

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

POLICY SUB-COMMITTEE
MEETING NOTICE

DATE: February 5, 2019
TIME: 6:45 P.M.
PLACE: Lillis Administration Building - Rm. 2

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TOWN CLERK
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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

An individual may address the Board concerning any item on the agenda for the meeting subject to the following provisions:

- A. A three-minute time limit may be allocated to each speaker with a maximum of twenty minutes being set aside per meeting. The Board may, by a majority vote, cancel or adjust these time limits.
- B. If a member of the public comments about the performance of an employee or a Board member, whether positive, negative, or neutral, and whether named or not, the Board shall not respond to such comments unless the topic is an explicit item on the agenda and the employee or the Board member has been provided with the requisite notice and due process required by law. Similarly, in accordance with federal law pertaining to student confidentiality, the Board shall not respond to or otherwise discuss any comments that might be made pertaining to students.

3. Discussion and Possible Action

- A. Policy Recommended for Revision and Approval at Initial Board Presentation in accordance with Board Bylaw 9311:

- 1. 5141.21 Administration of Medication

4. Item of Information

- A. Regulation Revision:
 - 1. 5141.21 Administration of Medication

5. Discussion and Possible Action

- A. Policies for Review:
 - 1. 1323 Gifts to Students
 - 2. 1324 Fund-Raising by Students
 - 3. 1325 Advertising and Promotion
 - 4. 1330 Use of School Facilities
 - 5. 1331 Smoking
 - 6. 1411 Relations with Police Authorities
 - 7. 1412 Fire Department
 - 8. 1430/1440 State and Federal Aid
 - 9. 1620/1640 Relations with Private Schools, Colleges and Universities
 - 10. 1700 Possession of Firearms on School Property Prohibited

6. Items of Information

- A. Regulation Revision:
 - 1. 1325 Advertising and Promotion
- B. Policy 6146 Graduation Requirements

7. Public Comment

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8. Adjourn

Sub-Committee Members: Tammy McInerney, Chairperson
Joseph Failla
Wendy Faulenbach
J.T. Schemm

Alternates: Bill Dahl
Angela C. Chastain

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

Language in **RED** constitutes an addition

COMMENTARY: This policy was amended in September of 2018 to reflect changes to the law resulting from the General Assembly's passage of Public Act 18-185. The Public Act requires that school bus carriers (either private vendors or boards of education with their own fleets/drivers, etc.) provide training to school bus drivers in the administration of epinephrine ("Epi-Pens") and the identification of anaphylaxis/anaphylactic shock. Such training must be provided to presently-employed drivers by June 30, 2019, and upon hire for drivers hired on or after July 1, 2019. In addition, Public Act 18-185 also established that school bus drivers who render emergency care to students suffering from allergic reactions are immune from civil liability so long as the driver's actions do not constitute gross, willful or wanton negligence. The section on "School Bus Drivers" at the end of the policy addresses this change.

Public Act 18-185 also included language explicitly permitting students with medically diagnosed life-threatening allergic conditions to possess and self-administer medication upon parent/guardian and health-care provider authorization. The law already allowed for the self-administration of medication by students (see the existing "Self-Administration of Medications by Students" section) upon parent and health care provider authorization, so arguably additional language addressing this point is not necessary. However, the State Department of Education has issued December 12, 2018 guidance stating that language reflecting the new language in Public Act 18-185 should be included in board of education policies so it is recommended that the Board adopt the additional language. Pursuant to Public Act 18-185, by January 1, 2020 the State Department of Education must update its Guidelines for Managing Life-Threatening Food Allergies in Connecticut Schools so additional changes to this policy may be required at that time.

5141.21(a)

Students

Administration of Medication

A licensed nurse, or in the absence of such nurse, qualified personnel for schools may administer medication to students in the school system. Administration of medications by qualified personnel for schools shall be under the general supervision of the school nurse and in accordance with a student's individual medication plan.

Students will be permitted to self-administer medications only when they follow the procedures established by this policy and obtain prior approval from the school nurse. This requirement applies even to students who are age 18 or older.

Nothing in this policy prohibits parents or guardians from administering medication to their own children on school grounds.

Students

Administration of Medication

Definitions

For the purpose of this policy, the following definitions shall apply:

“Medication” means any medicinal preparation including over-the-counter, prescription and controlled drugs.

“Administration of Medication” means any one of the following activities:

- Handling, storing, preparing or pouring of medication;
- Conveying it to the student according to the medication order;
- Observing the student inhale, apply, swallow, or self-inject the medication;
- Documenting that the medication was administered;
- Counting remaining doses to verify proper administration and use.

“Qualified personnel” (A) for schools means a qualified school employee who is (i) a full time employee, or is (ii) a coach, athletic trainer or school paraprofessional, or (B) for school readiness programs and before- and after-school programs, means the director or director's designee and any lead teachers and school administrators who have been trained in the administration of medication;

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

“Self-Administration of Medication” means that the medication is controlled by the student at all times and self-managed by the student according to an individual medication plan.

Except for the emergency administration of epinephrine to students who do not have a written prior authorization or order, prior to any administration of medication to students, the school nurse must be in possession of the following documentation:

1. The written order of an authorized prescriber;
2. The written authorization of a parent, guardian or student who is 18 years of age or older; and
3. The written permission for the exchange of information between the prescriber and the school nurse necessary to ensure safe administration of the medication.

Students

Administration of Medication

Self-Administration of Medications by Students

Students who have a verified chronic medical condition and are deemed capable to self-administer prescribed emergency medication [or maintenance medication for diabetes] will be permitted to self-administer such medication provided that:

1. The required documentation for self-administering medication at school includes the following additional items:
 - a. The written order must include the recommendation for self-administration by the authorized prescriber;
 - b. The written authorization of the parent/guardian or student who is 18 years of age or older for the self-administration of medication;
 - c. An assessment by the school nurse that the student is competent to self-administer in the school setting;
 - d. An appropriate plan for the self-administration of medication including provisions for general supervision developed by the school nurse.
2. In addition, the Principal and appropriate staff must be informed that the student is self-administering prescribed medication.
3. The medication is transported by the student and maintained under the student's control in accordance with school policy and the student's plan.
4. In the case of inhalers for asthma and cartridge injectors for medically diagnosed allergies, the school nurse's review of a student's competency to self-administer shall not be used to prevent a student from retaining and self-administering such medication. In such cases, students may retain possession of inhalers or cartridge injectors at all times while attending school or receiving transportation services and self-administer such medication with only the written authorization of an authorized prescriber and written authorization from a student's parent or guardian.

Students

Administration of Medication

Students with a medically diagnosed life-threatening allergic condition may possess, self-administer or possess and self-administer medication, including, but not limited to, medication administered with a cartridge injector, to protect such student against serious harm or death. Such students may possess, self-administer or possess and self-administer medication pursuant to the written authorization of a parent or guardian and pursuant to the written order of a qualified medical professional. Such students may possess, self-administer or possess and self-administer medication while in school or while receiving school transportation services.

Administrative Regulations

The Superintendent of Schools, with the advice and approval of the school medical advisor and the school nurse supervisor shall develop administrative regulations to implement this policy.

The regulations shall address the following topics:

1. Administration of medications by qualified personnel for schools
2. Limitations of LPNs, paraprofessionals, coaches and athletic trainers
3. School readiness and before- or after-school programs
4. Training and supervision of qualified school personnel
5. Self-administration of medications by students
6. Procedures in the event of a medication emergency
7. Handling, storage and disposal of medications
8. Documentation and record-keeping
9. Notification and documentation of errors in the administration of medication
10. Procedures for the administration of epinephrine by qualified school employees for the purpose of emergency first aid to students who experience allergic reactions and who do not have a prior written authorization for the administration of epinephrine

School Bus Drivers

For purposes of this policy a "school bus driver" means any person employed by the New Milford Board of Education or by a private carrier who holds a commercial driver's license with a public passenger endorsement pursuant to subsection (a) of section 14-44 of the Connecticut General Statutes and who transports New Milford Public Schools' students in a school bus.

Students

Administration of Medication

Not later than June 30, 2019 all school bus drivers providing transportation services to New Milford Public Schools' students shall receive training as set forth in Public Act 18-185 in (1) the identification of the signs and symptoms of anaphylaxis, (2) the administration of epinephrine by a cartridge injector, (3) the notification of emergency personnel, and (4) the reporting of an incident involving a student and a life-threatening allergic reaction.

In accordance with Connecticut General Statutes § 52-557b, school bus drivers on or in the immediate vicinity of a school bus during the provision of school transportation services, who render emergency care by administration of medication with a cartridge injector to a student in need thereof who has a medically diagnosed allergic condition that may require prompt treatment in order to protect the student against serious harm or death, shall not be liable to the student assisted for civil damages for any injuries which result from acts or omissions by the school bus driver in rendering the emergency care of administration of medication with a cartridge injector, which may constitute ordinary negligence.

Biennial Review of Policy and Regulations

This policy and administrative regulations shall be reviewed and revised biennially with the advice and approval of the school medical advisor, school nurse supervisor or other qualified licensed physician.

Legal Reference: Connecticut General Statutes

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|---------|--|
| 10-212 | School nurses and nurse practitioners. Administration of medications by parents or guardians on school grounds. |
| 10-212a | Administration of medications in schools, at athletic events and to children in school readiness programs |
| 14-11 | License endorsement for operators of commercial motor vehicles used for passenger transportation, school buses, student transportation vehicles, taxicabs, motor vehicles in livery service and motor or service buses. Requirements. Hearing. Appeal. Report re persons whose license or endorsement has been withdrawn, suspended or revoked. Penalty. |

Students**Administration of Medication**

Legal Reference: Connecticut General Statutes (continued)

52-557b "Good Samaritan law". Immunity from liability for emergency medical assistance, first aid or medication by injection. School personnel not required to administer or render. Immunity from liability re automatic external defibrillators.

Public Acts

18-185 An Act Concerning the Recommendations of the Task Force on Life-Threatening Food Allergies in Schools

Regulations of Connecticut State Agencies

10-212a-1 to 10-212a-10 Administration of Medications by School Personnel and Administration of Medication During Before – and After– School Programs and School Readiness Programs

Policy adopted: June 12, 2001
 Policy revised: June 11, 2002
 Policy revised: August 26, 2003
 Policy revised: June 24, 2004
 Policy revised: September 14, 2004
 Policy revised: June 12, 2007
 Policy revised: October 13, 2009
 Policy revised: June 14, 2011
 Policy revised: November 10, 2015
 Policy revised: September 18, 2018

NEW MILFORD PUBLIC SCHOOLS
 New Milford, Connecticut

ITEM OF INFORMATION

COMMENTARY: Section IV, C should be amended to reflect the language found in Public Act 18-185 with respect to “medically diagnosed life-threatening allergic conditions.” The medication that can be used to treat such conditions is potentially broader than just inhalers and cartridge injectors. The other language changes in Section IV, C, 5141.21(j), align the wording of the regulation more closely to the statute as revised by Public Act 18-185.

Pursuant to Public Act 18-185, by January 1, 2020 the State Department of Education must update its Guidelines for Managing Life-Threatening Food Allergies in Connecticut Schools so additional changes to this regulation will likely be required at that time.

5141.21(a)

Students

Administration of Medications

The Board of Education has authorized the Superintendent of Schools to develop the following procedures concerning the administration of medications to students within the school system by a licensed nurse or, in the absence of a nurse, by qualified personnel for schools. These administrative regulations have been developed with the advice and approval of the school medical advisor and the school nurse supervisor. Nothing in these regulations prohibits parents or guardians from administering medication to their own children on school grounds.

I. Administration of Medications by Qualified Personnel for Schools

A school nurse or any other nurse licensed in the state of Connecticut may administer medications to students in school. In the absence of a licensed nurse, only qualified personnel who have been properly trained may administer medication to students as delegated by the school nurse. Administration of medications by qualified personnel shall be under the general supervision of the school nurse.

A. General Principles

1. Prescribed medication will be administered during school hours, only if it is not possible to achieve the desired effect by home administration.
2. Medication will be administered during field trips and school sponsored activities by qualified school personnel, or the parent/guardian. Students will be permitted to self-carry medication provided New Milford Administrative Regulations, Section IV are followed.
3. Qualified personnel are not authorized to administer “standing order” medications while on field trips if nurse is not present.
4. A current list of qualified personnel authorized to give medication shall be maintained in each school.
5. The school medical advisor and the school nurse coordinator shall review and revise the procedures concerning the administration of medications as needed, but at least biannually.

Students

Administration of Medications

B. Qualified Personnel for Schools includes the following:

1. Principals, teachers, licensed athletic trainers, licensed physical or occupational therapists employed full-time by the Board;
2. Coaches and licensed athletic trainers (subject to the conditions below);
3. Paraprofessionals (subject to the conditions below);
4. Directors (or directors' designees), lead teachers and administrators of school readiness programs and before- or after-school programs.

C. Basic prerequisites

Except as permitted in Section E below, no medication may be administered to students by any school personnel without documentation of the following in the student's health record:

1. The written order of an authorized prescriber;
2. The written authorization of a parent, guardian or eligible student; and
3. The written permission for the exchange of information between the prescriber and the school nurse necessary to ensure safe administration of the medication;
4. Prescribed medication shall be only administered to, and taken by, the person for whom the prescription is written.

D. Medications that may be administered

1. Qualified personnel for schools may administer oral, topical, intranasal or inhalant medications;
2. Medications with a cartridge injector may be administered by qualified personnel for schools only to a student with a medically-diagnosed allergic condition which may require prompt treatment to protect the student against serious harm or death;
3. Glucagon. Qualified school employees may administer medications with injectable equipment used to administer glucagon to a student with diabetes who requires prompt treatment in order to protect the student against serious harm or death. This is limited to situations where the school nurse is unavailable and the qualified personnel have been specially trained and approved to use such equipment.
4. Qualified personnel for schools may not administer investigational drugs or research study medications.

Students

Administration of Medications

5. Antiepileptic Medication. Qualified school employees may administer antiepileptic medication, including by rectal syringe, to a specific student with a medically diagnosed epileptic condition that requires prompt treatment in accordance with the student's individual seizure action plan. Such authorization shall be limited to situations when the school nurse is absent or unavailable. No qualified school employee shall administer antiepileptic medication unless: (i) such qualified school employee annually completes the required training program for antiepileptic medication administration; (ii) the school nurse and school medical advisor have attested, in writing, that such qualified school employee has completed such training; (iii) such qualified school employee receives monthly reviews by the school nurse to confirm such qualified school employee's competency to administer antiepileptic medication under this subsection; and (iv) such qualified school employee voluntarily agrees to serve as a qualified school employee.

E. Epinephrine as Emergency First Aid for Students Who Do Not Have Prior Written Authorization or Order

Epinephrine may be administered as emergency first aid to students who experience allergic reactions but do not have a prior written authorization of a parent or guardian or the written order of a qualified medical professional. Such administration may be done by a school nurse or, when the school nurse is absent or unavailable, by a qualified school employee who has completed the training required by law to administer emergency epinephrine.

A school nurse or in the absence of a school nurse, at least one qualified school employee who has been trained will be on the grounds of each school in the district during regular school hours.

Notice to Parents Regarding Opt-Out

The parent or guardian of a student may submit, in writing, to the school nurse a notice that epinephrine shall not be administered to such student. The school district shall annually notify parents or guardians of the need to provide such written notice.

Procedures for the Administration of Epinephrine as Emergency First Aid

The school nurse supervisor for the district shall:

Students

Administration of Medications

1. Determine the level of nursing services and number of qualified school employees needed to ensure coverage at each school during regular school hours. This includes consulting with district administrators to establish awareness of the regular school hours for each school.
2. Consult with the school medical advisor or other licensed physician to determine the supply of epinephrine in cartridge injectors that shall be available in each school in the district.
3. Coordinate with each school principal and school nurse to select qualified school employees from employees who volunteer to complete the training required to administer epinephrine as emergency first aid.
4. Develop a mechanism within each school to ensure communication to one or more qualified school employees and other staff that the school nurse is absent or unavailable and that a qualified school employee shall be responsible for the emergency administration of epinephrine.
5. Develop a mechanism to ensure that persons who will administer epinephrine as emergency first aid to students who experience allergic reactions but who do not have a prior written authorization of a parent or guardian or prior written order of a qualified medical professional for the administration of epinephrine, are notified of the students whose parents have refused the emergency administration of epinephrine.

Emergency Epinephrine Training for Qualified School Employees

Qualified school employees who administer epinephrine as emergency first aid shall, annually, complete the training program developed by the Departments of Education and Public Health, in consultation with the School Nurse Advisory Council, pursuant to state law and training in cardiopulmonary resuscitation (CPR) and first aid.

Reporting of the Emergency Administration of Epinephrine

A qualified school employee shall immediately report the emergency administration of epinephrine to a student who does not have a prior written authorization or order to the school nurse. The school nurse or the qualified school employee shall immediately notify the student's parent or guardian.

Students

Administration of Medications

A medication administration record shall be submitted to the school nurse by the qualified school employee at the earliest possible time, but not later than the next school day, and documentation of the medication administration shall be made in the student's cumulative health record.

II. Limitations of School Personnel

A. Licensed practical nurses

Licensed practical nurses may administer medications to students only after the medication plan has been established by the school nurse and if they can demonstrate evidence of one of the following:

1. Training in administration of medications as part of their basic nursing program;
2. Successful completion of a pharmacology course and subsequent supervised experience;
3. Supervised experience in the administration of medication while employed in a health care facility.

In addition, licensed practical nurses may not train or delegate administration of medications to another individual.

B. Paraprofessionals

Paraprofessionals may only administer medications to a specific student in order to protect that student from harm or death due to a medically-diagnosed allergic condition and in accordance with the following:

1. Only with approval by the school medical advisor and school nurse, in conjunction with the school nurse supervisor, and under the supervision of the school nurse;
2. With a proper medication authorization from the authorized prescriber;
3. With parental permission for the paraprofessional to administer the medication in school;
4. Only medications necessary for prompt treatment of an allergic reaction, including, but not limited to cartridge injector; and
5. The paraprofessional shall receive proper training in the administration of medication and supervision from the school nurse.

Students

Administration of Medications

C. Coaches and Licensed Athletic Trainers: For students who can self-carry

Students who have written authorization on file in the nurses office from an authorized prescriber, parent/guardian or eligible student to self-administer medication, may retain possession of medication at all times, including for after-school sports.

The following conditions shall be met:

1. The nurse provides the coach with a copy of the authorized prescriber's order and parental permission form, in addition to a copy of an Emergency Care Plan.
2. Should a student be unable to appropriately perform the administration of emergency cartridge injector for severe allergic reaction, coach will intervene and administer medication as prescribed.
3. Cartridge injector administration procedure reviewed with coach.

D. Coaches and Licensed Athletic Trainers: For students who self-administer medication is not a viable option

During intramural and interscholastic athletic events, a coach or licensed athletic trainer may administer medication for select students for whom self-administration plans are not viable options as determined by the school nurse for (A) inhalant medications prescribed to treat respiratory conditions and (B) medication administered with a cartridge injector for students with a medically diagnosed allergic condition which may require prompt treatment to protect the student against serious harm or death.

The following conditions must be met:

1. The coach must be trained in the general principles of the administration of medication applicable to receiving, storing and assisting with inhalant medications or cartridge injector medications and documentation as well as the specific needs of the student needing assistance according to the individualized medication plan.
2. The school nurse shall provide a copy of the authorized prescriber's order and the parental permission form to the coaches;
3. The parent or guardian shall provide the medication to the coach or licensed athletic trainer according to the district's procedures regarding the safe handling of medications [see Section VIII (A)-(C) below]. The medication provided by the parent or guardian shall be separate from the medication stored in the school health office for use during the school day.
4. The coach or licensed athletic trainer shall agree to the administration of emergency medication and shall implement the emergency care plan.

Students

Administration of Medications

5. Medications to be used in athletic events shall be stored in containers for the exclusive use of holding medications, in locations that preserve the integrity of the medication, under the general supervision of the coach or licensed athletic trainer trained in the administration of medication and locked in a secure cabinet when not in use at athletic events.
6. Errors in the administration of medication shall be addressed in the same manner as errors during the school day, except that if the nurse is not available, a report may be submitted by the coach or licensed athletic trainer to the school nurse on the next school day.
7. The coach or licensed athletic trainer shall document administration of medication on forms for individual administration of medication and the school nurse shall be notified of:
 - a. A separate medication administration record for each student shall be maintained in the athletic area;
 - b. Administration of a cartridge injector medication shall be reported to the school nurse at the earliest possible time but not later than the next school day;
 - c. All other instances of the administration of medication shall be reported to the school nurse at least monthly or as frequently as required by the individual student plan;
 - d. The administration of medication record shall be submitted to the school nurse at the end of each sport season and filed in the student's cumulative health record.

III. Training and Supervision of Qualified Personnel

The school nurse or school medical advisor shall train designated qualified personnel in the safe administration of medications at least annually. Only qualified personnel for schools who have successfully completed such annual training may administer medications to students. Licensed practical nurses shall not train other individuals in the administration of medication.

A. Content of training

Training shall include at least the following:

1. The general principles of safe administration of medication;
2. The procedural aspects of administration of medication, including the safe handling and storage of medications, documentation;

Students

Administration of Medications

3. Specific information related to each student's medication and each student's medication plan, including the name and generic name of the medication, indications for medication, dosage, routes, time and frequency of administration, therapeutic effects of the medication, potential side effects, overdose or missed dose of the medication and when to implement emergency interventions.
4. Administration of medication with injectable equipment used to administer glucagon for students with diabetes. Such training will only be provided to school personnel who volunteer to provide this form of medication administration.

B. Documentation of training sessions

The Supervisor of Schools Nurses shall maintain documentation of the administration of medication training as follows:

1. Dates of general and student-specific trainings;
2. Content of the training;
3. Names of individuals who have successfully completed general and student-specific training for the current school year shall be submitted to the Superintendent by the nursing coordinator on October 31 of each year;
4. A current list of those authorized to give medication shall be maintained in the school;
5. Names and credentials of the nurse or school medical advisor trainers.
6. For training in the administration of medication with injectable equipment used to administer glucagon, both the school nurse and the school medical advisor shall attest in writing of the successful completion of such training.

C. Supervision of Administration of Medications

The school nurse is responsible for general supervision of administration of medications in the schools to which that nurse is assigned, and shall:

1. Review orders and changes in orders, and communicate these to personnel designated to give medication;
2. Set up a medication plan and schedule to ensure medications are administered properly;
3. Provide training to qualified personnel and other licensed nursing personnel in the administration of medications and assess that the qualified personnel for schools are competent to administer medication;
4. Support and assist other licensed nursing personnel to prepare for and implement their responsibilities related to the administration of specific medications during school hours;

Students

Administration of Medications

5. Provide appropriate follow-up to ensure the administration of medication plan results in the desired outcomes;
6. Provide consultation by telephone or other means of telecommunication. In the absence of the school nurse, an authorized prescriber or other nurse may provide this consultation;
7. Implement policies and procedures regarding all phases of administration of medications;
8. Review periodically all documentation pertaining to the administration of medications for students;
9. Observe competency to administer medication by qualified personnel for schools who have been newly trained;
10. Periodically review, as needed, with licensed personnel and all qualified personnel for schools regarding the needs of any student receiving medication.

IV. Self-Administration of Medications by Students

Students who have a verified chronic medical condition and are capable of self-administering prescribed emergency medications, including rescue inhalers, cartridge injectors will be permitted to self-administer such medication provided:

- A. The required documentation for self-administering medication at school includes the following items:
 1. The written order must include the recommendation for self-administration by the authorized prescriber renewed annually;
 2. The written authorization of the parent/guardian or eligible student for the self-administration of medication;
 3. An appropriate plan for the self administration of medication is developed by the school nurse including provisions for general supervision and the plan is placed in the student's health record;
 4. Notation in the student's health record of the means by which the Principal and appropriate staff have been notified that the student is self-administering prescribed medication.
- B. An assessment by school nurse of the student's capacity to self-administer in the school setting by considering that student:
 1. Is capable of identifying and selecting the appropriate medication by size, color, amount, or other label identification;

Students

Administration of Medications

2. Knows the frequency and time of day for which the medication is ordered;
 3. Can identify the presenting symptoms that require medication;
 4. Administers the medication appropriately;
 5. Maintains safe control of the medication at all times;
 6. Seeks adult supervision whenever warranted; and
 7. Cooperates with the established medication plan; and
 8. Notify authorized prescriber and parent or guardian if the student is unable to demonstrate safe and appropriate self-administration and handling of medication.
 9. Document contact with authorized prescriber and parent or guardian and the outcome.
- C. In the case of ~~inhalers for asthma and cartridge injectors for medically diagnosed allergies~~ **students with medically diagnosed life-threatening allergic conditions**, the school nurse's review of a student's competency to self-administer shall not be used to prevent a student from retaining and self-administering such medication. In such cases, students may retain possession of **such medication, including** inhalers or cartridge injectors, at all times while attending school **and while receiving school transportation services** and self-administer such medication with only the written authorization of an authorized ~~prescriber~~ **qualified medical professional** and written authorization from a student's parent or guardian.
- D. The medication is transported by the student and maintained under the student's control in accordance with school policy and the student's medication plan.
- E. Self-administration of controlled medication may be considered for extraordinary situations, such as international field trips, and shall be approved by the school nurse supervisor and the school medical advisor in advance and an appropriate plan must be developed.
- F. Self-administration of medications other than inhalers or epipens will be considered on an individual basis. Written authorization must be on file in the nurse's office from an authorized prescriber, parent/guardian or eligible student to self-administer and shall be approved by the school nurse supervisor. The school nurse supervisor may consult the medical advisor regarding any such request for self-administration. An appropriate plan must be developed.
- G. Self-administration or carrying of over the counter medications is not permitted in New Milford Public Schools.

Students

Administration of Medications

- H. The responsibility of self-administration shall be revoked if the Board of Education Medication Policy for self-administration is violated or if student exhibits behavior that is not safe for student or other students.
- I. Principal and/or appropriate staff will be informed that the student self-administers prescribed medications.
- J. Students with diabetes may conduct blood glucose self-testing with a written order from a physician stating the need and capability of such student to self-test. No school may restrict the time and location of blood glucose testing by a student who has such order and written authorization of the student's parent or guardian.

V. Medication Errors: Procedure for Notification and Documentation

- A. Medication error means failure to do any of the following as ordered:
 - 1. Administer a medication to a student;
 - 2. Administer a medication within the time designated by the authorized prescriber;
 - 3. Administer the specific medication prescribed for a student;
 - 4. Administer the correct dosage;
 - 5. Administer medication by the proper route; and/or
 - 6. Administer medication according to generally accepted standards practice or;
 - 7. Administration of a medication to a student which is not ordered or authorized by the parent or guardian;
 - 8. Inadvertent destruction, theft or loss by other means of medication stored in school.
- B. If an error in medication administration occurs or is suspected, the school nurse or substitute nurse shall immediately assess the student and:
 - 1. Determine error and potential for emergency;
 - 2. Call 911 if applicable;
 - 3. Implement Standing Orders if applicable;
 - 4. Call Poison Control if applicable (1-800-222-1222);
 - 5. Follow directions of Poison Control-note who you spoke to, time call was made, what directions were given, and what actions you took;
 - 6. Call prescribing practitioner-follow prescriber's directions, if applicable;
 - 7. Notify School Nurse Coordinator;
 - 8. Notify student's parent/guardian;
 - 9. Notify principal/administrator;

Students

Administration of Medications

10. Monitor student and provide interventions as directed by Poison Control, student's physician, standing orders or nursing protocols, as applicable, until EMS or parent/guardian arrives;
 11. Complete Medication Error Report form;
 12. Document the incident in the student's electronic health record (SNAP). Describe the error and sequence of events thereafter, including nursing assessment and interventions, medical treatment, and exchanges of information; print and attach SNAP Incident Report to the Medication Error Report form. Send the completed Report and Incident Report form to the School Nurse Coordinator.
- C. If qualified personnel other than the school or substitute nurse make or recognize a medication error, the individual shall immediately notify the school nurse. If the school nurse is not available, the qualified individual shall:
1. In a true emergency call EMS, then Poison Control if applicable.
 2. If not an immediate emergency, follow the sequence of steps in B.1., and B. 4-9 above and consult, as applicable, with the school nurse if available by phone.
 3. Monitor the student and provide first aid care as directed by Poison Control, the student's physician or the school nurse or school nurse coordinator, as applicable, until EMS or parent/guardian arrives.
 4. Document the incident, including all details, on the Medication Error Report form; use and attach an additional page to complete the documentation as needed.
 5. Send the completed form to the School Nurse Coordinator.
 6. Provide a copy of the completed Medication Error Report form to the school nurse who shall file it in the student's CHR.
- D. A medication error or incident report will be completed by nurse or qualified personnel. A copy will be sent to the nursing coordinator who will review with Pupil Personnel. Pupil Personnel will document any corrective action taken.
- E. Any error in the administration of a medication shall be documented in the student's cumulative health record.

VI. Medication Emergencies

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

- A. Each health office shall post in a prominent location on or near the medication cabinet the following information:

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1. The Poison Control information center telephone number 1-800-222-1222;
 2. This section of medication regulations and Section V, Medication Errors;
 3. The name of building administrator responsible for decision making in the absence of a school or substitute nurse.
- B. If qualified personnel other than the school or substitute nurse recognize a potential medication emergency, the qualified individual shall immediately notify the school nurse.
- C. In a medication emergency, the school nurse shall proceed as in Section V, Medication Errors, B 1 – B 10; as indicated by the circumstances.
- D. After managing and documenting in SNAP the medication emergency, the school nurse shall generate an incident report.
- E. In the absence of a school or substitute nurse, the building administrator responsible for decision making, the qualified individual off site, such as a teacher on a field trip shall proceed as in Section V, Medication Errors C 1 – C 6 as indicated by circumstances.

VII. Handling and Storage of Medications

- A. All medications, except those approved for self-medication or epinephrine intended for emergency administration to students who do not have a written prior authorization or order, shall be delivered by the parent or other responsible adult to the school nurse or, in the absence of such nurse, other qualified personnel for schools trained in administration of medication and assigned to the school. For FDA-approved medications being administered according to an approved study protocol, a copy of the study protocol shall be provided to the school nurse along with the name of the medication to be administered and the acceptable range of dose of such medication to be administered.
- B. The parent/guardian, responsible adult or eligible student shall deliver medication in the original, properly labeled container directly to the school nurse, principal or other qualified school personnel trained in medication administration.
- C. The school nurse, principal, or other qualified school personnel trained in medication administration will record the medication and quantity received. The individual student medication form will be co-signed with the parent/guardian, responsible adult or eligible student.

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- D. The nurse shall examine on-site any new medication, medication order and parent authorization form and develop an administration of medication plan for the student before any medication is administered by any school personnel.
- E. The school nurse shall review all medication refills with the medication order and parent authorization prior to any administration of medication.
- F. All medications shall be properly stored as follows:
 - 1. Except as otherwise determined by a student's emergency care plan, emergency medications shall be stored in an unlocked, clearly labeled and readily accessible cabinet or container in the health room during school hours under the general supervision of the school nurse, or in the absence of the school nurse, the principal or the principal's designee who has been trained in the administration of medication;
 - 2. Emergency medications will be locked beyond the regular school day or program hours, except as otherwise determined by a student's emergency care plan;
 - 3. All other non-controlled medications except those approved for self-medication, shall be kept in a designated locked container, cabinet or closet used exclusively for the storage of medication; and
 - 4. Controlled substances shall be stored separately from other medications in a separate, secure, substantially constructed, locked metal or wood cabinet pursuant to state law.
- G. Access to all stored medications shall be limited to persons authorized to administer medications. Each school or before- and after- school program and school readiness program shall maintain a current list of those persons authorized to administer medications.
- H. All medications, prescription and non-prescription, shall be delivered and stored in their original containers. At least two sets of keys for the medication containers or cabinets shall be maintained for each school building or before- and after-school program and school readiness program. One set of keys shall be maintained under the direct control of the school nurse or nurses and an additional set shall be under the direct control of the principal and, if necessary, the program director or lead teacher who has been trained in the general principles of the administration of medication shall also have a set of keys.

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- I. Medication requiring refrigeration shall be stored as follow:
 - 1. In a refrigerator at no less than 36°F and no more than 46°F;
 - 2. The refrigerator shall be located in a health office that is maintained for health services purposes with limited access;
 - 3. Non-controlled medications may be stored directly on the shelf of the refrigerator with no further protection needed;
 - 4. Controlled medications shall be stored in a locked box which is affixed to the refrigerator shelf.
- J. No more than a three month supply of a medication for a student shall be stored at the school.
- K. No medication for a student shall be stored at a school without a current written order from an authorized prescriber.
- L. Each school shall maintain a current list of those persons authorized to administer medications.

VIII. Destruction/Disposal of Medication

At the end of the school year or whenever a student's medication is discontinued by the prescribing physician, the parent or guardian is to be contacted and requested to repossess the unused medication within a seven (7) school day period.

- A. All unused, discontinued or obsolete medications shall be removed from storage areas and either returned to the parent or guardian or, if the medication cannot be returned to the parent or guardian, the medication shall be destroyed in collaboration with the school nurse.
- B. Non-controlled drugs shall be destroyed in the presence of at least one (1) witness. Medication will be destroyed in a non-recoverable fashion as recommended by CTDEP, Office of Pollution Prevention:
 - 1. Keep the medication in its original container;
 - 2. To protect privacy and discourage misuse of the prescription, cross out the patient's name with a permanent marker or duct tape or remove the label (Chemotherapy drugs may require special handling. Work with your healthcare provider on proper disposal options for this type of medication);

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3. Modify the medications to discourage consumption;
 - For solid medication: such as pills or capsules: add a small amount of water to at least partially dissolve them.
 - For liquid medication: add enough table salt, flour, charcoal, or nontoxic powdered spice, to make a pungent , unsightly mixture that discourages anyone from eating it.
 - For blister packs: wrap the blister packages containing pills in multiple layers or duct or other opaque tape
 4. Seal and conceal;
 - Tape the medication container lid shut with packing or duct tape.
 - Place it inside a non-transparent bag or container such as an empty yogurt or margarine tub to ensure that the contents cannot be seen.
 - Do not conceal medicines in food products because animals could inadvertently consume them.
 5. Discard the container in your trash can; and
 6. The following information is to be charted on the student's health folder and signed by the school nurse and a witness.
 - Date of destruction
 - Time of destruction
 - Name, strength, form and quantity of medication destroyed
 - Manner of destruction of medication
- C. Controlled drugs shall be destroyed in accordance with law, specifically, § 21a-262-3 of the Regulations of the Connecticut State Agencies. School nurse/ nurse coordinator will contact the Drug Control Division of the CT Department of Consumer Protection at 860-713-6065 for assistance. Nurse will follow directions of Drug Control Division, documenting name of the person giving the directions.
- D. Accidental destruction or loss of controlled drugs must be verified in the presence of a second person, including confirmation of the presence or absence of residue and jointly documented on the student medication administration record and on a medication error form. If no residue is present, notification must be made to the Department of Consumer Protection pursuant to 21a-262-3 of the Regulations of the Connecticut State Agencies.

IX. Documentation and Recordkeeping

Each school or before- and after-school program and school readiness program shall maintain an individual medication administration record for each student who receives medication during school or program hours. Transactions shall either be recorded in ink and shall not be altered or recorded electronically in a record that can not be altered.

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- A. The individual medication administration record will include:
1. The name of the student;
 2. The name of the medication, dosage, route and frequency of administration;
 3. The name of the authorized prescriber;
 4. The dates for initiating and terminating the medication including extended school year program;
 5. The quantity received which shall be verified by the adult delivering the medication;
 6. Any student allergies to food or medicine;
 7. The date, time and dose or amount of drug administered.
 8. If the drug was not administered, the omission must be documented; including the reason for omission;
 9. The full written or electronic legal signature of the nurse or qualified personnel for schools administering the medication;
 10. For controlled medications, a medication count which should be conducted and documented at least once a week and co-signed by the assigned nurse and a witness;
 11. The medication administration record shall be made available to the State Department of Education for review until destroyed pursuant to law. The completed medication administration record for non-controlled medications may be destroyed in accordance with Section M8 of the Connecticut Municipality Record Retention Schedule as long as it is superseded by a summary on the student health record.
- B. The following shall be filed in the student's cumulative health record or, for before- and after-school programs and school readiness programs, in the child's program record:
1. The written order of the authorized prescriber;
 2. The written authorization of the parent/guardian to administer the medication;
 3. The written parental permission for the exchange of information by the prescriber and school nurse to ensure the safe administration of such medication.
- C. As to any and all controlled drugs administered at school, the completed medication administration record shall be maintained in the same manner as the non-controlled medications, in addition, a record shall be maintained separate from the student's cumulative file for at least three years that includes:

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1. Copies of all physician's orders for controlled drugs;
 2. The original medication administration records;
 3. Each school wherein any controlled drug is administered under the provisions of this section shall keep such records thereof as are required of hospitals under the provisions of subsections (f) and (h) of Connecticut General Statutes §21a-254 and shall store such drug in such manner as the Commissioner of Consumer Protection shall, by regulation, require.
- D. An authorized prescriber's verbal order, including a telephone order, for a change in any medication can be received only by a school nurse. Any such verbal order must be followed by a written order from the authorized prescriber which may be faxed and must be received not later than three (3) school days.
- E. The completed medication administration record for non-controlled medications may be destroyed in accordance with Section M8 of the Connecticut Municipal Records Retention Schedule, provided it is superseded by a summary on the student's cumulative health record.

X. School Readiness and Before-or After-School Programs¹

Administration of medications shall be provided in school readiness and before- or after-school programs administered and operated by the Board of Education only when it is medically necessary for participants to access the program and maintain their health status while attending the program. All the provisions of these regulations regarding training, supervision, self-administration, documentation, handling, storage, disposal, errors and medication emergencies apply to school readiness and before- and after-school programs. Such programs are subject to the following additional conditions:

- A. At the beginning of each school year, the school nurse supervisor, in consultation with the school medical advisor or other licensed physician, will review the policies and procedures for the administration of medication in these programs and determine the following:
1. The level of nursing services needed in order to ensure safe administration of medication within the programs based on the needs of the program and the program's participants;

¹ These regulations do not apply to before-and after-school programs that are administered and operated by the Town of New Milford on school grounds.

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2. Who may administer medication and whether a licensed nurse is required on-site;
 3. The circumstances under which self-administration of medication by students is permitted;
 4. The procedures to be followed in the event of a medication emergency or error and the individuals or facilities to be contacted in such an event;
 5. The manner in which the local poison control center information will be made readily available at these programs;
 6. The person responsible for decision making in the absence of the nurse.
- B. Where possible, a separate supply of medication shall be stored at the site of the before- or after-school or school readiness program. In the event that it is not possible for the parent or guardian to provide a separate supply of medication, then a plan shall be in place to ensure the timely transfer of the medication from the school to the program and back on a daily basis.
- C. Documentation of the administration of medications in school readiness and before- and after-school programs shall be as follows:
1. A separate administration of medication record for each student shall be maintained in the program;
 2. Administration of medication with a cartridge injector shall be reported to the school nurse at the earliest possible time but not later than the next school day;
 3. All other instances of the administration of medication shall be reported to the school nurse according to the student's individual plan or at least on a monthly basis;
 4. The administration of medication record shall be submitted to the school nurse at the end of each school year and filed in or summarized on the student's cumulative health record.

XI. Definition of Terms

The following definitions are derived from Sections 10-212a-1 through 10-212a-10 of the Regulations of Connecticut State Agencies, plus two acronyms used in the procedures, and apply to terms used by New Milford Public Schools for the Administration of Medication.

Students

Administration of Medications

1. **Administration of medication** means any one of the following activities:
handling, storing, preparing or pouring of medication; conveying it to the student according to the medication order; observing the student inhale, apply, swallow, or self-inject the medication, when applicable; documenting that the medication was administered; and counting remaining doses to verify proper administration and use of the medication.
2. **Advanced practice registered nurse** means an individual licensed pursuant to Section 20-94a of the Connecticut General Statutes.
3. **Authorized prescriber** means a physician, dentist, optometrist, advanced practice registered nurse or physician assistant and, for interscholastic and intramural athletic events only, a podiatrist.
4. **Before- and after-school program** means any child care program operated and administered by a local or regional board of education or municipality exempt from licensure by the Department of Public Health pursuant to subdivision (1) of subsection (b) of Section 19a-77 of the Connecticut General Statutes. Such programs shall not include public or private entities licensed by the Department of Public Health or board of education enhancement programs and extra-curricular activities.
5. **Board of education** means the New Milford Board of Education.
6. **Cartridge injector** means an automatic pre-filled cartridge injector or similar automatic injectable equipment used to deliver epinephrine in a standard dose for emergency first aid response to allergic reactions.
7. **CHR or CHR-1** refers to the cumulative health record (see below).
8. **Coach** means an athletic coach as defined in Section 10-222e of the Connecticut General Statutes.
9. **Commissioner** means the Commissioner of Education or any duly authorized representative thereof.
10. **Controlled drugs** means controlled drugs as defined in Section 21a-240 of the Connecticut General Statutes.
11. **Cumulative health record** means the cumulative health record of a pupil mandated by Section 10-206 of the Connecticut General Statutes.
12. **Dentist** means a doctor of dentistry licensed to practice dentistry in Connecticut pursuant to Chapter 379 of the Connecticut General Statutes, or licensed to practice dentistry in another state.
13. **Department** means the Connecticut State Department of Education or any duly authorized representative thereof.
14. **Director** means the person responsible for the operation and administration of any school readiness program or before-and after-school program.
15. **Eligible student** means a student who has reached the age of eighteen or is an Emancipated minor.

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16. **Error** means:
 - a. failure to do any of the following as ordered:
 - administer a medication to a student;
 - administer medication within the time designated by the prescribing practitioner;
 - administer the specific medication prescribed for a student;
 - administer the correct dosage of medication;
 - administer medication by the proper route; and/or
 - administer the medication according to generally accepted standards of practice; or
 - b. administration of a medication to a student which is not ordered, or which is not authorized in writing by the parent or guardian of such student except for the administration of epinephrine for the purpose of emergency first aid pursuant to Section 10-212a of the Connecticut General Statutes and subsection (e) of Section 10-212a-2 of the Regulations of Connecticut State Agencies.
17. **Extracurricular activities** means activities sponsored by local or regional boards of education that occur outside of the school day, are not part of the educational program, and do not meet the definition of before- and after-school programs and school readiness programs.
18. **Guardian** means one who has the authority and obligations of guardianship of the person of a minor, and includes:
 - a. the obligation of care and control, and
 - b. the authority to make major decisions affecting the minor's welfare, including, but not limited to, consent determinations regarding marriage, enlistment in the armed forces and major medical, psychiatric or surgical treatment.
19. **Injector Equipment** Used to Inject Glucagon means an injector or injectable equipment used to deliver glucagon in an appropriate dose for emergency first aid response to diabetes.
20. **Intramural athletic events** means tryouts, competition, practice, drills, and transportation to and from events that are within the bounds of a school district for the purpose of providing an opportunity for students to participate in physical activities and athletic contests that extend beyond the scope of the physical education program.
21. **Interscholastic athletic events** means events between or among schools for the purpose of providing an opportunity for students to participate in competitive contests which are highly organized and extend beyond the scope of intramural programs and includes tryouts, competition, practice, drills, and transportation to and from such events.

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22. **Investigational drug** means any medication with an approved investigational new drug (IND) application on file with the Food and Drug Administration (FDA) which is being scientifically tested and clinically evaluated to determine its efficacy, safety and side effects and which has not yet received FDA approval.
23. **Licensed athletic trainer** means a licensed athletic trainer employed by the school district pursuant to Chapter 375a of the Connecticut General Statutes.
24. **Medication** means any medicinal preparation including over-the-counter, prescription and controlled drugs, as defined in Section 21a-240 of the Connecticut General Statutes.
25. **Medication emergency** means a life-threatening reaction of a student to a medication.
26. **Medication plan** means a documented plan established by the school nurse in conjunction with the parent and student regarding the administration of medication in school. Such plan may be a stand-alone plan, part of an individualized health care plan, an emergency care plan or a medication administration form.
27. **Medication order** means the written direction by an authorized prescriber for the administration of medication to a student which shall include the name of the student, the name and generic name of the medication, the dosage of the medication, the route of administration, the time of administration, the frequency of administration, the indications for medication, any potential side effects including overdose or missed dose of the medication, the start and termination dates not to exceed a 12-month period, and the written signature of the prescriber.
28. **Nurse** means an advanced practice registered nurse, a registered nurse or a practical nurse.
29. **Occupational therapist** means an occupational therapist employed full-time by the local or regional board of education and licensed in Connecticut pursuant to Chapter 376a of the Connecticut General Statutes.
30. **Optometrist** means an optometrist licensed to provide optometry pursuant to Chapter 380 of the Connecticut General Statutes.
31. **Paraprofessional** means a health care aide or assistant or an instructional aide or assistant employed by the local or regional board of education who meets the requirements of such board for employment as a health care aide or assistant or instructional aide or assistant.
32. **Physical therapist** means a physical therapist employed full-time by the local or regional board of education and licensed in Connecticut pursuant to Chapter 376 of the Connecticut General Statutes.
33. **Physician** means a doctor of medicine or osteopathy licensed to practice medicine in Connecticut pursuant to Chapters 370 and 371 of the Connecticut General Statutes, or licensed to practice medicine in another state.

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34. **Physician assistant** means an individual licensed to prescribe medications pursuant to Section 20-12d of the Connecticut General Statutes.
35. **Podiatrist** means an individual licensed to practice podiatry in Connecticut pursuant to Chapter 375 of the Connecticut General Statutes.
36. **Principal** means the administrator in the school.
37. **Qualified medical professional** means (i) a licensed physician, (ii) a licensed optometrist (iii) an advanced practice registered nurse licensed to or (iv) a physician assistant licensed to prescribe.
38. **Qualified school employee** means a principal, teacher, licensed athletic trainer, licensed physical or occupational therapist employed by a school district, coach or school paraprofessional.
39. **Qualified personnel** (A) for schools means a qualified school employee who is (i) a full time employee, or is (ii) a coach, athletic trainer or school paraprofessional, or (B) for school readiness programs and before- and after-school programs, means the director or director's designee and any lead teachers and school administrators who have been trained in the administration of medication.
40. **Research or study medications** means FDA-approved medications being administered according to an approved study protocol. A copy of the study protocol shall be provided to the school nurse along with the name of the medication to be administered and the acceptable range of dose of such medication to be administered.
41. **School** means any educational program which is under the jurisdiction of a board of education as defined by this section excluding extracurricular activities.
42. **School medical advisor** means a physician appointed pursuant to Section 10-205 of the Connecticut General Statutes.
43. **School nurse** means a nurse appointed pursuant to Section 10-212 of the Connecticut General Statutes.
44. **School nurse supervisor** means the nurse designated by the local or regional board of education as the supervisor or, if no designation has been made by the board, the lead or coordinating nurse assigned by the board.
45. **School readiness program** means a program that receives funds from the State Department of Education for a school readiness program pursuant to subsection (b) of Section 10-16p of the Connecticut General Statutes and exempt from licensure by the Department of Public Health pursuant to subdivision (1) of subsection (b) of Section 19a-77 of the Connecticut General Statutes.
46. **Self-administration of medication** means the control of the medication by the student at all times and is self-managed by the student according to the individual medication plan.
47. **SNAP** means the electronic student health record system known as SNAP Health Center.

Students

Administration of Medications

48. **Supervision** means the overseeing of the process of the administration of medication in a school.
49. **Teacher** means a person employed full time by a board of education who has met the minimum standards as established by that board of education for performance as a teacher and has been approved by the school medical advisor and school nurse to be designated to administer medications pursuant to Sections 10-212a-1 through 10-212a-7 of the Regulations of Connecticut State Agencies.

Legal References:

Connecticut General Statutes:

- 10-16p Definitions. Lead agency for school readiness
- 10-212 School nurses and nurse practitioners. Administration of medications by parents or guardians on school grounds
- 10-212a Administration of medications in schools, at athletic events and to children in school readiness programs
- 10-220j Blood glucose self-testing by children. Guidelines
- 21a-240 Definitions
- 21a-254 Designation of restricted drugs or substances by regulations

Regulations of Connecticut State Agencies:

10-212a-1 to 10-212a-10, Administration of Medications by School Personnel and Administration of Medication During Before- and After-School Programs and School Readiness Programs

21a-262-3, Disposition of drugs

Regulation approved: June 12, 2001
Regulation revised: June 11, 2002
Regulation revised: August 26, 2003
Regulation revised: June 14, 2011
Regulation revised: October 9, 2012
Regulation revised: October 20, 2015

NEW MILFORD PUBLIC SCHOOLS
New Milford, Connecticut

FOR DISCUSSION AND POSSIBLE ACTION

COMMENTARY RE FOLLOW UP TO DEC 4, 2018 MEETING (Summary of Legal response provided in blue): *Suggested changes look good. There are no statutes or regulations that specifically address gifts to students so the Board has wide latitude here.*

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Community Relations

Gifts to Students

The Superintendent must approve gifts to students of trophies, prizes or awards from persons or organizations not connected with the schools intended to be presented on school grounds or at any school sponsored activity. While the Board welcomes and encourages public support of excellence in the schools, all trophies, prizes and awards must conform to the policy of the Board of Education and the corresponding administrative regulations providing for awards.

(cf. 5126—Awards for Achievement)

Policy adopted: May 7, 2001
Policy revised: June 9, 2009
Policy reviewed: October 15, 2013

NEW MILFORD PUBLIC SCHOOLS
New Milford, Connecticut

Community Relations

Fund-Raising by Students

Fund-raising shall be authorized under conditions that do not conflict with instructional programs. Fund-raising refers to the raising of non-appropriated funds for the educational benefit of students and their school funds.

Fund-raising shall be permitted by students attending middle and high school, provided such activities are approved in writing and carefully monitored and regulated by the school Principal or a designee. Elementary schools may not conduct any sales campaign, project, or other process which requires, encourages, or otherwise promotes the utilization of students in door-to-door solicitation.

Each Principal shall develop and maintain a list of all approved fund-raising activities and report all activities to the Superintendent pursuant to procedures issued by the Superintendent.

The Superintendent will furnish the Board of Education with an up-to-date listing of all fund-raising activities being conducted in the schools.

Fund-Raising In and For The Schools

It is the responsibility of the Board to control fund-raising activities which involve the students in the New Milford school system.

Any school-based organizations, including parent/teacher groups and organizations, wishing to engage in a fund-raising activity, must have prior approval from the school Principal.

The following guidelines shall apply when a school Principal considers a fund-raising activity for approval:

- The gift or donation for which the fund-raiser is held shall be of sufficient benefit to the school and/or students to justify the fund-raising activity.
- The anticipated gift or donation shall not supplant an item which had been part of the normal operational budget within the previous two fiscal years, nor the Board's responsibility for educational funding.
- The mechanics and procedures of fund-raising shall not be an unacceptable burden to school staff members nor subject the school to any significant risks or responsibilities in handling funds.

Community Relations

Fund-Raising In and For The Schools

- Fund-raisers which involve students through their class, school club or group shall be supervised by a staff member who, along with the school Principal, accepts the responsibility for the mechanics and procedures of the fund-raiser.
- The number of fund-raising activities per school year shall not be excessive, and shall be appropriate to the school environment.
- Requests for fund-raising activities shall be directed to the office of the school Principal on the appropriate form (1324) for approval. The school Principal shall maintain a copy of all request forms and forward a copy of approved request forms to the Office of the Superintendent.
- Students in grades K-5 shall not be asked to solicit outside of their home.

Policy adopted: May 7, 2001
Policy revised: June 9, 2009
Policy reviewed: October 15, 2013

NEW MILFORD PUBLIC SCHOOLS
New Milford, Connecticut



DIRECT DONATIONS AND ANTICIPATED FUNDRAISERS
AS OF 9.30.17

AGENDA ITEM 3A-3 3A-4
OCTOBER, 2017 MEETING

ID#	LOCATION	ORGANIZATION	DESCRIPTION	DATE RECEIVED	APPROXIMATE VALUE	ENTITY
None at this time						

ID#	LOCATION	ORGANIZATION	DESCRIPTION	DATE PROPOSED	FUND SOURCE	FUND USE
17-HS-01	NMHS	Boys basketball	Wizards Basketball Event	12/1/2017	Commission on Souvenirs sold	Funds for boys basketball apparel/equipment
17-HS-02	NMHS	GAPP	Bake Sale	11/18/2017 & 12/16/17	Selling baked goods	Fund GAPP activities
17-HS-03	NMHS	GAPP	Bake Sale	12/16/2017	Selling baked goods	Fund GAPP activities
17-HS-04	NMHS	Class of 2019	T shirt Sales	9/1/2017	Selling T shirts	Funds for the class of 2019 activities
17-HS-05	NMHS	Spanish honor society	SHS talent show	11/17/2017	Selling tickets	Raise funds for a charity and induction ceremony
17-HS-06	NMHS	Girls swim & Dive team	Car Wash	8/27/2017	Car wash donations	Defer cost of swimsuits and team merchandise
17-HS-07	NMHS	NMHS Girls swim team	Bake Sale	9/16/2017	Donations for baked goods	Defer cost of swimsuits and team merchandise
17-HS-08	NMHS	Dance Team	Dance Clinic	9/1/17-12/20/17	Donations to social media sites	Raise money for Tampa Trip
17-HS-09	NMHS	Dance Team	Dance Clinic	10/14/2017	Fee for dance workshop	Raise money for the team and bring young dancers
17-HS-10	NMHS	World Language Dept.	Peru 2018 Can and Bottle Drive #2	9/8/17-9/11/17	Students redeem cans and bottles	Raise money for Peru trip
17-HS-11	NMHS	World Language Dept.	Peru 2018 Bake Sale #1	10/28/2017	Students sell baked goods at S&S	Raise money for Peru trip
17-HS-12	NMHS	World Language Dept.	Peru 2018 Breakfast for Dinner	10/21/2017	Host breakfast for dinner at St Johns	Raise money for Peru trip
17-HS-13	NMHS	Key Club	Bake Sale	9/13/2017	Baked goods sold during open house	Raise funds for Leadership Conference
17-HS-14	NMHS	Field Hockey and Volleyball	Cookie Dough	9/8/17-9/22/17	Selling Cookie Dough	Clothing
17-HS-15	NMHS	Dance Team	Car Wash/Bake Sale	9/17/2017	Selling baked goods/car washes	Raise funds for upcoming season
17-HS-16	NMHS	NMHS Band	Pie Fundraiser	9/19/17-10/5/17	Sales of pies and donuts	Offset band expenses for students
17-HS-17	NMHS	Dance Team	Dance Team Conference	11/4/2017	Conference for other schools/colleges	Funds used for competition season and Tampa trip
17-HS-18	NMHS	Dance Team	Chocolate Festival	2/14/2017	Selling Chocolate and treats	Raise funds for upcoming season
17-HS-19	NMHS	Key Club	Flags of Valor	9/26/17-11/12/17	Students sell sponsorships to family	Kiwanas donates \$10 to key club for flags sold
17-HS-20	NMHS	Football/Volleyball	Football vs Volleyball Match	9/29/2017	Selling tickets and donations	To benefit Football and Volley ball programs
17-HS-21	NMHS	Dance Team	Silicone bracelets	10/16/17-11/28/17	Selling Green Wave silicone bracelets	Raise money for Dance Team Season
17-HS-22	NMHS	Dance Team	Cellphone sleeves	10/16/17-11/21/17	Selling Green Wave cellphone sleeves	Raise money for Tampa and the season
17-HS-23	NMHS	NMHS Dramatics	NMHS Dramatics Fall Production	12/7/17-12/8/17	Selling tickets to the show	Funding future shows and buying play rights
17-HS-24	NMHS	Math Honor Society	Pumpkin Sales	10/23/17-10/31/17	Selling mini pumpkins	Scholarship fund
17-HS-25	NMHS	Unified Buddies	Carnival for Autism scholarships	4/1/2018	Carnival games/baked goods	Scholarship fund for Autistic students
17-HS-26	NMHS	NMHS Student Council	NMHS Homecoming Dance	10/16/17-10/20/17	Tickets sold for \$10	Support for NMHS clubs and activities
17-SMS-01	SMS	SMS PTO	Box Tops	9/1/17-9/29/17	Collect Box Tops	Field trips and enrichment
17-SMS-02	SMS	SMS PTO	Picture Day and Retail	9/19/17 & 11/1/17	Life touch picture packages	Field trips and enrichment
17-SMS-03	SMS	SMS PTO	Panera Bread	9/20/2017	Panera will donate 20% of sales	Field trips and enrichment
17-SMS-04	SMS	SMS PTO	Movie at Bank Street Theater	12/16/2017	Tickets presold for Star Wars	Hardship grants, scholarship fund
17-SMS-05	SMS	SMS PTO	Merchandise Sales	ALL YEAR	Items with school logo sold	Fund prizes for box top contest
17-SMS-06	SMS	SMS PTO	Scholastic Book Fair	11/27/17-12/7/17	20% of book sales	Literature, enrichment, field trips, cultural arts
17-SMS-07	SMS	SMS PTO	7th and 8th grade holiday dance	12/1/2017	Tickets and snacks sold	Battle of the books, hardship, scholarship fund
17-SMS-08	SMS	SMS PTO	Believe Fall Catalog Fund Raiser	10/2/17-10/20/17	Catalog sales	Field trips and enrichment
17-SMS-09	SMS	SMS PTO	Flamingo Flock Frenzy	4/27/17-6/15/17	Flamingo Flocks sold and placed	Field trips and enrichment
17-SMS-10	SMS	SMS PTO	CSA Fun Night Out	1/19/2018	Selling tickets to attend CSA	Field trips and enrichment
17-SMS-12	SMS	SMS PTO	Flower Grams	2/14/2018	Flowers sold to students at lunch	Field trips and enrichment
17-SMS-13	SMS	SMS PTO	Little Caesar Pizza Kits	3/1/18-3/23/18	Selling pizza kits by catalog	Field trips and enrichment
17-SMS-14	SMS	SMS PTO	6th Grade Spring Dance	4/6/2018	Selling tickets and snacks	Battle of the books, hardship, scholarship fund
17-SMS-15	SMS	SMS PTO	Scholastic Book Fair	4/3/18-4/12/18	20% of book sales	Funds to provide staff luncheon
17-SMS-16	SMS	SMS PTO	Tasty Waves	4/1/18-4/30/18	Tasty Waves donating portion of sales	Funds to provide staff luncheon



DIRECT DONATIONS AND ANTICIPATED FUNDRAISERS
AS OF 9.30.17

AGENDA ITEM 3A-3 3A-4
OCTOBER, 2017 MEETING

ID#	LOCATION	ORGANIZATION	DESCRIPTION	DATE PROPOSED	FUND SOURCE	FUND USE
17-NES-01	NES	NES PTO	Welcome Back Movie Night	9/8/2017	Selling snacks and merchandise	Fund school related activities, resources, etc.
17-NES-02	NES	NES PTO	Picture Day	9/28/2017	Annual school portrait sales	Fund school related activities, resources, etc.
17-NES-03	NES	NES PTO	Box Tops	ALL YEAR	Collecting box tops through the year	Fund school related activities, resources, etc.
17-NES-3B	NES	NES PTO	Spirit Wear	ALL YEAR	Items with school logos sold	Fund school related activities, resources, etc.
17-NES-04	NES	NES PTO	Kohls cares	ALL YEAR	Donation from Kohls cares	Fund school related activities, resources, etc.
17-NES-05	NES	NES PTO	Panoramic Photo	TBD	Sale of 2nd grade Panoramic photo	Fund school related activities, resources, etc.
17-NES-06	NES	NES PTO	Fall Catalog Fundraiser	10/2/17-10/27/17	Selling items from catalog	Fund school related activities, resources, etc.
17-NES-07	NES	NES PTO	Giggles & Gowns mini sessions	10/2/17-10/27/17	Family photo sessions	Fund school related activities, resources, etc.
17-NES-08	NES	NES PTO	Spooktacular Dance	10/27/2017	Selling tickets and food	Fund school related activities, resources, etc.
17-NES-09	NES	NES PTO	Holiday Shoppe	12/11/17-1/5/17	Sales of gift items for holidays	Fund school related activities, resources, etc.
17-NES-10	NES	NES PTO	Family Fun Night	12/5/2017	Selling tickets and food	Fund school related activities, resources, etc.
17-NES-11	NES	NES PTO	Fall Book Fair	1/2/17-12/8/17	Sale of books and merchandise	Fund school related activities, resources, etc.
17-NES-12	NES	NES PTO	Movie Night (Winter)	1/19/2018	Selling snacks and merchandise	Fund school related activities, resources, etc.
17-NES-13	NES	NES PTO	Kids Kreations	1/19/18-1/5/18	Sale of personalized gifts and art	Fund school related activities, resources, etc.
17-NES-14	NES	NES PTO	March Madness	3/2/2018	Selling tickets and food	Fund school related activities, resources, etc.
17-NES-15	NES	NES PTO	Spring Book Fair	4/2/17-4/13/17	Sale of books and merchandise	Fund school related activities, resources, etc.
17-NES-16	NES	NES PTO	Spring Fling Dance	4/27/2018	Selling tickets and food	Fund school related activities, resources, etc.
17-NES-17	NES	NES PTO	Touch a Truck	5/18/2018	Sale of Tickets to board trucks	Fund school related activities, resources, etc.
17-NES-18	NES	NES PTO	Tasty Waves month long	5/1/18-5/31/18	Sale of ice cream and toppings	Fund school related activities, resources, etc.

FOR DISCUSSION AND POSSIBLE ACTION

COMMENTARY RE FOLLOW UP TO DEC 4, 2018 MEETING (Summary of Legal response provided in blue): *Recommendation to add the first sentence to the second paragraph. The sentence is now included in Regulation #1325, but it really amounts to a declaration of Board policy so it should be included in the policy. It can stay in the regulation as well. Additional recommendation to add the legal reference to Title IX (and keep the Title IX reference in the accompanying regulation), since the regulation addresses the acceptance of donated goods and Title IX gender-equity considerations should be considered in such circumstances.*

1325

Community Relations

Advertising and Promotion

The Board of Education has a responsibility to protect students from possible exploitation by private interests through exposure to advertising within the school environment. Because marketing and promotional materials are a pervasive element in our culture, it is unfeasible to strictly prohibit the indirect or incidental advertisement of products and services to students and parents.

The resources of the New Milford Public Schools may not be used to advertise or promote goods or services to students if the primary purpose of such activity is to create commercial benefit for a non-school entity. Any advertising by the school, staff or affiliated organizations must be done in a thoughtful, careful and tasteful manner consistent with the educational goals of the district and in the best interests of the students. The Superintendent of Schools must approve any advertising by private interests in school district facilities or on school district property. The approval of such advertising does not imply that the Board endorses the product, services or item being advertised.

In addition, approval must be consistent with the educational interests of the students as well as the requirements of other Board policies. Any approval will state precisely where such advertising may be placed. Advertising by private interests will not be allowed outside the specific area approved by the Board of Education.

The Superintendent of Schools shall develop and implement regulations regarding the appropriate use of advertising and promotion within the schools.

Legal Reference: Title IX of the Educational Amendments of 1972.

Policy adopted:	May 7, 2001
Policy revised:	June 9, 2009
Policy revised:	November 10, 2009
Policy reviewed:	October 15, 2013

NEW MILFORD PUBLIC SCHOOLS
New Milford, Connecticut

FOR DISCUSSION AND POSSIBLE ACTION

COMMENTARY RE FOLLOW UP TO DEC 4, 2018 MEETING (Summary of Legal response provided in blue): *The suggested revisions below address the Policy Committee's questions/comments and also include several language additions to reflect additional statutory provisions. Here is a summary of each change in order of appearance:*

Addition of voting as a permissible use of school facilities in Section 1. Conn. Gen. Stat. § 10-239 mandates that boards of education make school facilities available for voting purposes.

Section 7, C's requirement that an organization obtain the services of the police or fire department if attendance is estimated at more than 100 people is not something that is mandated in state statute or regulations or local ordinance. Since this requirement is not mandated by law the Board is free to change the requirement. Language has been changed from "may" to "shall" in order to clearly designate that the language is mandatory.

The existing reference to PA 97-290 raises an interesting issue. Part of that Public Act is codified in Conn. Gen. Stat. § 10-221g (a copy of the statute is attached). Conn. Gen. Stat. § 10-221g requires boards of education to conduct "instructional time and facility usage assessments" and also requires superintendents to meet regularly with representatives of the local public library and local recreation department to coordinate the availability of facilities. This statute is routinely ignored by Connecticut boards of education and Legal is unaware of any districts that address this statute in their use of school facilities' policies or that conduct such assessments. The statute has never been the subject of litigation and is not cited in any regulations. There is no prescribed penalty for failing to conduct such assessments and there is no guidance in the law as to what is necessary to conduct an adequate assessment, how frequently they must be conducted, how frequently the superintendent must meet with representatives from the public library and recreation departments, etc. The legislative history for PA 97-290 does not give any definite guidance as to how Conn. Gen. Stat. § 10-221g should be interpreted.

Nevertheless the statute is on the books so the language in Section 8 below is intended to address the statute's requirements – while leaving as much flexibility as possible for the Board and Superintendent in terms of executing the statute's requirements. Reference to Conn. Gen. Stat. § 10-221g is not necessarily mandated by Board policy so the Board could elect to leave such language out of the policy if it so chooses.

Section 9 references the Boy Scouts of America Equal Access Act – a federal law that requires that school districts ensure equal access to school facilities to the Boy Scouts and similar youth groups.

Section 10 incorporates language of Conn. Gen. Stat. § 10-222a that states that funds paid to a board of education by an outside organization for use of school facilities are deemed appropriated to the board of education less any custodial costs incurred by the town.

1330

Community Relations

Use of School Facilities

As the schools of the community have been built with public funds and are supported by the citizens of the community, it is the desire of the Board of Education to make school facilities available to community organizations when consistent with the provisions of the General Statutes of the State of Connecticut, ordinances of the Town of New Milford, Internal Revenue Code Requirements for facilities whose construction was funded by tax exempt bonds and good management.

It is the policy of the Board to facilitate and encourage the use of school facilities by the public and to manage the use of school facilities to assure that the use of school facilities does not interfere with or otherwise disrupt the proper operation of the schools.

“School facilities” shall be defined as all school property, including land, buildings, equipment, and systems of and surrounding a facility operated by the Board of Education. The use of school facilities is under the control and supervision of the Facilities ~~Manager~~ **Director** who shall be responsible to assure the use of school facilities shall be limited to those activities that do not infringe upon or in anyway interfere with the operation of the schools and the best interests of the Board of Education. Exceptions to the standards and regulations of this policy and appeals may be directed to the Superintendent of Schools and the Board of Education as appropriate.

1. The Board of Education may permit the use of school facilities for the following purposes:
 - a. instructions in any branch of education or the arts;
 - b. holding social, civic, and recreational meetings and entertainment;
 - c. meetings and entertainment purposes where admission fees are charged, provided the proceeds are to be expended for clearly designated educational, civic, or charitable purpose;
 - d. commercially sponsored meetings and entertainment purposes~~ed~~ where admission fees are charged, provided that the sponsoring organization shall pay a fee to the Board of Education which fully covers utility costs and building depreciation as well as the usual custodial charges; ~~and~~
 - e. religious services during non-school hours; ~~;~~ **and**
 - f. for voting in accordance with the provisions of Title 9 of the Connecticut General Statutes.**

Community Relations

Use of School Facilities

2. An organization may request use of a particular facility for a period of time not to exceed six (6) months. When more than one organization requests the use of a particular facility at the same time, the Superintendent of Schools shall discuss the matter with the organizations involved in the conflict and attempt to work out a mutually satisfactory compromise. If a compromise cannot be arranged, priority shall be given to:
 - a. the organization that will make best use of the facility in terms of the number of people to be served, and/or the lack of an equivalent program in the community;
 - b. the organizations currently using the facility; and
 - c. the organization wishing to expand existing activities conducted in that facility.
3. Use of school buildings may be denied by the Board of Education to the extent permitted by law. The Superintendent of Schools or his/her designee will represent the Board in granting provisional permission for use of school facilities.
4. Organizations that use school facilities for
 - a. commercial purposes,
 - b. fund-raising activities other than those sponsored by local nonprofit organizations,
 - c. classroom instruction for which tuition is charged, other than those sponsored by municipal, state or local agencies, or
 - d. political/advocacy groups or religious services, including groups engaged in fundraising to support political candidates or issues or religious organizations, will be required to recompense the Town at an established rate to be set annually by the Board of Education which covers expenses incurred for lighting, heating, and general building maintenance. Prepayment of fees will be required. The PTO and other parent and student groups who use school facilities to raise funds for school-related purposes will be exempt from this requirement.
5. When use of a school facility requires overtime pay to a custodian, kitchen worker or other school employee, the organization using the facility will be required to reimburse the school system for the overtime payment, plus any applicable employee benefits. The employee will enter the time worked on his time card and the central office in turn will bill the users for the overtime payment.

Community Relations

Use of School Facilities

6. The administration has the responsibility to determine that an area is being used efficiently. If participation approaches minimal numbers, the approval may be withdrawn by the Superintendent or his/her designee.
7. Approval of the Application for Building Use may be withdrawn for non-compliance with any of the following rules or for failure to make payment.
 - a. Smoking is not permitted anywhere within the school building. In the event that smoking on stage is part of a program, the applicants will be required to obtain the written permission of the Town Fire Marshall. All organizations using this facility for a public function will announce that, in accordance with Section 31-22 of the NFPA 101 Code, there will be no smoking permitted. Further, notification will be given regarding the location of all emergency fire exits.
 - b. All exit lights must be lit during a program. No exit may be blocked.
 - c. Any organization ~~may~~ **shall** be required to obtain the services of police officers or firemen if ~~such is considered~~ **the Superintendent or his or her designee deems such services** necessary for the protection of school property and/or for traffic safety. All organizations requesting use of facilities for activities where attendance estimates exceed one hundred (100) people ~~are~~ **shall be** required to obtain the services of a police officer or fireman to supervise traffic and enforce parking regulations.
 - d. It is expected that the facilities will be left clean and neat after use. All organizations will be held responsible for the proper care and use of facilities and will be charged for any damage to buildings or equipment as a result of their usage.
 - e. No school owned equipment may be installed or operated by the using agency but must be operated and under the control of school appointed personnel. Since the use of the High School ~~Auditorium~~ **Theatre** may require technical knowledge, it is necessary that an "~~Application for Use of High School Auditorium~~ **Application for Use of School Facilities**" form be prepared in quadruplicate. While any of the technical facilities that are part of the ~~auditorium~~ **theatre** and stage are available to an approved organization for use, only authorized school personnel will be permitted to operate such facilities.

Community Relations

Use of School Facilities

- f. If the program is primarily intended for children under the age of 18 years, the school administration will require the sponsoring agency to provide adult supervision. The names of supervisors must be submitted in advance. The number of supervisors will be determined by the school administration.
- g. No nails, screws or other fastening devices may be applied to any part of the school building. This applies to stage floors in particular.
- h. Any group or organization using the school facilities shall be responsible for injury, damage of any kind and theft. Said groups or organizations agree to indemnify and save the Board of Education and the Town of New Milford harmless from any damage, loss, or expense or liability of any kind resulting from or arising out of said use.
- i. Organizations wishing to use school facilities must first present in writing proof of proper insurance which will cover any liability that might be claimed against the Board for any occurrence resulting from said use with a save harmless clause protecting the Board, along with coverage for any damage or theft.
- j. Fixed kitchen equipment may not be used without an employee of the school lunch program in attendance.
- k. Requests for use of a particular facility on a regular basis may not be submitted prior to January 1 for a summer activity or prior to June 1 for a fall, winter and/or spring activity.
- l. The person responsible for the organization shall inspect the areas of planned use before and after their use in the company of the assigned custodian. The custodian will note any problems seen on the pre and post use inspection. Users will be responsible for conditions noted after use which were not present on the pre use inspection.
- m. The use of shower or locker facilities at the middle school and high school will be permitted if the group requesting use can vacate these spaces no later than 10 p.m. If the spaces are not vacated by that time the groups involved will receive additional charges for overtime use.
- n. Any group using the facilities past 11 p.m. will be billed for overtime custodial charges.

Community Relations

Use of School Facilities

8. The Board shall periodically conduct instructional time and facility usage assessments in order to maximize student learning and community use of facilities. To assist in this process, the Superintendent shall regularly meet with representatives from the New Milford Public Library and the New Milford Parks and Recreation Department to coordinate the availability of facilities.
9. The Board shall not deny equal access to or a fair opportunity to meet, or otherwise discriminate, against any group officially affiliated with the Boy Scouts of America (or any other youth group listed as a patriotic society in Title 36 of the United States Code) that wishes to conduct a meeting using school facilities pursuant to this policy.
10. In accordance with Conn. Gen. Stat. § 10-222a, whenever any outside group or individual makes payment for custodial costs for use of school facilities or otherwise for the use of such facilities such payment, less any cost incurred by the Town in providing custodial services, shall be deemed appropriated to the Board for the current fiscal year.

Legal Reference: Boy Scouts of America Equal Access Act, 20 U.S.C. § 7905
Patriotic and National Organizations, 36 U.S.C. § 10101 et seq.

Connecticut General Statutes

Title 9 Elections

10-221g Instructional time and facility usage assessment

10-222a Boards to have use of funds from repayment and insurance proceeds for school materials and from payment for custodial services for use of school facilities

10-239 Use of school facilities for other purposes.

~~PA 97-290 An Act Enhancing Educational Choices and Opportunities~~

Policy adopted: May 7, 2001
Policy revised: June 9, 2009
Policy reviewed: October 15, 2013

NEW MILFORD PUBLIC SCHOOLS
New Milford, Connecticut

Connecticut General Statutes Annotated
Title 10. Education and Culture (Refs & Annos)
Chapter 170. Boards of Education (Refs & Annos)

C.G.S.A. § 10-221g

§ 10-221g. Instructional time and facility usage assessment

Currentness

Each local and regional board of education shall conduct an instructional time and facility usage assessment in order to maximize student learning and community use of facilities. For purposes of such audit, the superintendent of schools of each school district shall meet regularly with representatives from the public library and the recreation department in the town or towns that comprise the school district to coordinate the availability of facilities.

Credits

(1997, P.A. 97-290, § 11, eff. July 1, 1997.)

C. G. S. A. § 10-221g, CT ST § 10-221g

The statutes and Constitution are current through the 2018 February Regular Session of the Connecticut General Assembly.

**New Milford Public Schools
Application to Use School Buildings or Grounds
General Instructions and Information**

Purpose

Inasmuch as the schools of the community have been built with public funds and are supported by the citizens of the community, the Board of Education wishes to do all that is possible, consistent with the provisions of the General Statutes of the State of Connecticut to make school facilities available to community organizations.

General Application and Reservation Information

Educational activities take precedence over all other uses of the space. The school system reserves the right to cancel the use of any space to accommodate the educational needs of the school system.

Applications for Use of Buildings will not be accepted without an original certificate of insurance attached. Questions regarding insurance requirements should be directed to the Facilities Department office. All applicants must sign the reverse side of the applications white (top) copy in the appropriate space. Unsigned applications will be deemed incomplete.

Use of a space without advance receipt of a Use of Building Permit represents trespass and will be treated as such.

Rooms and spaces are reserved for only the date and time listed on the Use of Building Permit. No substitutions are made for cancellations of any event due to weather or other unforeseen situations. In the event of the cancellation of school all events shall be deemed canceled.

Excess reservation of spaces constitutes misuse of the permitting process. Users are expected to use all spaces reserved and all time periods of each reservation. Failure to use a reserved space is deemed misuse of the permitting process and may result in cancellation of all future reservations and termination in the privilege of reserving space. The Office of Facilities must be advised of all changes in reservations made necessary by foreseen and unforeseen situations.

Reservations for space must be received no less than two weeks prior to the event. Requests for space submitted less than two weeks in advance may be denied.

In the absence of a school system administrator, custodians represent authority regarding all aspects of building use.

Permits may not be assigned and are not transferable.

Responsibilities of all Users

Users are responsible for ALL ATTENDEE'S OF THE EVENT including participants, invited guests AND OBSERVERS. All users are expected to control and limit entrance to the event and to supervise the activities of participants, invited guests and observers. Users will be held financially responsible for any damage caused by attendees, participants, guests and observers.

The event sponsor is responsible for the cleaning of the facility upon completion of the event including the removal of all trash, cleaning of furniture, carpets, glass and floors unless arrangements for custodial services have been made in advance and the appropriate deposit paid. Failure to return the space, and any portion of the facility used during the event, to the condition offered prior to the event constitutes a misuse of the space. Event sponsors shall be held financially responsible for any costs incurred by the Board of Education for cleaning.

-OVER-

Additional Responsibilities of Sponsors of Events with 100 People or more

Users must provide police supervision of any activity expected to involve the presence of 100 or more people. Arrangements for police supervision and payment of any and all associated fees are the responsibility of the event sponsor. The Board of Education reserves the right to terminate any event at which 100 or more people are present in the absence of police supervision.

Sponsors of events in excess of 250 attendees must contact the fire marshal's office at 860-355-6099

The user is responsible for and must obtain all necessary permits required of all agencies having regulatory authority over the space. These agencies include, but are not limited to the Town of New Milford Fire Marshal's Office, The Town of New Milford Building Inspector's Office, and the Town of New Milford Health Department. Failure to obtain necessary permits does not relieve the user of the facility from paying reservation and rental fees.

Limitation of Space

- Use of the facilities electrical, plumbing, lighting and mechanical systems is limited to existing capacities. No provisions for additional electrical power shall be provided without prior arrangement. The user may not in anyway permanently or temporarily alter, modify, extend, or adjust the existing electrical, mechanical or lighting systems within the space used or any portion of the facility.

The introduction of decorations, partitions, illuminated and non-illuminated signage, displays and similar construction is prohibited. The introduction of any such materials into the facility requires approval by Facilities Department in advance of the event and may also require approval of The Town of New Milford Fire Marshal and the Town of New Milford Building Department.

School property, teachers or students that may be present in rooms at the time of an event are not to be disturbed in any way.

Space is reserved in as is condition. There is no warranty, express or implied, that the space can accommodate the intended use of the event sponsor.

Combustion of any kind is expressly forbidden in any space, in any portion of the facility and on all grounds surrounding the facility.

The presence of alcohol, drugs, and drug paraphernalia is expressly forbidden to occur on the property.

Food may not be introduced, prepared, or consumed within the facility or on its grounds without the advance permission of the Board of Education.

Phones, intercom systems, cable television systems etc. are not available unless arrangements are made in advance.

Payments

Rental fees and fees for custodial services are to be paid net 30 days from invoice date. Non-payment or repeated late payment of fees may result in cancellation of future events and/or termination of reservation privileges.

A minimum of one food service employee must be present during activities where kitchen facilities are used. Organizations will be charged accordingly. ***Please contact the Food Service Department at 860-354-3712 for information.***

For Office Use Only
Equipment Needed:
☐ Sound System
☐ Mats
☐ Auditorium Screen
☐ Other _____

Date _____

PERMIT No. _____

NEW MILFORD BOARD OF EDUCATION
APPLICATION FOR USE OF SCHOOL FACILITIES

Check appropriate building:

High School _____ Schaghticoke _____ Hill & Plain _____ Northville _____ Lillis _____ Sarah Noble _____

The undersigned submits the following information for application and approval of school facilities. A current copy of insurance declarations page must also be submitted:

Name of Applicant and/or Organization: _____

Address: _____

Represented by: _____ Telephone No.: _____

Dates Requested: _____ Time: From: _____ to _____

Space Requested: _____ Alternate Space: _____

Lavatory facilities needed? Yes _____ No _____ Kitchen facilities needed? Yes _____ No _____

Applicant is a Corporation or Association..(The following is the name and address of the chief officer of such Corporation or Association.)

Name: _____ Title: _____

Person in charge of and responsible for event: _____

Name: _____ Home No. _____ Work No. _____

Address: _____

The space will be used for the following purpose(s): _____

Admission of \$ _____ (will, will not) be charged)

SIGNATURE REQUIRED ON THE BACK OF WHITE COPY

FOR OFFICE USE ONLY

FEES:

<input type="checkbox"/> Application	<input type="checkbox"/> Labor	<input type="checkbox"/> Rental	Approx. amount _____ per hour
<input type="checkbox"/> Grounds	<input type="checkbox"/> Custodian	<input type="checkbox"/> A.V. Tech	Approx. amount _____ per day
<input type="checkbox"/> Turf Roster	<input type="checkbox"/> Utilities		

APPROVAL: Building Principal: _____ Date: _____ Facilities Manager: _____ Date: _____

CC: ☐ Theatre ☐ Food Service ☐ Athletics ☐ Youth Agency

White - Facilities

Yellow - Building Administration

Pink - Crew Leader

Goldenrod - Applicant

USE OF SCHOOL FACILITIES

Complete and sign ONLY if agency of the Town of New Milford or the New Milford Board of Education.

The use of school facilities is under the control and supervision of the Board of Education. The Board has adopted policies, regulations and procedures pertaining to the use of school facilities, which apply only as they may be interpreted to conform with the provisions set forth in the General Statutes.

In as much as the schools of the community have been built with public funds and are supported by the citizens of the community, the Board of Education wishes to do all that is possible, consistent with the provisions of the General Statutes of the State of Connecticut to make school facilities available to community organizations.

The applicant organization is a department or affiliate of the New Milford Public School System or an agency of the Town of New Milford.

Date: _____

Signature: _____

-OR-

Complete and sign if corporation or organization is not affiliated with the Town of New Milford or the New Milford Board of Education.

In consideration of the grant of permission to use school facilities, _____
(applicant)

Hereby agrees to indemnify and save the New Milford Board of Education harmless against all claims, demands, suits, judgments, or other forms of liability, including legal fees and costs, if any, which may arise out of the use of the school grounds and/or facilities. A current and valid certificate of insurance in an amount not less than \$1,000,000 is on file with the Mayor's Office.

I hereby certify that the use for which this space is requested conforms to the permitted uses of school buildings.

Date: _____

Signature: _____

(President, Chairman or chief Officer of Organization or his/her Designee)

FOR DISCUSSION AND POSSIBLE ACTION

COMMENTARY RE FOLLOW UP TO DEC 4, 2018 MEETING (Summary of Legal response provided in blue): *The second sentence of the first paragraph can be deleted. The federal Pro Children Act of 2001 was contained within No Child Left Behind but remains on the books. It prohibits smoking in educational facilities which Conn. Gen. Stat. § 19a-342 does as well. The reference to Public Act 14-76 which prohibits vaping in schools can now be deleted because it has been codified in the statute books under Conn. Gen. Stat. § 19a-342a which is added as a legal reference.*

1331(a)

Community Relations

Smoking

The Board of Education is convinced, on the basis of substantial scientific and medical evidence, that smoking poses a serious hazard to the health of smokers and non-smokers alike. ~~In addition, the Board believes that a school system, as an institution committed to the positive growth and development of young people that it serves.~~

For the purpose of this policy, the term “smoking” includes the use of vapor products and electronic devices that simulate smoking by delivering nicotine or other substances by the inhalation of a vapor.

Students

There shall be no smoking or any other unauthorized use of tobacco by students in any school building or school vehicle at any time, or on any school grounds or at any time when the student is subject to the supervision of designated school personnel, such as when the student is at any school function, extracurricular event, field trip, or school related activity such as a work-study program.

An ongoing program of student support and counseling will be offered to provide support for students who wish to break the smoking habit.

Staff and Public

It is the policy of the Board of Education, consistent with Connecticut General Statutes, to prohibit smoking within school buildings at all times, and to prohibit smoking on school grounds while school is in session or student activities are conducted. Breaks by employees to smoke or use tobacco products are considered recreational activities. If an employee takes a break from work to smoke or use tobacco products or leaves school grounds at any time for any reason other than district business, including to smoke or use tobacco products, he/she will not be considered to be acting within the normal course and scope of employment.

Community Relations

Smoking

Legal Reference: **The Pro Children Act of 2001, 20 U.S.C. §§ 7181-7184**

Connecticut General Statutes

19a-342 Smoking prohibited in certain places. Signs required. Penalties.

19a-342a Use of electronic nicotine delivery system or vapor product prohibited. Exceptions. Signage required. Penalties.

21a-242 Schedules of controlled substances.

53-198 No smoking on buses

14-275c-2 Regulations of Department of Transportation

~~Public Act 14-76, "An Act Concerning the Governor's Recommendations Regarding Electronic Nicotine Delivery Systems and Youth Smoking Prevention."~~

Policy adopted:	May 7, 2001
Policy revised:	December 10, 2002
Policy revised:	June 9, 2009
Policy reviewed:	October 15, 2013
Policy revised:	October 14, 2014

NEW MILFORD PUBLIC SCHOOLS
New Milford, Connecticut

FOR DISCUSSION AND POSSIBLE ACTION

COMMENTARY RE FOLLOW UP TO DEC 4, 2018 MEETING (Summary of Legal response provided in blue): *The suggested revisions on the first and second pages are meant to clarify when and under what conditions police and other law enforcement officials may question students on school grounds. The Board of course does not have the authority to direct law enforcement questioning of students outside of school, but when law enforcement seeks to come on to school grounds without express legal permission to do so (i.e. with a warrant or in “hot pursuit”) the Board can set the conditions for law enforcement to come on to school property and interact with students, staff, etc. For instance, if the police in a non-emergency situation wish to question a student on school grounds, but refuse to wait for the student’s parent(s) to arrive – as would be required under this policy – then the police officer in question should be denied the opportunity to interview the student on school grounds. The same analysis applies to the District’s use of school resource officers. The Board has discretion with respect to how SROs interact with students on school grounds.*

Legal believes the “Questioning Suspect” section overlaps with the “Questioning of Students by Police” section so suggests consolidating those sections as shown below. Clause added re student questioning being conducted in as confidential manner as possible. This is a fairly common provision that many districts include in their Relations with Law Enforcement policies.

The last section on Notification of Student Arrest has been added to correspond to requirements found in Conn. Gen. Stat. § 10-233h that require local or state police to notify superintendents when a student has been arrested for a Class A misdemeanor or felony or for certain other crimes. Pursuant to the law, the Superintendent must maintain such information confidentially and may only disclose the fact of the arrest to certain staff members.

1411(a)

Community Relations

Relations With Police Authorities

It is the policy of the Board to cooperate with law enforcement agencies in the interest of the welfare of all citizens. **Law enforcement officials may enter school facilities if a crime has been committed on District property or to investigate matters concerning staff and students upon request initiated by either law enforcement officials or by District administrators.** At the same time, the school system has the responsibility for the welfare of the students while they are in the care of the schools. To carry out this responsibility, school officials should observe the following:

A student is not immunized from the law because of his **or her** status as a student, nor is the school building a sanctuary from the law or the proper actions of law enforcement personnel. Whenever the police is **are** in “hot pursuit:” of a person suspected of criminal activity based upon probable cause to believe that a crime has been committed or when they have a search warrant or an arrest warrant, they shall be admitted **within school facilities** in the exercise of their ~~designated~~ **legal** authority.

Community Relations

Relations With Police Authorities

In other situations, however, the interest of the individual, the students at large, and the school community may best be served by entrusting primary responsibility for the maintenance ~~or~~ of order to school personnel. The **Superintendent of Schools and building Principal principals** shall have the authority, except as noted above, to exclude the police from the school when police intervention is considered unwarranted.

Questioning Of Students By Police

Questioning of students by police or other law enforcement personnel generally will not take place on school grounds. However, if police indicate that student questioning on school grounds is necessary, then school officials may permit law enforcement personnel on school grounds to question students without requiring presentation of a warrant, subject to the following conditions:

1. The questioning of students by the police will be conducted with strict regard for the constitutional rights of the student to remain silent. Notice of these rights should be given to students by the police as standing procedure;
2. **When police or other law enforcement officials wish to question a student, the building principal, or his or her designee, shall notify the student's parent(s) or guardian(s) and request that they be present during the questioning. If the investigation deals with matters of public safety which require speedy investigation, and the student's parent(s) or guardian(s) cannot be reached, or cannot be present, then the principal, or his or her designee, must be present during the questioning. In addition, even if a parent or guardian is present, the school administration may still be permitted to be present.**
3. **Students will be questioned in as confidential and inconspicuous manner as possible. Preferably, police officers will wear civilian clothes when conducting student interviews.**

When investigating a possible criminal violation occurring off school grounds or not part of a school program, police will be encouraged to question students in their homes. If the questioning deals with incidents other than those involving public safety, the questioning of the students will be delayed until the parent is present. Police and other law enforcement officials will make every effort to minimize distractions or disruption of school routines during the performance of their duties.

Community Relations

Relations With Police Authorities

The school administration retains the right to question student witnesses when conducting any investigation into misconduct, and need not obtain parental consent.

Incident On School Grounds - Questioning Complainant And Witnesses

The school administration retains the right to question student witnesses when conducting any investigation into misconduct, and need not obtain parental consent. However, a Principal or his/her designee may request an investigation by the police of an incident which occurred on school grounds or otherwise affects the operations of the schools. In such an instance, when the police are interviewing or are taking statements from a student complainant and/or witness who is not a suspect, it is for the police to notify the parent or guardian and invite the parent or guardian to be present, if the police so choose. If the parent or guardian is unable to be present, the Principal or his/her delegate will be present. In addition, even if a parent or guardian is present, the school administration may be permitted to be present.

Questioning Suspect

~~The school administration retains the right to question student witnesses when conducting any investigation into misconduct, and need not obtain parental consent. When the identification of the student(s) involved has been made and the police wish to question them, the Principal shall notify the parent(s) or guardian(s) and request that they be present during the questioning.~~

1. ~~If the investigation deals with matters of public safety which require speedy investigation, and the parents cannot be reached, or cannot be present, then the Principal or his/her delegate must be present during the questioning. In addition, even if a parent or guardian is present, the school administration may still be permitted to be present.~~
2. ~~If the investigation deals with incidents other than those involving public safety, the questioning of the students will be delayed until the parent is present.~~

Incident In The Community

~~Police questioning of students concerning incidents which occur in the community will normally not be done on school grounds except that in matters dealing with public safety and the community interest, the procedures in #1 above will be followed.~~

Removal Of Student By Police

Whenever the police remove a student from school premises, the Principal shall contact the student's parents and inform them that the student has been removed from school premises and is in the custody of the police.

Community Relations

Relations With Police Authorities

Notification of Student Arrest

Pursuant to Conn. Gen. Stat. § 10-233h, whenever the Superintendent receives oral, followed by written notification from the local police department or state police that a student was arrested for a Class A misdemeanor, a felony, or for selling, carrying, or brandishing a facsimile firearm, he or she shall maintain the written report in a secure location and the information in the report shall be maintained as confidential in accordance with Conn. Gen. Stat. § 46b-124. The Superintendent may disclose such information, when reported during the school year, only to the Principal of the school in which the student is enrolled or the supervisory agent of any other school in which the student is enrolled.

The Principal or supervisory agent may disclose such information only to special service staff or a consultant, such as a psychiatrist, psychologist or social worker, for the purposes of assessing the risk of danger posed by the student to other students, school employees or property, and for the purpose of effectuating an appropriate modification of such student's educational plan or placement for disciplinary purposes. Such information with respect to a student under sixteen years of age shall be confidential in accordance with Conn. Gen. Stat. § 46b-124 and shall only be disclosed as provided in this section and shall not be further disclosed.

Legal Reference: Connecticut General Statutes
10-221 Boards of education to prescribe rules.

10-233h Arrested students. Reports by police, disclosure, confidentiality.

53a-185 Loitering in or about school grounds: Class C Misdemeanor

54-76j Disposition upon adjudication as youthful offender.

Policy adopted: May 7, 2001
Policy revised: June 9, 2009
Policy reviewed: October 15, 2013

NEW MILFORD PUBLIC SCHOOLS
New Milford, Connecticut

Community Relations

Fire Department

Members of the Volunteer Fire Department and the Town Fire Marshal play a vital role in the school safety program. The Superintendent of Schools and administrative staff shall have the following responsibilities:

1. Establish and maintain relationships with the local Fire Marshal and Fire Departments.
2. Work with the faculty in determining the nature and timing of the Department's participation in the school program.
3. Coordinate and supervise planned activities.

As necessary or appropriate administrators shall seek the advice and cooperation of the Fire Marshal and Fire Department in:

1. Planning and conduct of fire drills.
2. Fire prevention education.
3. First aid, especially in fire related incidents.
4. Conforming to state and local fire codes.

(cf. 6114.3 Emergencies and Disaster Preparedness)

FOR DISCUSSION AND POSSIBLE ACTION

COMMENTARY RE FOLLOW UP TO DEC 4, 2018 MEETING (Summary of Legal response provided in blue): *Legal speculates that the policy's double numbering may refer back to a time when there were separate policies regarding state and federal aid that were combined into one document. Many districts across the state use the same 1430/1440 numbering for this policy so it may date back to an old CAFE-model. If the Board wishes to delete one of the numbers, they may.*

1430
1440

Community Relations

State and Federal Aid

In order to bring the full benefit of state and federal aid programs to bear upon the needs of the school system, it is the policy of the Board to maintain close liaison with the State Department of Education and appropriate federal agencies, and to cooperate with them fully in providing improved educational services.

The Superintendent should pursue all available grant sources to enhance the educational programs of the school system. The Superintendent shall notify the Board of the intention to submit grant proposals for funding. Board approval is required prior to grant acceptance.

Policy adopted:
Policy reviewed:

May 7, 2001
October 15, 2013

NEW MILFORD PUBLIC SCHOOLS
New Milford, Connecticut

FOR DISCUSSION AND POSSIBLE ACTION

COMMENTARY RE FOLLOW UP TO DEC 4, 2018 MEETING (Summary of Legal response provided in blue): *Legal speculates that the policy's double numbering may refer back to a time when there were separate policies regarding private K-12 schools and private colleges that were combined into one document. If the Board wishes to delete one of the numbers, they may.*

1620
1640

Community Relations

Relations With Private Schools, Colleges and Universities

The District will cooperate with private schools, colleges and universities concerning student records and references in accordance with the law. Except as authorized by law, the written consent of the parent or the eligible student is required before confidential student information may be disclosed. The written consent must specify permission for disclosure, the purpose of the disclosure and the person to whom the records are to be disclosed.

Legal Reference: Connecticut General Statutes

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

 10-76d-18 Regulations concerning children requiring special education

 20 U.S.C Section 1232g Family Educational Rights and Privacy Act

Policy adopted: May 7, 2001
Policy revised: June 9, 2009
Policy reviewed: October 15, 2013

NEW MILFORD PUBLIC SCHOOLS
New Milford, Connecticut

FOR DISCUSSION AND POSSIBLE ACTION

COMMENTARY RE FOLLOW UP TO DEC 4, 2018 MEETING (Summary of Legal response provided in blue): *The policy language closely tracks a statute in the criminal code – Conn. Gen. Stat. § 53a-217b – that concerns possession of a weapon on school grounds. The law specifies certain categories of people who can legally possess a firearm on school grounds. For instance, hunters traversing school property to get to a hunting area may carry unloaded firearms on school property. Also, motor vehicle inspectors are expressly allowed to carry firearms on school property.*

Notably, the law permits “peace officers” to carry on school grounds while engaged in the performance of their duties. State and local police, corrections officers, judicial marshals, etc. are considered “peace officers”. The key part of the law here is that a peace officer is only allowed to carry a firearm on school grounds if carrying on school grounds is in the performance of their duties. An off-duty police officer picking their son or daughter up from school who has their firearm on them would technically be breaking the law and the policy (if they carried in knowing violation of the law). The same would apply to a retired police officer, but it should be noted that a retired police officer or other official who is working as a security guard and has a license to carry a firearm would not be violating the law or the policy because carrying the weapon would presumably be pursuant to an agreement to serve as a security guard.

1700(a)

Community Relations

Possession of Firearms on School Property Prohibited

The New Milford Board of Education prohibits all persons who are in possession of a firearm from entering school property, except those persons specifically authorized to do so by state or federal law and in accordance with the provisions of this policy. This prohibition includes individuals who are otherwise in lawful possession of an unloaded firearm and traversing school property for the purpose of gaining access to lands open to hunting or other lawful purposes. The prohibition does not apply to police officers on duty, qualified school resource officers who are authorized by the Board to carry a weapon in furtherance of their duties or state motor vehicle inspectors while engaged in performance of their official duties.

Students are prohibited by the Board of Education from possessing firearms for any reason, whether otherwise lawful or not, in or on the real property comprising the public or private elementary or secondary school or at a school sponsored activity as defined in Subsection (h) of Section 10-233a.

(cf. 5114 - Suspension/Expulsion/Exclusion/Removal)

Legal Reference: Connecticut General Statutes

29-28 Permit for sale at retail of pistol or revolver. Permit to carry a pistol or revolver. Confidentiality of name and address of permit holder.

29-33 Sale, delivery or transfer of pistol and revolvers. Documentation requirements. Waiting period. Exempted transactions. Penalty.

Community Relations

Possession of Firearms on School Property Prohibited

Legal Reference: Connecticut General Statutes

53a-3 Definitions.

53a-217b Possession of a weapon on school grounds. Class D felony.

Public Act 16-55: An Act Concerning Recommendations by the Department of Motor Vehicles Regarding Hazardous Materials, Car Dealers, Electronic Registration, Student Transportation Vehicle Operators, Diversion Programs, Motor Vehicle Inspectors and Minor Revisions to the Motor Vehicle Statutes

Policy adopted: May 7, 2001
Policy revised: May 13, 2014
Policy revised: October 18, 2016

NEW MILFORD PUBLIC SCHOOLS
New Milford, Connecticut

Connecticut General Statutes Annotated
Title 53a. Penal Code (Refs & Annos)
Chapter 952. Penal Code: Offenses (Refs & Annos)
Part XXI. Miscellaneous Offenses

C.G.S.A. § 53a-217b

§ 53a-217b. Possession of a weapon on school grounds: Class D felony

Effective: October 1, 2016

[Currentness](#)

(a) A person is guilty of possession of a weapon on school grounds when, knowing that such person is not licensed or privileged to do so, such person possesses a firearm or deadly weapon, as defined in [section 53a-3, \(1\)](#) in or on the real property comprising a public or private elementary or secondary school, or (2) at a school-sponsored activity as defined in subsection (h) of [section 10-233a](#).

(b) The provisions of subsection (a) of this section shall not apply to the otherwise lawful possession of a firearm (1) by a person for use in a program approved by school officials in or on such school property or at such school-sponsored activity, (2) by a person in accordance with an agreement entered into between school officials and such person or such person's employer, (3) by a peace officer, as defined in [subdivision \(9\) of section 53a-3](#), while engaged in the performance of such peace officer's official duties, (4) by a person while traversing such school property for the purpose of gaining access to public or private lands open to hunting or for other lawful purposes, provided such firearm is not loaded and the entry on such school property is permitted by the local or regional board of education, or (5) by a motor vehicle inspector, designated under [section 14-8](#) and certified pursuant to [section 7-294d](#), while engaged in the performance of such motor vehicle inspector's official duties.

(c) Possession of a weapon on school grounds is a class D felony.

Credits

(1992, June Sp.Sess., P.A. 92-1, § 1; 1993, P.A. 93-416, § 7, eff. Oct. 1, 1993; 1994, P.A. 94-221, § 1; 1998, P.A. 98-129, § 15; 2001, P.A. 01-84, § 8, eff. July 1, 2001; 2016, P.A. 16-55, § 10.)

C. G. S. A. § 53a-217b, CT ST § 53a-217b

The statutes and Constitution are current through General Statutes of Connecticut, Revision of 1958, Revised to January 1, 2019.

ITEM OF INFORMATION

COMMENTARY RE FOLLOW UP TO DEC 4, 2018 MEETING (Summary of Legal response provided in blue): *The references to Connecticut General Statutes § 7-194, 10-9, 10-21a and 10-21b are directed to the donation and use of school property but do not really apply in the limited circumstances addressed here and should be deleted. The Title IX reference remains.*

1325(a)

Community Relations

Advertising and Promotion

The resources of the New Milford Public Schools may not be used to advertise or promote goods or services to students if the primary purpose of such activity is to create commercial benefit for a non-school entity.

The Superintendent or designee shall:

1. Cooperate through announcements and distribution of program material, with a town agency or recognized non-profit organizations that benefit students and their families when such cooperation will not interfere, restrict or impair the educational program of the schools.
2. The Superintendent may announce or authorize to be announced, any lecture, play, film, or other community activity with educational value and consistent with the curriculum.

The appropriate Principal or designee shall:

1. Permit participation, which participation shall be at the option of the individual schools, in essay, art, science and similar contests sponsored by outside interests when such activities parallel the curriculum and contribute to the educational program.
2. Accept limited advertising on extra-curricular activity schedules and programs at the discretion of the Principal of the school involved.
3. Allow advertising for services in connection with class pictures, class rings and similar student activities approved by the appropriate administrator.

The Board recognizes that it is consistent with the intent of this regulation to allow the recognition of non-school entities in the following limited circumstances.

1. The Board may accept donations of goods or services which incorporate a recognition of the donating organization. The donating organization will obtain approval of the Superintendent with respect to the nature of the recognition prior to initiating the donation.

Community Relations

Advertising and Promotion

2. At extra-curricular or athletic events, the Superintendent may allow the use of vendor provided signage or paraphernalia directly related to the provisioning of goods and services, appropriate sponsor-provided signage or paraphernalia, or the inclusion of appropriate advertisements in programs related to the event.
3. The Board allows recognized PTO organizations to advertise and promote the activities sponsored by the PTO organizations. Any such communication shall clearly indicate that the activity is sponsored by the PTO.
4. Hours of operations and items to be sold in school stores are subject to approval of the Principal.

Legal Reference: ~~Connecticut General Statutes~~

~~7-194 Powers.~~

~~10-9 Bequests for educational purposes.~~

~~10-21a Accredited courses offered by employers.~~

~~10-21b Programs offered jointly by boards of education and business firms;
neighborhood assistance.~~

Title IX of the Educational Amendments of 1972.

Regulation adopted: September 19, 2017

NEW MILFORD PUBLIC SCHOOLS
New Milford, Connecticut

Instruction

Graduation Requirements

To graduate from the New Milford Public Schools, a student must earn a minimum number of credits, fulfill credit distribution requirements and meet district performance standards.

I. Academic credit distribution requirements

A. Students must complete the following credits:

Year of Graduation 2013, 2014	4.0 English 3.0 Mathematics 3.0 Social Studies (including 0.5 credit in civics and 1 credit for U.S. history) 3.0 Science 1.0 Physical Education 1.0 Arts (Fine or Practical) 0.5 Health 7.0 Electives <hr/> 22.5 TOTAL CREDITS
Year of Graduation 2015	4.0 English 3.0 Mathematics 3.0 Social Studies (including 0.5 credit in civics and 1 credit for U.S. history) 3.0 Science 2.0 Physical Education 1.0 Arts (Fine or Practical) 0.5 Health 7.0 Electives <hr/> 23.5 TOTAL CREDITS
Year of Graduation 2016	4.0 English 3.0 Mathematics 3.0 Social Studies (including 0.5 credit in civics and 1 credit for U.S. history) 3.0 Science 2.0 Physical Education 1.0 Arts (Fine or Practical) 0.5 Health 8.0 Electives (including 0.5 in humanities) <hr/> 24.5 TOTAL CREDITS

Instruction

Graduation Requirements

Year of Graduation 2017	4.0	English
	4.0	Mathematics
	3.0	Social Studies (including 0.5 credit in civics and 1 credit for U.S. history)
	3.0	Science
	2.0	Physical Education
	1.0	Arts (Fine or Practical)
	0.5	Health
	8.5	Electives (including 0.5 in humanities and 0.5 in Financial Literacy)
	26.0 TOTAL CREDITS	

- B. A credit shall consist of not less than the equivalent of a forty-minute class period for each school day of a school year unless such credit is earned at an institution accredited by the Department of Higher Education or regionally accredited.

II. District's performance standards

These performance standards identify the basic skills that students are expected to achieve in order to graduate. A New Milford High School graduate must complete all academic requirements and demonstrate basic skills in Reading & Writing, Quantitative Thinking (Math & Science) and Information Literacy. The Superintendent of Schools or designee shall develop administrative regulations regarding performance standards for each basic skill, including the method(s) of assessing a student's level of competency in such skills. The assessment criteria must include, but not be based exclusively on, the results of the state or national high school state-wide mastery examination.

III. Options if graduation requirements are not met

The Board of Education is dedicated to providing students who may have difficulty fulfilling these requirements with different options and multiple opportunities to meet the academic and performance standards for graduation.

Those students who have not successfully completed the assessment criteria will be afforded alternative means of meeting this criteria. The following is not an inclusive list:

- Pass 0.5 credit of English 4
- Completion of a research project, approved in advance by the Science Department, that involves data collection, and is graded according to an established rubric
- Pass Departmental Exam covering the topics of arithmetic, algebra, geometry and statistics

Instruction

Graduation Requirements

III. Options if graduation requirements are not met (cont.)

- Pass 0.5 credit of Practical Math
- English Writing SAT I of 450 or better
- Math Reasoning SAT I of 450 or better
- Math SAT II Math Level 1C of 450 or better

Seniors who are not eligible for graduation with their class due to a failure to meet the district graduation requirements in one or more subjects may select one of the following options:

1. Successful completion of a summer course or summer courses comparable (as determined by the Principal) to the subject(s) in which the student was deficient
2. Enroll in an on-line course in accordance with Policy 6172.6 (Virtual/On-line Courses/College/University Courses)
3. Make arrangement for re-testing to meet performance standards
4. Return to school in September as a fifth year senior

IV. Exemptions, modifications, and accommodations

- A. If a physician or advanced practice registered nurse certifies in writing that the physical education requirement is medically contraindicated because of the physical condition of the student, this requirement may be fulfilled by an elective.
- B. Exemptions; modifications and accommodations of graduation requirements will be made for any student with a disability as determined by the planning and placement team or 504 team.
- C. Only credits for courses taken in grades nine through twelve shall satisfy graduation requirements except that the Superintendent of Schools or designee may grant credit for certain courses identified in subsection (e) of Section 10-221a of the Connecticut General Statutes.
- D. The Board may permit a student to graduate during a period of expulsion pursuant to Connecticut General Statutes 10-233d if the Board determines that the student has satisfactorily completed the necessary credits for graduation.
- E. In accordance with state law, the Board of Education may award a high school diploma to a veteran of World War II, the Korean hostilities, or the Vietnam Era who left high school to serve in the armed forces and did not receive a diploma as a consequence of such service as well as any person who withdrew from high school prior to graduation to work in a job that assisted the war effort during World War II, did not receive a diploma as a consequence of such work and has resided in the state for at least fifty consecutive years.

Instruction

Graduation Requirements

Early Graduation

Students may finish in seven semesters provided all graduation requirements have been satisfied. Any student interested in being considered for early graduation must notify his/her counselor of his/her intentions by May 1 of the junior year. Students applying for early graduation must obtain the Early Graduation Policy statement and related application form from the Guidance Office and take course no. 990.

Course No.	Course	Prerequisites
990	Early Graduation	By Special Arrangement Only

(cf. 5121 - Examination/Grading/Rating)
 (cf. 5123 - Promotion/Acceleration/Retention)
 (cf. 6111 - School Calendar)
 (cf. 6145.6 - Travel and Exchange Programs)
 (cf. 6142.2 – Statewide Proficiency/Mastery Examinations)

Legal reference:	Connecticut General Statutes
10-14n	State-wide mastery examination
10-161	Establishment of graduation date
10-18	Courses in United States history, government and duties and responsibilities of citizenship
10-19	Teaching about alcohol, nicotine or tobacco, drugs and acquired immune deficiency syndrome
10-221a	High school graduation requirements
10-223a	Promotion and graduation policies. Basic skills necessary for graduation, assessment process

Policy adopted: June 10, 2003
 Policy revised: June 27, 2005
 Policy revised: June 8, 2010
 Policy revised: October 11, 2011
 Policy revised: September 10, 2013
 Policy revised: October 8, 2013

NEW MILFORD PUBLIC SCHOOLS
 New Milford, Connecticut