
The disclosure is in connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility, amount or conditions for the aid or enforce the terms and conditions of the aid.
8. Judicial order or subpoena:  
The disclosure is necessary to comply with a judicial order or lawfully issued subpoena. Unless the law requires otherwise, the school district must make a reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance so that the parent or eligible student may seek protective action.
9. Organizations conducting studies  
The disclosure is to organizations conducting studies for, or on behalf of the school district to develop, validate, or administer predictive tests; administer student aid programs; or improve instruction as long as specific conditions are met as provided by law. This exception shall only apply when the District has entered into a written agreement with the organization as required by FERPA.

## Students

### Student Education Records; Access, Confidentiality, and Amendment

#### CONFIDENTIALITY (continued)

#### **B. Exceptions to the requirement for written consent of parent or eligible student (cont'd.)**

10. Certain federal and state officials:  
The disclosure is to authorized representatives of the Comptroller General of the United States; the Attorney General of the United States; the Secretary of the U.S. Department of Education; or state and local educational authorities.
11. Criminal justice involvement or dangerousness:  
The disclosure is to state and local officials related to the juvenile justice system's ability to effectively serve the student whose records are released or about information received from state or local officials. This includes the following:
  - a. Physical assaults upon school employees by students  
School Principals shall report physical assaults made by a student upon a school employee to the local police when such assaults occur on school property or while the employee was in performance of school duties and the employee files a written report with the Principal.
  - b. Students on probation  
For students who are on probation, the school district may release information to the courts as long as officials and authorities to whom the records are disclosed certify in writing to the school district that the information will not be disclosed to any other party, except as provided under State law, without the prior written consent of the parent of the student.
  - c. Arrested students  
When the Superintendent of Schools receives notice of a student's arrest from law enforcement authorities, the Superintendent may disclose such information to the Principal of the school that the student attends. The Superintendent shall maintain the written report of the arrest in a secure location. The Principal may disclose such information only to special services staff or a consultant (such as a psychiatrist, psychologist or social worker) for the purpose of assessing the risk of danger posed by such child and determining appropriate placement, educational plan or disciplinary action.

## Students

### Student Education Records; Access, Confidentiality, and Amendment

#### CONFIDENTIALITY (continued)

#### **B. Exceptions to the requirement for written consent of parent or eligible student (cont'd.)**

- d. Potentially dangerous students  
When the Superintendent of Schools receives notice from the Department of Children and Families regarding a student's potential dangerousness, the Superintendent shall notify the Principal of the school that the student attends. The Principal may disclose such information only to special services staff or a consultant (such as a psychiatrist, psychologist or social worker) for the purpose of assessing the risk of danger posed by such child and determining appropriate placement, educational plan or disciplinary action.
- e. Registered sex offenders  
The disclosure concerns sex offenders and other individuals required to register under the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. 14071, and the information was provided to the school district under 42 U.S.C. 14071 and applicable Federal guidelines.
- f. State operated detention facility or community detention facility  
Upon the request of a state operated or community detention facility, the board of education shall disclose the student's educational records. If the student's parent/guardian did not give prior written consent for the disclosure of such records, the board shall send notification of such disclosure to the parent or guardian at the same time that it discloses the records.

#### **IV. AMENDMENT**

The District recognizes its responsibility to permit parents and eligible students to seek amendment of the student's education records that the parent or eligible student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights.

#### **A. Request for amendment of education records:**

- 1. A parent or eligible student must submit a request for amendment of education records in writing to the school principal. The request should clearly identify the part of the record they want changed and specify why it is inaccurate, misleading or in violation of the privacy rights of the student.

## Students

### Student Education Records; Access, Confidentiality, and Amendment

#### AMENDMENT (continued)

##### **Request for amendment of education records** (continued)

2. The school will respond within a reasonable amount of time after receiving the request. If school officials decide not to amend the record as requested by the parent or eligible student, they will notify the parent or eligible student of their right to a hearing regarding the request for amendment.

##### **B. Hearing requirements:**

1. The District shall hold the hearing within a reasonable time after it has received the request for the hearing from the parent or eligible student.
2. The District shall give the parent or eligible student notice of the date, time, and place, reasonably in advance of the hearing.
3. The hearing may be conducted by any individual, including an official of the District, who does not have a direct interest in the outcome of the hearing.
4. The District shall give the parent or eligible student a full and fair opportunity to present evidence relevant to the issues raised in the request for amendment. The parent or eligible student may, at their own expense, be assisted or represented by one or more individuals of his or her own choice, including an attorney.
5. The District shall make its decision in writing within a reasonable period of time after the hearing.
6. The decision must be based solely on the evidence presented at the hearing, and must include a summary of the evidence and the reasons for the decision.
  - a. If the decision is in favor of the parent or eligible student, the education record shall be amended.
  - b. If the decision is that the information in the education record is not inaccurate, misleading, or otherwise in violation of the privacy rights of the student, the District shall inform the parent or eligible student of the right to place a statement in the record commenting on the contested information in the record or stating why he or she disagrees with the decision of the District, or both.

## **Students**

### **Student Education Records; Access, Confidentiality, and Amendment**

#### **AMENDMENT** (continued)

#### **B. Hearing requirements** (continued)

When such a statement is placed in the education records of a student the District shall: maintain the statement with the contested part of the record for as long as the record is maintained; and disclose the statement whenever it discloses the portion of the record to which the statement relates.

## **V. RECORDS MANAGEMENT**

### **A. Safeguarding confidentiality**

The District shall use reasonable methods to protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages.

1. **Warning recipients of records about redisclosure of information**  
The District will inform parties receiving a disclosure of education records that they may use the information only for the purposes for which the disclosure was made and that they are obligated to not disclose the information to any other party without the prior consent of the parent or eligible student. This warning regarding further disclosure of education records need not be given to the parent or eligible student or party receiving directory information.
2. **School officials' access to education records**  
The District shall use reasonable methods to ensure that school officials obtain access to only those education records in which they have legitimate educational interests.
3. **Additional requirements for safeguarding the records of students receiving special education**
  - a. The Director of Pupil Personnel and Special Services is the person responsible for ensuring the confidentiality of any personally identifiable information.
  - b. District personnel who collect or use personally identifiable information will receive instruction regarding confidentiality of student records and information.

## Students

### Student Education Records; Access, Confidentiality, and Amendment

#### V. RECORDS MANAGEMENT (continued)

##### Safeguarding Confidentiality (continued)

- c. The Superintendent of Schools, or his/her designee, shall maintain, for public inspection, a current listing of the positions of those employees within the agency who may have access to personally identifiable information.
- d. Upon request, the District shall provide parents with a list of the types and locations of education records collected, maintained, or used by the agency.

#### B. Recordkeeping Requirements

- 1. List of requests and disclosures of education records disclosure of personally identifiable information from the education records of each student.
  - a. This record shall be kept with the education records of the student.
  - b. There is no requirement to record requests made by or disclosures given to the following parties: the parent or eligible student; school officials with a legitimate educational interest; a party with written consent from the parent or eligible student; a party seeking directory information; and *some* types of subpoenas or court orders.
  - c. This list may be inspected by the parent or eligible student, school personnel who are responsible for the custody of the records or have a legitimate educational interest and federal, state or local authorities responsible for auditing the recordkeeping procedures.
- 2. Information that must be documented in this record
  - a. For each request or disclosure this record must include the names of the parties requesting or receiving information from education records, the date access was given and the purpose the parties had in requesting or obtaining the information.



## Students

### Student Education Records; Access, Confidentiality, and Amendment

#### RECORDS MANAGEMENT (continued)

##### B. Recordkeeping Requirements (continued)

- b. In cases where personally identifiable information regarding a student has been disclosed due to a health or safety emergency, the record of the disclosure must include the articulable and significant threat to the health or safety of a student or other individuals that formed the basis for the disclosure and the names of the parties to whom the District disclosed the information.
- c. If the District discloses personally identifiable information to a party and authorizes the party to redisclose information on behalf of the District pursuant to 34 C.F.R. 99.33(b), the District shall record the names of the additional parties to which the receiving party may disclose the information and the legitimate interests under 34 C.F.R. 99.31 which the additional parties have in obtaining the information.

#### Legal References

##### Connecticut General Statutes:

- 1-210(b) Access to public records. Exempt records.
- 7-109 Destruction of documents.
- 10-15b Access of parent or guardians to student's records.
- 10-94i. Rights and liabilities of surrogate parents
- 10-154a Professional communications between teacher or nurse and student.
- 10-209 Records not to be public.
- 10-220h Transfer of student records
- 10-221b Boards of education to establish written uniform policy re: treatment of recruiters.
- 10-233g Reports of principals to police authority concerning physical assaults upon school employees by students
- 10-233h Arrested students. Reports by police, disclosure, confidentiality.
- 10-233i Students placed on probation by a court
- 10-233k Notification of school officials of potentially dangerous students
- 11-8b Transfer or disposal of public records.
- 19a-583. Limitations on disclosure of HIV-related information
- 46b-56 (e) Orders re custody, care, education, visitation and support of children.
  - R.C.S.A. 10-76a-1 Definitions and 10-76d-18 Education records and reports
  - Connecticut Public Records Administration, Schedule M8 - Disposition of Education Records

## Students

### Student Education Records; Access, Confidentiality, and Amendment

#### Legal References (continued)

- 20 U.S.C. 1232g, Family Educational Rights and Privacy Act of 1974  
34 C.F.R. Part 99 (FERPA regulations)
- 20 U.S.C. 1412(a)(8) and 1417(c), Individuals with Disabilities Education Act  
34 C.F.R. 300.610-627 (IDEA regulations)
- 29 U.S.C. 794 Section 504 of the Rehabilitation Act of 1974  
34 C.F.R. 104.36 (Section 504 regulations)
- 20 U.S.C. 7908 Armed Forces recruiter access to students and student recruiting information.  
(Part of No Child Left Behind Act)
- 20 U.S.C. 7165 Transfer of School Disciplinary Records
- 29 U.S.C. 503 Access to secondary schools

Regulation approved: June 12, 2001  
 Regulation revised: June 12, 2007  
 Regulation revised: October 13, 2009  
 Regulation revised: June 8, 2010  
 Regulation revised: October 11, 2011

NEW MILFORD PUBLIC SCHOOLS  
 New Milford, Connecticut

**New Milford Board of Education  
Policy Sub-Committee Minutes  
February 26, 2013  
Lillis Administration Building, Room 2**

GEORGE C. DUCKBEE  
TOWN CLERK

2013 FEB 27 P 3:12

NEW MILFORD, CT

**Present:** Mrs. Wendy Faulenbach  
Mr. David A. Lawson  
Mrs. Daniele Shook  
Mr. Daniel W Nichols, alternate

**Absent:** Mr. David R. Shaffer

**Also Present:** Dr. JeanAnn C. Paddyfote, Superintendent of Schools  
Mr. Joshua Smith, Assistant Superintendent of Schools

<b>1.</b>	<b>Call to Order</b> The meeting of the New Milford Board of Education Policy Sub-Committee was called to order at 6:45 p.m. by Mrs. Faulenbach acting as chairperson. Mrs. Faulenbach welcomed Mr. Nichols who was seated as an alternate in the absence of Mr. Shaffer.	<b>Call to Order</b>
<b>2.</b>	<b>Public Comment</b> <ul style="list-style-type: none"><li>• None</li></ul>	<b>Public Comment</b>
<b>3.</b>	<b>Discussion and Possible Action</b>	<b>Discussion and Possible Action</b>
<b>A.</b>	<b>Policies Recommended for Revision and Approval at Initial Board Presentation:</b>	<b>Policies Recommended for Revision and Approval at Initial Board Presentation:</b>
<b>1.</b>	<b>Policy 5124 Reporting to Parents/Guardians – Report Cards</b> <ul style="list-style-type: none"><li>• Dr. Paddyfote noted this revision was being made to note the amendment to the law requiring at least two parent-teacher conferences per year, something New Milford already does.</li></ul>	<b>1. Policy 5124 Reporting to Parents/Guardians – Report Cards</b>
<b>2.</b>	<b>Policy 5132 Dress and Grooming</b> <ul style="list-style-type: none"><li>• Mrs. Faulenbach noted this revision was to legal reference only</li></ul>	<b>2. Policy 5132 Dress and Grooming</b>
<b>3.</b>	<b>Policy 5141 Student Health Services</b>	<b>3. Policy 5141 Student Health Services</b>

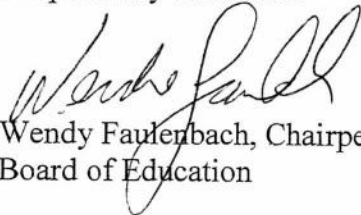
	<ul style="list-style-type: none"> <li>Dr. Paddyfote said the adjustments being made in this revision are due to the McKinney Vento Act, the federal law regarding the education of homeless children.</li> </ul>	
	<p><b>4. Policy 5141.3 Health Assessments and Immunizations</b></p> <ul style="list-style-type: none"> <li>Mrs. Faulenbach noted the revision was to legal references only.</li> </ul> <p>Mrs. Shook moved to bring Policies 5124, 5132, 5141, and 5141.3 to the full Board for approval. Motion seconded by Mr. Lawson.</p> <p>Motion passed unanimously.</p>	<p><b>4. Policy 5141.3 Health Assessments and Immunizations</b></p> <p><b>Motion made and passed unanimously to bring Policies 5124, 5132, 5141, and 5141.3 to the full Board for approval.</b></p>
<b>B.</b>	<b>Policy Recommended for Revision:</b>	<b>Policy Recommended for Revision:</b>
	<p><b>1. Policy 5141.231 Psychotropic Drug Use</b></p> <ul style="list-style-type: none"> <li>Dr. Paddyfote noted that this revision clarifies the three elements required by law.</li> <li>Mrs. Faulenbach said that this policy was being recommended for first review.</li> </ul> <p>Mrs. Shook moved to bring Policy 5141.321 to the full Board for first review. Motion seconded by Mr. Lawson.</p> <p>Motion passed unanimously.</p>	<p><b>1. Policy 5141.231 Psychotropic Drug Use</b></p> <p><b>Motion made and passed unanimously to bring Policy 5141.321 to the full Board for first review.</b></p>
<b>C.</b>	<b>Policies Recommended for Deletion:</b>	<b>Policies Recommended for Deletion:</b>
	<ul style="list-style-type: none"> <li>Dr. Paddyfote noted that these two policies are redundant, as their subject matter is already covered in other policies.</li> </ul>	
	<p><b>1. Policy 5131.21 Conduct</b></p> <p><b>2. Policy 5131.7 Weapons and Dangerous Instruments</b></p> <p>Mrs. Shook moved to bring Policies 5131.21 and</p>	<p><b>1. Policy 5131.21 Conduct</b></p> <p><b>2. Policy 5131.7 Weapons and Dangerous Instruments</b></p> <p><b>Motion made and passed</b></p>

	<p>5131.7 to the full Board for deletion. Motion seconded by Mr. Lawson.</p> <p>Motion passed unanimously.</p> <p><b>D. Policies Post Second Review:</b></p> <ul style="list-style-type: none"> <li>Mrs. Faulenbach said that these two policies were up for approval at the next Board meeting. A Board member had emailed her with additional concerns and asked that the policies be reviewed again before approval. She distributed the email to the Committee members for review.</li> </ul> <p><b>1. Policy 6161.21 Fees, Fines and Charges</b></p> <ul style="list-style-type: none"> <li>Mrs. Shook said that the Board member's concern had already been addressed at previous meetings. Mr. Lawson agreed.</li> <li>Dr. Paddyfote noted that the phrase "unless otherwise required by law" had been added at attorney suggestion.</li> </ul> <p><b>2. Policy 6172.6 Virtual/Online Courses/College/University Courses</b></p> <ul style="list-style-type: none"> <li>Mrs. Shook asked if she understood the Board member's concern correctly in that the member was asking that a certified instructor oversee testing.</li> <li>Mr. Nichols said he thought one of the purposes of on-line testing was its flexibility and ability to be accessed anywhere.</li> <li>Mr. Lawson said the issues raised were already addressed by existing policies regarding academic integrity and well covered by the policy when it was first adopted.</li> <li>Dr. Paddyfote said she had checked with the CT Virtual High School regarding their policy and was told they do not mandate and leave it up to each district.</li> <li>Mr. Lawson asked Mr. Smith for his opinion. He said he agreed that implementation varied from provider to provider, some requiring no</li> </ul>	<p><b>unanimously to bring Policies 5131.21 and 5131.7 to the full Board for deletion.</b></p> <p><b>Policies Post Second Review:</b></p> <p><b>1. Policy 6161.21 Fees, Fines and Charges</b></p> <p><b>2. Policy 6172.6 Virtual/Online Courses/College/University Courses</b></p>
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	<p>proctor at all. He suggested that down the road the Board might want to revisit limiting students to three credits but said he did not believe it was handcuffing any students at this time.</p> <ul style="list-style-type: none"> <li>Mr. Lawson asked for clarification that the three credits were for three classes not one class as is often the case at the college level. Mr. Smith said it was three classes.</li> </ul> <p>Mrs. Shook moved to bring Policies 6161.21 and 6172.6 as reviewed tonight to the full Board for approval. Motion seconded by Mr. Lawson.</p> <p>Motion passed unanimously.</p>	<p><b>Motion made and passed unanimously to bring Policies 6161.21 and 6172.6 as reviewed tonight to the full Board for approval.</b></p>
<p><b>4.</b></p> <p><b>A.</b></p>	<p><b>Items of Information</b></p> <p><b>Regulation Revisions:</b></p> <ul style="list-style-type: none"> <li>Mrs. Faulenbach stated that the Board does not approve regulations so these revisions are given as items of information only.</li> </ul> <p><b>1. Regulation 5114 Suspension and Expulsion/Due Process</b></p> <ul style="list-style-type: none"> <li>Dr. Paddyfote referenced changes/additions on pages three and four.</li> </ul> <p><b>2. Regulation 5124.2 Release of Report Cards</b></p> <ul style="list-style-type: none"> <li>Dr. Paddyfote noted the addition of the phrase "unless otherwise required by law".</li> <li>Mrs. Faulenbach noted that this was in line with the revision to Policy 6161.21.</li> </ul> <p><b>3. Regulation 5125 Student Education Records</b></p> <ul style="list-style-type: none"> <li>Dr. Paddyfote said the revision is based on changes to special education regulations that deleted reference to the three day requirement for records response.</li> </ul>	<p><b>Items of Information</b></p> <p><b>Regulation Revisions:</b></p> <p><b>1. Regulation 5114 Suspension and Expulsion/Due Process</b></p> <p><b>2. Regulation 5124.2 Release of Report Cards</b></p> <p><b>3. Regulation 5125 Student Education Records</b></p>

5.	<b>Adjourn</b>  Mrs. Shook moved to adjourn the meeting at 7:14 p.m. seconded by Mr. Lawson and passed unanimously.	<b>Adjourn</b>  Motion made and passed unanimously to adjourn the meeting at 7:14 p.m.
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Respectfully submitted:

  
Wendy Faulenbach, Chairperson  
Board of Education