

WESTPORT BOARD OF EDUCATION

REVISED AGENDA*

(Agenda Subject to Modification in Accordance with Law)

PUBLIC SESSION/PLEDGE OF ALLEGIANCE

7:30 p.m., Staples High School, Cafeteria B (Room 301)

ANNOUNCEMENTS FROM BOARD AND ADMINISTRATION

PUBLIC QUESTIONS/COMMENTS ON NON-AGENDA ITEMS (15 MINUTES)

MINUTES: December 4 and 9, 2019, *pages 1-4*

DISCUSSION

- 1. NESDEC Enrollment Projections Follow-up, *pages 5-13* (Encl.) Mr. Don Kennedy
- 2. FY 2021 Preliminary Budget Discussions with Board of Finance, RTM Education, and Finance Committee Chairs Ms. Candice Savin
- 3. Revisions to 2020-2021 School Calendar, *page 15* (Encl.) Dr. David Abbey
- 4. Update on Policy Committee and First Reading of the Following Policies: (Encl.) Ms. Karen Kleine
 - 5125, Student Records, Confidentiality, *pages 17-44*
 - 5113, Attendance and Excuses, *pages 45-50*
 - 5131.6, Alcohol, Drugs, Tobacco, *pages 51-60*
 - 3542.22, Food Services Personnel Code of Conduct, *pages 61-63*
 - 5131.61, Inhalant Use by Students, *pages 65-66*

DISCUSSION/ACTION

- 1. Second Reading of the Following Policies and Regulations: (Encl.) Ms. Karen Kleine
 - 4118.25/5141.4, Reporting of Suspected Child Abuse, Neglect, or Sexual Assault (revised, renumbered), *pages 67-77*
 - 5113.1, Attendance, Truancy, and Chronic Absenteeism (revised, renumbered), *pages 79-80*
 - 3542.43, Food Service Charging Policy (new), *pages 81-84*

ADJOURNMENT

*A 2/3 vote is required to go to executive session, to add a topic to the agenda of a regular meeting, or to start a new topic after 10:30 p.m. The meeting can also be viewed on Cablevision on channel 78; Frontier channel 6021 and by video stream @www.westportps.org

PUBLIC PARTICIPATION WELCOME USING THE FOLLOWING GUIDELINES:

- Comment on non-agenda topics will occur during the first 15 minutes *except* when staff or guest presentations are scheduled.
- Board will not engage in dialogue on non-agenda items.
- Public may speak as agenda topics come up for discussion or information.
- Speakers on non-agenda items are limited to 2 minutes each, except by prior arrangement with chair.
- Speakers on agenda items are limited to 3 minutes each, except by prior arrangement with chair.
- Speakers must give name and use microphone.
- Responses to questions may be deferred if answers not immediately available.
- Public comment is normally not invited for topics listed for action after having been publicly discussed at one or more meetings.

WESTPORT BOARD OF EDUCATION

Board Members Present:

Administrators Present:

Candice Savin
Jeannie Smith
Elaine Whitney
Karen Kleine
Vik Muktavaram
Youn Su Chao
Lee Goldstein

Chair
Vice Chair
Secretary

David Abbey
Anthony Buono
Elio Longo
John Bayers

Interim Superintendent
Asst. Superintendent, Teaching and Learning
Chief Financial Officer
Director of Human Resources

Notes:

1. Rescheduled from December 2, 2019 due to early school closure related to snow
2. Tina Mannarino absent

PUBLIC CALL TO ORDER/PLEDGE OF ALLEGIANCE: 7:33 p.m., Staples High School, Cafeteria B (Room 301)

ANNOUNCEMENTS FROM BOARD AND ADMINISTRATION

MINUTES: November 19, 2019

Elaine Whitney moved to approve the minutes of November 19, 2019 as edited earlier in the day; seconded by Jeannie Smith and passed unanimously.

PRESENTATION

NESDEC Enrollment Projections

WORK SESSION

Rebalancing Discussion

ADJOURNMENT: Jeannie Smith moved to adjourn at 9:43 p.m.; seconded by Vik Muktavaram and passed unanimously.

Respectfully submitted,

Elaine Whitney, Secretary, Board of Education
(Minutes written by Lisa Marriott)

This page has been intentionally left blank.

**WESTPORT BOARD OF EDUCATION
Special Meeting**

Board Members Present:

Candice Savin Chair
Jeannie Smith Vice Chair
Elaine Whitney* Secretary
Karen Kleine
Vik Muktavaram**
Youn Su Chao
Lee Goldstein

Administrators Present:

David Abbey Interim Superintendent
Anthony Buono Asst. Superintendent, Teaching and Learning
Elio Longo Chief Financial Officer
John Bayers Director of Human Resources

*Arrived at 7:42 p.m.

**Participated by phone

Absent: Tina Mannarino, Asst. Superintendent, Pupil Personnel Services

PUBLIC CALL TO ORDER: 7:35 p.m., Westport Town Hall Auditorium

PUBLIC COMMENTS

Public Comment on the Topic of Rebalancing

DISCUSSION/POSSIBLE VOTE

Maintaining Traditional Attendance Zones for Bedford Middle School and Coleytown Middle School

Be it resolved, that the Board of Education, upon the anticipated reopening of Coleytown Middle School for the 2020-2021 school year, approves reverting to traditional attendance zones for Bedford Middle School and Coleytown Middle School, with three 4-teacher teams at BMS and two 4-teacher teams at CMS for the 2020-2021 school year.

MOTION: Karen Kleine
SECOND: Vik Muktavaram

Candice Savin moved to amend the motion by replacing the language of the motion on the table with the following language:

Be it resolved, that the Board of Education, for the 2020-2021 school year, will not implement a split feeder pattern to Coleytown Middle School and Bedford Middle School.

MOTION: Candice Savin
SECOND: Elaine Whitney
RESULT: Failed
VOTE: 3-4 (Candice Savin, Jeannie Smith and Elaine Whitney in favor; Karen Kleine, Vik Muktavaram, Youn Su Chao, and Lee Goldstein opposed)

Vote on the original motion:

Be it resolved, that the Board of Education, upon the anticipated reopening of Coleytown Middle School for the 2020-2021 school year, approves reverting to traditional attendance zones for Bedford Middle School and Coleytown Middle School, with three 4-teacher teams at BMS and two 4-teacher teams at CMS for the 2020-2021 school year.

RESULT: Passed Unanimously
VOTE: 7-0

ADJOURNMENT: Candice Savin moved to adjourn at 9:30 p.m.; seconded by Jeannie Smith and passed unanimously.

Respectfully submitted,

Elaine Whitney, Secretary, Board of Education
(Minutes written by Lisa Marriott)



New England School Development Council

Westport, CT
Enrollment Projections

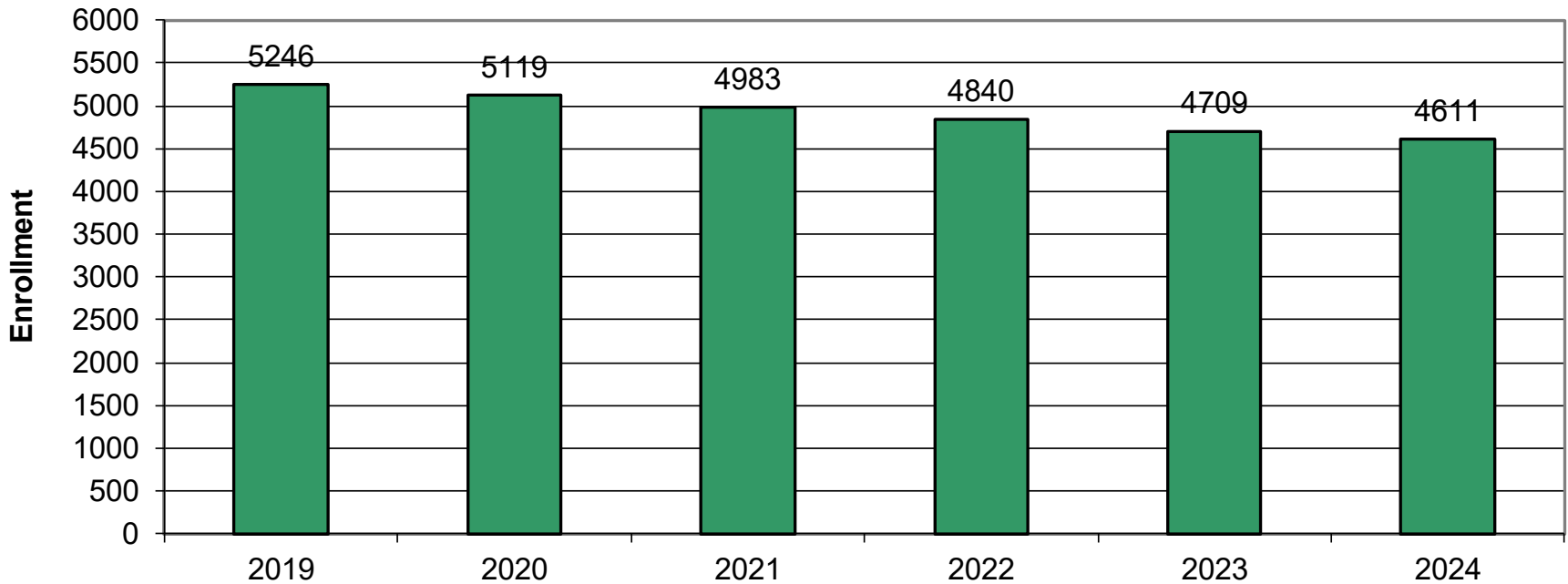
Donald G. Kennedy, Ed.D.

Karen LeDuc, Ph.D.

December 2, 2019

Westport, CT Projected Enrollment

K-12 To 2029 Based On Data Through School Year 2019-20



Bottom line: continuing annual decline of K-12 students

Westport, CT Historical Enrollment

School District: Westport, CT - Five-Year Projections

11/21/2019

Historical Enrollment By Grade																			
Birth Year	Births	School Year	PK	K	1	2	3	4	5	6	7	8	9	10	11	12	UNGR	K-12	PK-12
2004	264	2009-10	52	377	430	406	442	464	422	448	443	445	467	436	476	408	0	5664	5716
2005	265	2010-11	53	393	402	441	421	464	446	437	445	443	464	468	434	471	0	5729	5782
2006	230	2011-12	39	356	401	423	442	428	474	460	436	456	467	463	471	428	0	5705	5744
2007	194	2012-13	46	364	386	421	431	451	438	479	462	439	479	468	469	466	0	5753	5799
2008	221	2013-14	41	364	388	398	435	450	461	446	484	461	442	476	465	454	0	5724	5765
2009	168	2014-15	51	343	390	408	412	449	439	468	445	489	472	442	478	463	0	5698	5749
2010	192	2015-16	50	346	346	404	419	423	455	439	468	456	493	480	437	477	0	5643	5693
2011	176	2016-17	55	327	373	361	422	414	428	450	451	469	464	492	467	431	0	5549	5604
2012	190	2017-18	67	331	348	387	370	430	418	433	450	454	475	463	487	463	0	5509	5576
2013	172	2018-19	73	346	351	357	399	374	437	428	430	458	464	474	441	479	0	5438	5511
2014	179	2019-20	70	325	355	369	346	401	360	420	411	429	450	465	475	440	0	5246	5316

Historical Enrollment in Grade Combinations									
Year	PK-5	K-5	K-6	K-8	5-8	6-8	7-8	7-12	9-12
2009-10	2593	2541	2989	3877	1758	1336	888	2675	1787
2010-11	2620	2567	3004	3892	1771	1325	888	2725	1837
2011-12	2563	2524	2984	3876	1826	1352	892	2721	1829
2012-13	2537	2491	2970	3871	1818	1380	901	2783	1882
2013-14	2537	2496	2942	3887	1852	1391	945	2782	1837
2014-15	2492	2441	2909	3843	1841	1402	934	2789	1855
2015-16	2443	2393	2832	3756	1818	1363	924	2811	1887
2016-17	2380	2325	2775	3695	1798	1370	920	2774	1854
2017-18	2351	2284	2717	3621	1755	1337	904	2792	1888
2018-19	2337	2264	2692	3580	1753	1316	888	2746	1858
2019-20	2226	2156	2576	3416	1620	1260	840	2670	1830

Historical Percentage Changes			
Year	K-12	Diff.	%
2009-10	5664	0	0.0%
2010-11	5729	65	1.1%
2011-12	5705	-24	-0.4%
2012-13	5753	48	0.8%
2013-14	5724	-29	-0.5%
2014-15	5698	-26	-0.5%
2015-16	5643	-55	-1.0%
2016-17	5549	-94	-1.7%
2017-18	5509	-40	-0.7%
2018-19	5438	-71	-1.3%
2019-20	5246	-192	-3.5%
Change		-418	-7.4%

Westport, CT Projected Enrollment

School District: Westport, CT - Five-Year Projections

11/21/2019

Enrollment Projections By Grade*																				
Birth Year	Births		School Year	PK	K	1	2	3	4	5	6	7	8	9	10	11	12	UNGR	K-12	PK-12
2014	179		2019-20	70	325	355	369	346	401	360	420	411	429	450	465	475	440	0	5246	5316
2015	156		2020-21	71	290	341	369	372	350	399	360	416	414	431	450	456	471	0	5119	5190
2016	168		2021-22	72	312	305	354	372	376	349	399	356	419	416	431	442	452	0	4983	5055
2017	154	(prov.)	2022-23	73	286	328	317	357	376	375	349	395	359	421	416	423	438	0	4840	4913
2018	153	(prov.)	2023-24	74	284	300	341	320	361	375	375	346	398	361	421	408	419	0	4709	4783
2019	162	(est.)	2024-25	75	301	298	311	344	324	360	375	371	349	400	361	413	404	0	4611	4686

Note: Ungraded students (UNGR) often are high school students whose anticipated years of graduation are unknown, or students with special needs - UNGR not included in Grade Combinations for 7-12, 9-12, etc.

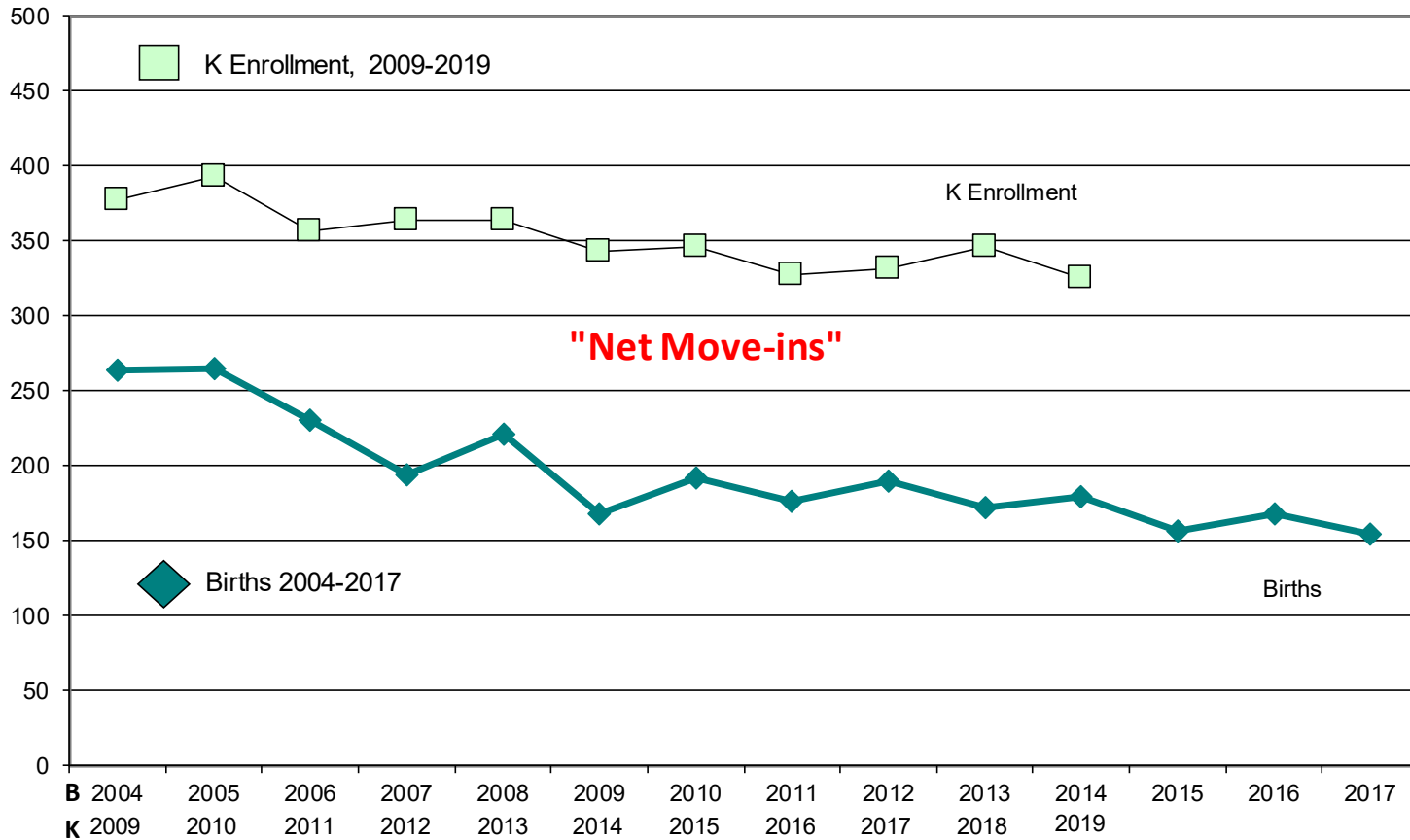
Based on an estimate of births
 Based on children already born
 Based on students already enrolled

Projected Enrollment in Grade Combinations*									
Year	PK-5	K-5	K-6	K-8	5-8	6-8	7-8	7-12	9-12
2019-20	2226	2156	2576	3416	1620	1260	840	2670	1830
2020-21	2192	2121	2481	3311	1589	1190	830	2638	1808
2021-22	2140	2068	2467	3242	1523	1174	775	2516	1741
2022-23	2112	2039	2388	3142	1478	1103	754	2452	1698
2023-24	2055	1981	2356	3100	1494	1119	744	2353	1609
2024-25	2013	1938	2313	3033	1455	1095	720	2298	1578

Projected Percentage Changes			
Year	K-12	Diff.	%
2019-20	5246	0	0.0%
2020-21	5119	-127	-2.4%
2021-22	4983	-136	-2.7%
2022-23	4840	-143	-2.9%
2023-24	4709	-131	-2.7%
2024-25	4611	-98	-2.1%
Change		-635	-12.1%

*Projections should be updated annually to reflect changes in in/out-migration of families, real estate sales, residential construction, births, and similar factors.

Westport, CT Birth-to-Kindergarten Relationship



Westport, CT Birth-to-Kindergarten Experience

40 Years of Westport's Birth-to-Kindergarten Experience + 2020-21 Forecast

Birth Year	Westport Births	Kind. Year	# in Kind.	Net Move-in's	Birth-K Ratio
1975	163	1980-81	169	6	1.04
1976	137	1981-82	169	32	1.23
1977	156	1982-83	138	-18	0.88
1978	148	1983-84	139	-9	0.94
1979	162	1984-85	150	-12	0.93
1980	163	1985-86	191	28	1.17
1981	169	1986-87	180	11	1.07
1982	141	1987-88	167	26	1.18
1983	171	1988-89	205	34	1.2
1984	204	1989-90	254	50	1.25
1985	197	1990-91	241	44	1.22
1986	223	1991-92	293	70	1.31
1987	263	1992-93	309	46	1.17
1988	249	1993-94	318	69	1.28
1989	270	1994-95	350	80	1.3
1990	284	1995-96	391	107	1.38
1991	276	1996-97	402	126	1.46
1992	290	1997-98	390	100	1.34
1993	357	1998-99	431	74	1.21
1994	299	1999-00	411	112	1.37

100+ "Net Move-In's" in red

Birth Year	Westport Births	Kind. Year	# in Kind.	Net Move-in's	Birth-K Ratio
1995	366	2000-01	428	62	1.17
1996	357	2001-02	418	61	1.17
1997	326	2002-03	385	59	1.18
1998	309	2003-04	369	60	1.19
1999	314	2004-05	375	61	1.19
2000	339	2005-06	415	76	1.22
2001	284	2006-07	380	96	1.34
2002	300	2007-08	370	70	1.23
2003	306	2008-09	408	102	1.33
2004	264	2009-10	377	113	1.43
2005	265	2010-11	393	128	1.48
2006	230	2011-12	356	126	1.55
2007	194	2012-13	364	170	1.88
2008	221	2013-14	364	143	1.65
2009	168	2014-15	343	175	2.04
2010	192	2015-16	346	154	1.80
2011	176	2016-17	327	151	1.86
2012	190	2017-18	331	141	1.74
2013	172	2018-19	346	174	2.01
2014	179	2019-20	325	146	1.82
2015	156	2020-21	290	134	1.86

Westport, CT Additional Data

Building Permits Issued		
Year	Single-Family	Multi-Units
2005	114	0
2015	78 + 104 demol.	12
2016	66 + 68 demol.	0
2017	65 + 76 demol.	58 Studios+36 1BR
2018	58 + 40 demol.	12 TH 2BR+16 apts.
2019	37 to date	4 to date

Enrollment History		
Year	Career-Tech 9-12 Total	Non-Public K-12 Total
2005-06	n/a	412
2015-16	n/a	n/a
2016-17	n/a	437
2017-18	n/a	470
2018-19	n/a	n/a
2019-20	n/a	503

Source: HUD and Building Department

TH = town houses

Residents in Non-Public Independent and Parochial Schools (General Education)														
Enrollments as of Oct. 1	K	1	2	3	4	5	6	7	8	9	10	11	12	K-12 TOTAL
		22	21	16	16	28	39	53	62	41	61	54	56	34

K-12 Home-Schooled Students	
2018	1

K-12 Residents in Charter or Magnet Schools	
2019	3

K-12 Special Education Outplaced Students	
2018	30

K-12 Tuitioned-In, Open Choice, & Other Non-Residents	
2019	36

The above data were used to assist in the preparation of the enrollment projections. If additional demographic work is needed, please contact our office.

Continuing Declines Expected in New England's PK-12 Enrollments

The US Department of Education, from 2015 to 2027, anticipates changes in PK-12 enrollment of +9.1% in the South; +2.4% in the West, -1.4% in the Midwest; and -3.9% in the Northeast.

State	Fall 2015 PK - 12	Fall 2027 Projected	PK-12 Decline	% Change, 2015- 2027
CT	537,933	472,100	-65,833	-12.20%
ME	181,613	170,700	-10,913	-6.00%
MA	964,026	941,600	-22,426	-2.30%
NH	182,425	163,700	-18,725	-10.30%
RI	142,014	136,100	-5,914	-4.10%
VT	87,866	79,700	-8,166	-9.30%

Source: USDE, National Center for Education Statistics, *Projections of Education Statistics to 2027*, Table 3, pages 40-41



New England School Development Council

Questions ?



This page has been intentionally left blank.



WESTPORT PUBLIC SCHOOLS 2020-2021 SCHOOL CALENDAR

- School in Session
- Teacher Professional Development
- Snow Dates

KEY DATES

- Aug 27, 28, 31** Professional Development
- Sept 1** First Day of School
- Sept 7** Labor Day
- Sept 19** Rosh Hashanah
- Sept 28** Yom Kippur
- Nov 3** Election Day – Professional Development
- Nov 25-27** Thanksgiving Recess
- Dec 24-Jan 1** Winter Recess
- Jan 18** Martin Luther King Jr. Day
- Feb 12** Professional Development
- Feb 15** Presidents' Day
- Feb 12** Professional Development
- Feb 12-19** February Recess
- Apr 2** Good Friday
- April 12-19** Spring Recess
- April 19** Professional Development
- May 31** Memorial Day
- June 16** Last Day of School/Graduation (Early Release)

Students: 182 days

Teachers: 188 days

There are 5 snow days built into the calendar. If there are no snow days, teachers' /students' last day will be June 16. In the event that additional make-up days are needed, District schools will use, in the following order: Monday, April 12; Tuesday, April 13; Wednesday, April 14; Thursday, April 15; Friday, April 16.

July 2020				
M	T	W	T	F
		1	2	3
6	7	8	9	10
13	14	15	16	17
20	21	22	23	24
27	28	29	30	31
August 2020				
M	T	W	T	F
3	4	5	6	7
10	11	12	13	14
17	18	19	20	21
24	25	26	27	28
31				
September 2020				
M	T	W	T	F
	1	2	3	4
7	8	9	10	11
14	15	16	17	18
21	22	23	24	25
28	29	30		
October 2020				
M	T	W	T	F
			1	2
5	6	7	8	9
12	13	14	15	16
19	20	21	22	23
26	27	28	29	30
November 2020				
M	T	W	T	F
2	3	4	5	6
9	10	11	12	13
16	17	18	19	20
23	24	25	26	27
30				
December 2020				
M	T	W	T	F
	1	2	3	4
7	8	9	10	11
14	15	16	17	18
21	22	23	24	25
28	29	30	31	

January 2021				
M	T	W	T	F
				1
4	5	6	7	8
11	12	13	14	15
18	19	20	21	22
25	26	27	28	29
February 2021				
M	T	W	T	F
1	2	3	4	5
8	9	10	11	12
15	16	17	18	19
22	23	24	25	26
March 2021				
M	T	W	T	F
1	2	3	4	5
8	9	10	11	12
15	16	17	18	19
22	23	24	25	26
29	30	31		
April 2021				
M	T	W	T	F
			1	2
5	6	7	8	9
12	13	14	15	16
19	20	21	22	23
26	27	28	29	30
May 2021				
M	T	W	T	F
3	4	5	6	7
10	11	12	13	14
17	18	19	20	21
24	25	26	27	28
31				
June 2021				
M	T	W	T	F
	1	2	3	4
7	8	9	10	11
14	15	16	17	18
21	22	23	24	25
28	29	30		

This page has been intentionally left blank.

Students

Confidentiality and Access to Education ~~Student~~ Records

I. POLICY

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

II. DEFINITIONS

- A. Access is defined as the right to inspect or review a student’s education records or any part thereof. Access may include the right to receive copies of records under limited circumstances.
- B. Authorized representative means any entity or individual designated by the Board, a State educational authority, or an agency headed by an official listed in 34 C.F.R. § 99.31(a)(3), to conduct -- with respect to Federal- or State-supported education programs -- any audit or evaluation, or any compliance or enforcement activity in connection with Federal legal requirements that relate to these programs.
- C. Biometric record, as used in the definition of personally identifiable information, means a record of one or more measurable biological or behavioral characteristics that can be used for automated recognition of an individual, such as fingerprints, retina and iris patterns, voiceprints, DNA sequence; facial characteristics and handwriting.
- D. De-identified education records means education records or information from education records from which all personally identifiable information has been removed, and for which the district has made a reasonable determination that a student’s identity is not personally identifiable, whether through single or multiple releases, taking into account other reasonably available information.
- E. Directory Information includes information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. Directory information includes, but is not limited to, the parent’s name, address and/or e-mail address; the student’s name, address, telephone number, e-mail address, photographic, computer and/or video images, date and place of birth, major field(s) of study, grade level, enrollment status (full-time; part-time), participation in school-sponsored activities or athletics, weight and height (if the student is a member of an athletic team), dates of attendance, degrees, honors and awards received, the most recent previous school(s) attended, and student identification numbers for the limited purposes of displaying a student identification card. The student identification number, however, will not be the

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

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

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

H. Education Records

1. Education records ~~Student records are developed and maintained by the schools in order to record and store information about students and their families for legitimate educational purposes, including instruction, guidance, and research. Central to these purposes is the welfare of, assistance to and educational progress of students, and the maintenance of a safe and orderly environment. No information may be collected that is not legally required, or of no benefit to the educational program of the student, or unnecessary to maintain the successful operation of the school system. Only the Superintendent, Assistant Superintendent, Principals and/or their designees are authorized to collect information concerning students that is to be recorded, stored and maintained by the school and available for inspection and review by authorized persons.~~

Educational records include ~~means~~ any information directly related to a student that is recorded in any manner ~~way~~, (e.g., handwriting, print, computer media, video or audio tape, ~~in electronic data bases, videotape, film, microfilm, and microfiche~~) that is directly related to a student and that is maintained by the school district or by a party ~~persons~~ acting for the school ~~district, except:~~ system.

2. Education records do not include:

a) private,

• Personal, or working notes ~~records that are kept~~ in the sole possession of the ~~school staff member who made them~~ maker thereof, and ~~that which~~ are not accessible ~~to~~ or revealed to any other ~~person individual~~ except ~~the staff member's personal~~ a "substitute";

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

c) Employment ~~employment~~ records ~~that are~~ used only in relation to the student's employment by the school district that are

1) made and maintained in the normal course of business, 2) relate exclusively the student's capacity as an employee, and 3) are not made available for any other purpose; and-

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

• e) ~~Alumni~~ records created or received by the school district ~~that contain information about a student after he or she is an individual is no longer a student in attendance at the school district. These records do~~ and that are not directly related to the individual's attendance ~~person~~ as a student; and-

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

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

J. Law Enforcement Unit is an individual, office, department, division, or other component of an educational agency or institution, that is officially authorized or designated by that agency or institution to 1) enforce laws or refer matters of law enforcement to appropriate authorities or 2) maintain the physical security and safety of the agency or institution.

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

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

M. Personally Identifiable Information includes, but is not limited to, the student's name; the name of the student's parent or other family members; the address of the student or his/her family; a personal identifier, such as the student's social security number, student number or biometric record; other indirect identifiers, such as the

student's date of birth, place of birth, and mother's maiden name; other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or information requested by a person who the school district reasonably believes knows the identity of the student to whom the education record relates.

~~“Extra-confidential” records are records to which access by school officials and by other parties should be strictly limited by the need to know. These records include psychiatric evaluations, family assessments and child abuse reports. Administrative procedures shall include regulations for handling these records.~~

~~Student records are the confidential property of the school. Access to or disclosure of information contained in student records is limited to the student who has reached the age of majority (18), the parent(s) or legal guardian(s) of minor children and authorized school officials, as defined below who have a legitimate interest, as defined below. The school district will disclose personally identifiable information from a student's educational records only with the written authorization of the student, when appropriate, or a custodial parent or legal guardian except:~~

~~P-5125(b)~~

~~Students~~

~~Student Records (continued)~~

~~N. 1. To school officials who have legitimate educational interest in the records.~~

~~a. A school School official Official is:~~

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

~~A person employed by or under contract to the school district to perform a special task (e.g., an attorney, auditor, medical consultant, etc.)~~

O. Signed and Dated Written Consent to disclose personally identifiable student information from a student's education records must specify the records to be disclosed, the purpose of disclosure and the party to whom such records should be

provided. Consent may include a record and signature in electronic form provided that the consent identifies and authenticates a particular person as the source of electronic consent.

- ~~_____ b. _____ A school official has “legitimate educational interest” when:~~
- ~~_____ • _____ Performing a task or responsibility that is specified in his or her job description, position, description or contract agreement~~
 - ~~_____ • _____ Performing a task related to a student’s education~~
 - ~~_____ • _____ Performing a task related to the discipline of a student~~
 - ~~_____ • _____ Providing service or benefit to the student and/or the student’s family including, but not limited to, health care, parent effectiveness training and homebound instruction.~~
- ~~_____ 2. _____ To authorized officials of the U.S. Department of Education, the Comptroller General of the United States, and state and local educational authorities, provided the disclosure of the information pertains to state-supported or federally-supported education programs and meets the requirements of Section 99.35(b) (1) and 99.35 (b) (2) of the Family Educational Rights and Privacy Act of 1974.~~
- ~~_____ 3. _____ To state and local authorities and officials, if a state statute adopted before Nov. 19, 1974, specifically requires disclosures to those authorities and officials; and~~
- ~~_____ 4. _____ To parents of an eligible student who claim the student as a dependent for income tax purposes, as defined in section 152 of the Internal Revenue Code of 1954.~~
- ~~_____ 5. _____ To comply with a judicial order or lawfully issued subpoena;~~
- ~~_____ 6. _____ To appropriate parties in connection with an emergency, if knowledge of the information is necessary to protect the health or safety of the student or other individuals.~~

P 5125(e)

Students

Student Records (continued)

~~All student records, as classified on the attached chart, shall be under the custodianship of the authorized administrator as identified on the attached chart, and shall be kept in such a manner as to make them secure from access or inspection by unauthorized persons.~~

~~All student records shall be systematically and periodically evaluated during a student’s career in the Westport schools, and materials which are not pertinent to the welfare of, assistance to, and educational progress of students shall be removed and destroyed. The administration shall develop procedures and a timetable for review of records and removal of material no longer relevant.~~

~~Any custodial parent(s), the legal guardian(s) or the student who is of legal age, shall have the right to challenge the presence in the record of material which they feel is false, inaccurate or inappropriate. Should such challenge be found valid, such materials shall be removed and destroyed. Orderly procedures shall be established to process challenges. Parents have the right to insert their own appropriate record, and to appeal a decision by the administrator not to remove challenged material.~~

~~All procedures shall be consistent with applicable state and federal laws and shall be periodically reviewed and revised to conform to any changes in these laws.~~

~~Parents and eligible students are to be notified annually of the above policy and procedures, and of rights accorded to them by state and federal law, including the right to inspect and review records, request amendment of records, consent to disclosure of identifiable information, file a complaint with the U.S. Department of Education of alleged failure by the school district to comply, and obtain a copy of the district's policies and procedures.~~

Chart of Types of Records

Types of Records	Grades	Location	Custodian
Cumulative School Records and Special Education Records	Grades K to 5	Office of School Principal	School Principal
Cumulative School Records and Special Education Records	Grades 6 to 8	Office of the Middle School Principal	School Principal
Cumulative School Records and Special Education Records	Grades 9 to 12	Office of the High School Principal	School Principal
Discipline Records	Grades K to 5	Office of School Principal	School Principal
Discipline Records	Grades 6 to 12	Office of Vice Principal	Vice Principal

P-5125(d)

Students

Student Records (continued)

Chart of Types of Records (continued)

Types of Records	Grades	Location	Custodian
Extra-Confidential Records	Grades K to 12	Office of Director of Pupil Services	Director of Pupil Services
Health Records	Grades K to 12	Office of the School Nurse	School Nurse
School Transportation Records	Grades K to 12	Office of the Transportation Coordinator	Transportation Coordinator
Educational Records of	Grades K to 12	Office of Director of	Director of Pupil

Students in Out of District Placements		Pupil Services	Services
---	--	---------------------------	---------------------

III. ANNUAL NOTIFICATION OF RIGHTS / RELEASE OF DIRECTORY INFORMATION

- A. On an annual basis, the school district will notify parents and/or eligible students currently in attendance of their rights regarding a student’s education records. This notice will be published in all student handbooks in the District and will also be published in the school district’s guide to Pupil Personnel [or Special Education] Services and will be published in any other manner “reasonably likely” to inform such parents and eligible students of their rights. The school district will take steps to ensure that parents or eligible students whose primary or home language is not English or who are disabled will also be notified of their rights regarding a student’s education records.
- B. On an annual basis, the school district will also notify parents and/or eligible students currently in attendance of any categories of information designated as **directory information**. This notice will provide such individuals with an opportunity to object to such disclosure. An objection to the disclosure of directory information shall be good for only one school year. Parents and/or eligible students may not use the right to opt out of directory information disclosures to prohibit the school district from requiring students to wear or display a student identification card.
- C. In the annual notification, the school district will also provide notice to parents and/or eligible students that the district is legally obligated to provide military recruiters, institutions of higher education, or school choice programs, upon request, with the names, addresses and telephone numbers of secondary school students, unless the secondary student or the parent of the student objects to such disclosure in writing. Such objection must be in writing and shall be effective for one school year.

IV. CONFIDENTIALITY OF EDUCATION RECORDS

- A. All school officials are directed to maintain the confidentiality of personally identifiable information contained in a student’s education records. Each person who has access to education records is responsible for ensuring personally identifiable information is protected from disclosure at collection, storage, disclosure, and destruction stages. Disclosure of information is permitted only in accordance with Board policy and administrative regulations and in a manner consistent with state and federal law.
- B. Education records are not public records and any disclosure other than to persons authorized to receive the records without prior consent of a parent or an eligible student violates the law and Board policy, except as provided in federal and state statutes.
- C. The school district shall use reasonable methods, including administrative policies and procedures, as well as physical and technological access controls, to ensure that school officials obtain access to only those education records in which they

have a legitimate educational interest.

- D. The district shall use reasonable methods to identify and authenticate the identity of parents, students, school officials and other parties to whom the district discloses personally identifiable information from education records.
- E. The district shall require contractors and other outside agencies with access to education records to certify their compliance with the confidentiality requirements of this policy, as well as applicable state and federal law.

V. ACCESS TO EDUCATION RECORDS

- A. Parents and/or an eligible student have the right to inspect and review all education records of the student unless such rights have been waived under Section XI, below. Parents' rights of inspection and review are restricted to information dealing with their own child. In the case of an eligible student, the right to inspect and review is restricted to information concerning the student. All requests for access to education records must be in writing.
- B. When submitting a written request to inspect or review education records, the request must identify the record or records being sought. The school district will notify the parent or eligible student of the date, time, and location where the records may be inspected and reviewed.
- C. The parents or eligible students may designate in writing a representative to inspect and review the records. Consent for disclosure of education records to a designated representative must be signed and dated by the parent or eligible student.
- D. A school professional shall be present at all such inspections and reviews and shall respond to reasonable requests for explanations and interpretations of the records.
- E. For the records of **regular education students**, the Board will make education records available for inspection and review by parents or eligible students within a reasonable period of time, but in any event, no more than forty-five (45) calendar days from the receipt of a written request.
- F. For **students requiring special education**, the Board will comply with a request to review and inspect the child's education records without unnecessary delay and before any meeting regarding an IEP or any due process hearing or resolution session held in accordance with the IDEA; otherwise, the Board will comply with such request not later than ten (10) school days of such request.
- G. Parents of students eligible to receive special education and related services (or the eligible student) have the right to receive **one free copy** of their child's (his/her) education records. The request for the free copy must be in writing and the Board will comply with the written request within ten (10) school days of the request. Notwithstanding the fact that a test instrument or portion of a test instrument may meet the criteria of an "education record" under the Family Educational Rights and Privacy Act, 20 USC 1232g, any test instrument or portion of a test instrument for which the test manufacturer asserts a proprietary or copyright interest in the

instrument shall not be copied. The parent or eligible student retains the right to review and inspect such information and the Board shall respond to reasonable requests from the parent or eligible student for explanations and interpretations of the student's education record, which may include reviewing copyrighted testing instruments.

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

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

J. Non-custodial Parents:

1. Divorced Parents

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

2. Incarcerated Parents

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

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

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

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

K. Unaccompanied Youth:

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

L. Copies of Education Records/Fees:

1. The school district cannot charge a fee to search for or to retrieve the education records of a student. As noted above, if a student has been identified as requiring special education and related services, the parents' (or eligible student's) right to inspect and review the child's records shall include the right to receive **one free copy** of those records. The request for the free copy shall be made in writing. The Board shall comply with such request as stated above. A charge will be levied for additional copies; in no case will the charge exceed 50¢ per page. Please note that the district may or may not charge for copies, provided such fee is consistent with its policy for charging for copies of records for regular education students and provided that such fee does not effectively prohibit the parent/student from exercising their rights to access records.
2. In addition to the provision above regarding special education students, if circumstances effectively prevent the parent or eligible student from exercising the right to inspect and review the student's education records, the district shall:
 - a. provide the parent or eligible student with a copy of the records requested, or
 - b. make other arrangements for the parent or eligible student to inspect and review the requested records.
3. The Board reserves the right to charge for copies of a student's education records. Such charge will not exceed 50¢ per page.

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

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

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

1. the name of any individual, agency, or organization that requested or obtained access to the student's records;
2. the date of the request for access;
3. whether access was given;
4. the purpose for which the party was granted access to the records;
5. the names of additional parties to whom the receiving party may disclose the information on behalf of the school district; and
6. the legitimate educational interest in obtaining the information.

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

1. a parent or eligible student;
2. a party seeking directory information;
3. a party who has a signed and dated written consent from the parent and/or eligible student;
4. school officials from the school district in which the student is currently enrolled who have a legitimate educational interest in the information contained in the student's record; or
5. persons seeking or receiving the information as directed by a Federal grand jury, other law enforcement subpoena, or ex parte order of the Attorney General of the United States (provided that the information requested is not to be redisclosed).

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

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

1. the articulable and significant threat to the health and safety of a student or other individuals that formed the basis for disclosure; and
2. the parties to whom the district disclosed the information.

VII. THE RELEASE OF RECORDS OR PERSONALLY IDENTIFIABLE INFORMATION

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

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

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

1. School Officials:

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

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

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

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

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

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

2. Transfer Students:

a) The disclosure is to officials of another school, including other public schools, charter schools, and post-secondary institutions, in which the student seeks or intends to enroll, or where the student is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer. Disclosure of personally identifiable information will be made only upon condition that the

student's parents be notified of the transfer, receive a copy of the record if desired, and have an opportunity for a hearing to challenge the content of the record pursuant to Section X.

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

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

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

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

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

special education services. If a student is placed on probation by the juvenile court, school officials may issue their own recommendation concerning the conditions of the student's probation.

6. The disclosure is to organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction, so long as:
 - a) the study does not permit personal identification of parents or students by individuals other than representatives of the organization,
 - b) the information is destroyed after it is no longer needed for the purposes for which the study was conducted, and
 - c) the Board enters into a written agreement with the organization conducting the study that satisfies the requirements of 34 C.F.R. § 99.31(a)(6).
7. The disclosure is to accrediting organizations in order to carry out their accrediting functions.
8. The disclosure is to parents of an eligible student who claim that student as a dependent student as defined in Section 152 of the Internal Revenue Code of 1986.
9. The disclosure is to comply with a judicial order or lawfully issued subpoena, provided that the educational agency makes a reasonable effort to notify the parent or the eligible student in advance of compliance, unless such disclosure is in compliance with
 - a) a federal grand jury subpoena and the court has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed;
 - b) any other subpoena issued for a law enforcement purpose and the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed; or
 - c) an ex parte order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning the investigation or prosecution of terrorism crimes specified in sections 2332b(g)(5)(B) and 2331 of title 18, U.S. Code.
10. If the school district initiates legal action against a parent or student, the school district may disclose to the court, without a court order or subpoena, the education records of the student that are relevant for the school district to proceed with the legal action as plaintiff.

11. If a parent or eligible student initiates legal action against the school district, the school district may disclose to the court, without a court order or subpoena, the student's education records that are relevant for the school district to defend itself.
12. The disclosure is to appropriate parties, including parents of an eligible student, in connection with a health and safety emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals. In making a determination regarding the disclosure of education records without consent in a health and safety emergency, the district may take into account the totality of the circumstances pertaining to the threat to the health or safety of a student or other individuals. If the district reasonably determines that there is an articulable and significant threat to the health or safety of a student or other individuals, it may disclose information from education records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other individuals, provided, however, that the district record such disclosure in accordance with Section VI. D, above.
13. The disclosure is to the parent of a student who is under 18 years of age or to the student.
14. The disclosure concerns sex offenders and other individuals required to register under Section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. 14071, and the information was provided to the district under 42 U.S.C. 14071 and applicable federal guidelines.
15. The disclosure is to the Secretary of Agriculture or an authorized representative from the Food and Nutrition Service, or contractors acting on its behalf, for the purposes of conducting program monitoring, evaluations, and performance measurements of state and local educational and other agencies and institutions receiving funding or providing benefits of one or more federal meal or nutrition programs in order to report aggregate results that do not identify any individual. Such disclosures may only be made if:
 - a) the data collected will be protected to prevent the personal identification of students and their parents by other than the authorized representatives of the Secretary of Agriculture, and
 - b) any personally identifiable data will be destroyed when they are no longer needed for program monitoring, evaluations, and performance measurements.
16. The disclosure is to an agency caseworker or other representative of the Department of Children and Families ("DCF") or other child welfare agency or tribal organization who has the right to access a student's case plan when the agency or organization is legally responsible for the care and protection of the student. The agency or organization may not disclose the

education records or personally identifiable information contained in such records, except to an individual or entity engaged in addressing the student's educational needs and authorized by the agency or organization to receive such disclosure. Any disclosures made by the agency or organization must comply with applicable confidentiality laws for student education records.

D. Directory Information

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

1. School districts are legally obligated to provide military recruiters or institutions of higher education, upon request, with the names, addresses and telephone numbers of secondary school students, unless the secondary student or the parent of the student objects to such disclosure in writing. Such objection must be in writing and shall be effective for one school year.
2. In all other circumstances, information designated as directory information will not be released when requested by a third party unless the release of such information is determined by the administration to be in the educational interest of the school district and is consistent with the district's obligations under both state and federal law.
3. The school district may disclose directory information about students after they are no longer in enrollment in the school district. Notwithstanding the foregoing, the district will continue to honor any valid objection to the disclosure of directory information made while a student was in attendance unless the student rescinds the objection.
4. An objection to the disclosure of directory information shall not prevent the school district from disclosing or requiring a student to disclose the student's name, identified or institutional email address in a class in which the student is enrolled. Parents and/or eligible students may not use the right to opt out of directory information disclosures to prohibit the school district from requiring students to wear or display a student identification card.
5. The school district will not use the student's social security number or other non-directory information alone or combined with other elements to identify or help identify the student or the student's records.

E. De-identified Records and Information

1. The school district may release education records or information from education records without the consent of a parent or eligible student after

the removal of all personally identifiable information, provided that the district has made a reasonable determination that a student's identity is not personally identifiable, whether through single or multiple releases, taking into account other reasonably available information.

2. The school district may release de-identified education records including student level data from education records for the purpose of education research by attaching a code to each record that may allow the recipient to match information received from the same source, provided that:
 - a) the district does not disclose any information about how it generates and assigns a record code, or that would allow a recipient of the information to identify a student based on the record code;
 - b) the record code is used for no purpose other than identifying a de-identified record for the purposes of education research and cannot be used to ascertain personally identifiable information about a student; and
 - c) the record code is not based on a student's social security number or other personal information.

F. Disciplinary Records:

Nothing in this policy shall prevent the school district from:

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

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

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

1. Documents related to any DCF child abuse and/or neglect investigations that are maintained by the Board are considered education records under the FERPA. As such, they are subject to the confidentiality and disclosure requirements set forth in this policy and in corresponding provisions of state and federal law. Such records, including records of allegations, investigations and reports made to DCF, should be kept in a confidential and central location, with restricted access and shall be disclosed only as

authorized by law. In addition to meeting the requirements under FERPA, should the Board receive a request to disclose confidential DCF records to an outside third party, the Board shall redact the name or other personally identifiable information concerning the individual suspected of being responsible for the alleged abuse and/or neglect unless the requested records are being released to the individual named in the DCF records.

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

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

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

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

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

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

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

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

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

a. Consultant means a professional who provides noninstructional services, including but not limited to, administrative, planning,

analysis, statistical or research services, to the Board pursuant to a contract with the Board.

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

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

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

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

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

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

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

f. Student Record means any information directly related to a student that

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

- 1) Improve educational products for adaptive learning purposes and customize student learning;
- 2) Demonstrate the effectiveness of the contractor's products in the marketing of such products; and
- 3) Develop and improve the consultant's or operator's products and services.

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

- a. Such Internet web site, online service or mobile application complies with FERPA and the Health Insurance Portability and Accountability Act of 1996, P.L. 104-191, as amended from time to time;
- b. The Board can provide evidence that it has made a reasonable effort to:
 - 1) enter into a contract with such consultant or operator to use such Internet web site, online service or mobile application, in accordance with the provisions of Conn. Gen. Stat. §§ 10-234bb; and
 - 2) find an equivalent Internet web site, online service or mobile application operated by a consultant or an operator that complies with the provisions of Conn. Gen. Stat. §§ 10-234bb;
- c. The consultant or operator complies with the provisions of Conn. Gen. Stat. § 10-234cc for such use; and
- d. The parent or legal guardian of such child, and, in the case of a child with an individualized education program, a member of the planning and placement team, sign an agreement that:
 - 1) acknowledges such parent or legal guardian is aware that such Internet web site, online service or mobile application is unable to comply with the provisions of Conn. Gen. Stat. §§ 10-234bb; and

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

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

VIII. REDISCLOSURE OF EDUCATION RECORDS

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

1. the party to whom the information is disclosed will not subsequently redisclose the information to any other party without the proper consent of the parent or eligible student, and
2. the officers, employees, and agents of a party that receives such information may only use the information for the purposes for which disclosure was made.

-

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

1. The record of the original disclosure includes the names of the parties to whom redisclosure is being made and the legitimate interests each such party has in requesting or obtaining the information.
2. The original disclosure was to a state or local educational authority or federal official or agency as set forth in Article VII, Section C., and such state or local educational authority or federal official or agency has complied with the requirements of 34 CFR 99.32(b)(2).
3. In the case of disclosures made pursuant to a court order or lawfully issued subpoena, the district has made a reasonable effort to notify the parent or eligible student in advance of compliance with the subpoena (except if such subpoena meets the criteria set forth above in Article VII, Section C. (10)).
4. Disclosure is made to a parent, an eligible student, or the parent of an eligible student.
5. The information is considered directory information.

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

IX. AMENDMENT OF EDUCATION RECORDS

- A. If a parent or an eligible student believes that information in the student's education records is inaccurate, misleading or in violation of the student's right to privacy, he/she is entitled to:
 - 1. Request in writing that the school district amend the records;
 - 2. Receive within a reasonable period of time a decision from the school district with respect to its decision on the amendment(s) requested by the parent or eligible student.
- B. If the school district decides to amend the records, the school district shall promptly take such steps as may be necessary to put the decision into effect with respect to the requested amendments, and shall inform the parent or eligible student of the amendment.
- C. If the school district decides that an amendment of the records in accordance with the request is not warranted, it shall so inform the parent or eligible student and advise him/her of the right to a hearing pursuant to this policy.

X. HEARING RIGHTS AND PROCEDURES

A. Rights

- 1. Upon written request of a parent or eligible student to the Superintendent, an opportunity for a hearing shall be provided to challenge the content of a student's education records on the grounds that the information contained in the education records is inaccurate, misleading, or otherwise in violation of the privacy rights of the student.
- 2. If, as a result of the hearing, the school district decides that information contained in the education records of a student is inaccurate, misleading, or otherwise in violation of the privacy rights of the student, the records shall be amended, and the parent or eligible student shall be informed in writing.
- 3. If, as a result of the hearing, the school district decides that information contained in the education records of a student is not inaccurate, misleading, or otherwise in violation of the privacy rights of the student, the parent or eligible student shall be informed of the right to place in the student's education records a statement commenting on the contested information or stating why he or she disagrees with the district's decision, or both.
 - a. Any statement placed in the records of the student shall be maintained by the school system as part of the records of the student as long as the record or contested portion is maintained by the school system.
 - b. If the contested portion of the education record is disclosed by the school system, the statement of disagreement by the parents and/or eligible student shall also be disclosed.

B. Procedures

1. The hearing shall be held within a reasonable time after the school system has received the request, unless the parent or eligible student requests a delay.
2. The parent or eligible student shall be given notice of the date, place, and time of the hearing, within a reasonable time in advance of the hearing.
3. The hearing will be conducted by a person or persons appointed by the Superintendent of Schools. This person(s) shall be knowledgeable of the policies relating to confidentiality and shall not have a direct interest in the outcome of the hearing.
4. The parent or eligible student and the school system shall have the right to be represented by person(s) of their choosing at their own expense, to cross-examine witnesses, to present evidence, and to receive a written decision of the hearing.
5. The decision reached through the hearing shall be made in writing within a reasonable period of time after the hearing. The decision will be based solely upon the evidence presented at the hearing and shall include a summary of the evidence and the reasons for the decision.

XI. WAIVER OF RIGHTS

- A. A student who is an applicant for admission to an institution of post-secondary education or is in attendance at an institution of post-secondary education, may waive his or her right to inspect and review confidential letters and confidential statements of recommendations with the following limitations:
 1. The student is notified, upon request, of the names of all individuals providing the letters or statements.
 2. The letters or statements are used only for the purpose for which they were originally intended.
 3. The waiver is not required by the district as a condition of admission to or receipt of any other service or benefit from the district.
 4. The waiver is in writing and executed by the student, regardless of age, rather than by the parent.
- B. A waiver may be revoked with respect to any actions occurring after the revocation.
- C. Revocation of a waiver must be in writing.

XII. SPECIAL CONFIDENTIALITY PROCEDURES FOR HIV-RELATED INFORMATION

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

1. Confidential HIV-Related Information

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

2. Health Care Provider

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

3. Protected Individual

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

4. Release of confidential HIV-related information

“Release of confidential HIV-related information” means a written authorization for disclosure of confidential HIV-related information which is signed by the protected individual, if an eligible student, or a person authorized to consent to health care for the individual and which is dated and specifies to whom disclosure is authorized, the purpose for such disclosure and the time period during which the release is to be effective. A general authorization for the release of medical or other information is not a release of confidential HIV-related information, unless such authorization specifically indicates its dual purpose as a general authorization and an authorization for the release of confidential HIV-related information.

5. School Medical Personnel

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

B. Confidentiality of HIV-related Information

1. All school staff must understand that no person who obtains confidential HIV-related information regarding a protected individual may disclose or be compelled to disclose such information. Each person who has access to

confidential HIV-related information is responsible for ensuring that confidential HIV-related information is protected from disclosure and/or redisclosure.

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

C. Accessibility of Confidential HIV-related Information

1. No school staff member who obtains confidential HIV-related information may disclose or be compelled to disclose such information, except to the following:
 - a) the protected individual, his/her legal guardian or a person authorized to consent to health care for such individual;
 - b) any person who secures a release of confidential HIV-related information;
 - c) a federal, state or local health law officer when such disclosure is mandated or authorized by federal or state law;
 - d) a health care provider or health facility when knowledge of the HIV-related information is necessary to provide appropriate care or treatment to the protected individual or when confidential HIV-related information is already recorded in a medical chart or record and a health care provider has access to such record for the purpose of providing medical care to the protected individual;
 - e) a medical examiner to assist in determining cause of death; or
 - f) any person allowed access to such information by a court order.

D. Procedures

1. If a school staff member, other than school medical personnel, is given confidential HIV-related information regarding a protected individual who is also a student from the student's legal guardian or the student, the school staff member shall attempt to secure a release of confidential HIV-related information for the sole purpose of disclosing such information to school medical personnel.
2. If a school medical personnel member is given confidential HIV-related information regarding a protected individual, who is also a student, by a student's legal guardian, or by the student, and the legal guardian or the student requests accommodations to the student's program for reasons related thereto, the school medical personnel member shall inform the legal guardian or the student, if an eligible student, that a release of confidential HIV-related information is necessary before such information may be

disclosed to other educational personnel capable of assessing the need for and implementing appropriate accommodations to the student's program.

3. Any school staff member who obtains confidential HIV-related information from a source other than the protected individual or his/her legal guardian, shall keep such information confidential and shall not disclose such information.
4. No school staff member may disclose confidential HIV-related information to other school staff members without first obtaining a release of confidential HIV-related information.
5. Any record containing confidential HIV-related information shall be maintained in a separate file, and shall not be subject to the provisions of this policy regarding accessibility of general student records.
6. If school medical personnel determine that the health and safety of the student and/or others would be threatened if a release of confidential HIV-related information is not obtained, the school medical personnel may seek a court order authorizing disclosure. In such cases, such confidential HIV-related information may be disclosed as set forth in and subject to any limitation of such court order.

E. Disclosures Pursuant to a Release

1. Any disclosure pursuant to a release shall be accompanied by a notice in writing stating, "This information has been disclosed to you from records whose confidentiality is protected by state law. State law prohibits you from making any further disclosure of it without the specific written consent of the person to whom it pertains, or as otherwise permitted by said law. A general authorization for the release of medical or other information is NOT sufficient for this purpose."
2. Oral disclosures must be accompanied or followed by the above notice within ten (10) days.
3. Except for disclosures made to a federal, state or local health officer when such disclosure is mandated or authorized by federal or state law, a notation of all disclosures shall be placed in the medical record or with any HIV-related test result of a protected individual, who shall be informed of such disclosures on request.

XIII. CHILD ABUSE REPORTING

Nothing in this policy shall limit a mandated reporter's responsibility to report suspected child abuse or neglect under the Board's Child Abuse and Neglect Reporting Policy 5141.4.

XIV. RIGHT TO FILE A COMPLAINT

FERPA affords parents and eligible students the right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the

requirements of FERPA. The name and address of the office that administers FERPA is:

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

Legal Reference:

State Law:

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

Conn. Gen. Stat. § 1-210 et seq.
Conn. Gen. Stat. § 10-220h

~~Connecticut General Statutes~~

~~1-19(b)(11) Access to public records. Exempt records.~~

~~7-109 Destruction of documents.~~

Conn. Gen. Stat. § 10-15b Access of parent or guardians to student's records.

10-154a Professional communications between teacher or nurse & student.

Conn. Gen. Stat. § 10-233d

Conn. Gen. Stat. § 10-234aa

Conn. Gen. Stat. § 10-234bb

Conn. Gen. Stat. § 10-234cc

Conn. Gen. Stat. § 10-234dd

Conn. Gen. Stat. § 10-220d

Conn. Gen. Stat. § 10-253

Conn. Gen. Stat. § 17-16a

Conn. Gen. Stat. § 17a-28

Conn. Gen. Stat. § 17a-101k

Conn. Gen. Stat. § 19a-581 et seq.

Conn. Gen. Stat. § 46b-134

~~10-209 Records not to be public.~~

~~10-221b Boards of education to establish written uniform policy re: treatment of recruiters.~~

~~11-8a Retention, destruction and transfer of documents~~

~~11-8b Transfer or disposal of public records. State Library Board to adopt regulations.~~

~~46b-56 (e) Access to Records of Minors.~~

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

~~Connecticut Public Records Administration Schedule V—Disposition of Education Records (Revised 1983).~~

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

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

[State Department of Education memorandum dated December 21, 2010, on school choice recruitment](#)

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

Federal Law:

Federal Family Educational Rights and Privacy Act ([FERPA](#)), [20 U.S.C. §§ 1232g of 1974](#) (~~section 438 of the General Education Provisions Act, as amended, added by section 513 of P.L. 93-568, codified at 20 U.S.C.1232g.~~)

[USA Patriot Act of 2001, Pub. L. 107-56](#)

[Every Student Succeeds Act, Pub. L. No. 114-95](#)

[Healthy, Hunger-Free Kids Act of 2010, Pub. L. 111-296](#)

[The McKinney-Vento Homeless Education Assistance Act, 42 U.S.C. §§ 11431 et seq., as amended by Every Student Succeeds Act, Pub. L. 114-95.](#)

~~Dept. of Educ. 34 C.F.R. Part [99.1-99.67](#) (May 9, 1980 45 FR 30802) regs. implementing FERPA enacted as part of 438 of General Educ. provisions act (20 U.S.C. 1232g) parent and student privacy and other rights with respect to educational records, as amended 11/21/96.~~

[34 CFR 300.560-300.576](#)

Policy adopted: December 16, 2002
[Revised:](#)

WESTPORT PUBLIC SCHOOLS
Westport, Connecticut

Students

Attendance ~~/Excuses/Dismissal~~, and Chronic Absenteeism

Connecticut state law requires parents to cause their children, ages five through eighteen inclusive, to attend school regularly during the hours and terms the public school is in session. Parents or persons having control of a child five years of age have the option of not sending the child to school until ages six or seven. Mandatory attendance terminates upon graduation or withdrawal with written parent/guardian consent at age seventeen.

A student is considered to be "in attendance" if present at his/her assigned school, or an activity sponsored by the school (e.g., field trip), for at least half of the regular school day. A student who is serving an out-of-school suspension or expulsion should always be considered absent. A student not meeting the definition of "in attendance" shall be considered absent.

Classroom learning experiences are the basis for public school education. Time lost from class is lost instructional opportunity. The Board of Education requires that accurate records be kept of the attendance of each child, and students should not be absent from school without parental knowledge and consent.

Definitions (related to chronic absenteeism)

Chronically absent child: means a child who is enrolled in a school under the jurisdiction of a local or regional board of education and whose total number of absences at any time during a school year is equal to or greater than ten percent of the total number of days that such student has been enrolled at such school during such school year.

Absence: means

A. an excused absence, unexcused absence or disciplinary absence, as those terms are defined by the State Board of Education pursuant to section 10-198b, or

B. an in-school suspension, as defined in section 10-233a, that is greater than or equal to one-half of a school day.

District chronic absenteeism rate: means the total number of chronically absent children under the jurisdiction of a local or regional board of education in the previous school year divided by the total number of children under the jurisdiction of the Board of Education for such school year.

School chronic absenteeism rate: means the total number of chronically absent children for a school in the previous school year divided by the total number of children enrolled in such school for such school year.

Excuses

Note: The use of the state approved definitions of "excused" and "unexcused" absences are for state purposes for the reporting of truancy. Districts are not precluded from using separate definitions of such absences for their internal uses such as involving decisions on areas such as promotion and grading.

A student's absence from school shall be considered "excused" if written documentation of the reason for such absence has been submitted within ten (10) school days of the student's return to school and meets the following criteria:

A. For absences one through nine, a student's absences from school are considered "excused" when the student's parent/guardian approves such absence and notifies school officials.

B. For the tenth absence and all absences thereafter, a student's absences from school are considered excused for the following reasons:

1. Student illness (must be verified by a licensed medical professional to be deemed excused, regardless of the length of the absence);

2. Student's observance of a religious holiday;

3. Death in the student's family or other emergency beyond the control of the student's family;

4. Mandated court appearances (documentation required);

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

6. Extraordinary educational opportunities pre-approved by District administration and to be in accordance with Connecticut State Department of Education guidance.

C. A student's absence from school shall be considered unexcused unless:

1. The absence meets the definition of an excused absence and meets the documentation requirements; or

2. The absence meets the definition of a disciplinary absence, which is the result of school or District disciplinary action and are excluded from these State Board of Education approved definitions.

When the school in which a child is enrolled receives no notification from a parent or other person having control of the child is aware of the child's absence, a reasonable effort shall be made by school personnel or volunteers under the direction of school personnel to notify by telephone and other means such parent or other person having control of the child.

Excused Absences for Children of Service Members

An enrolled student, age five to eighteen, inclusive, whose parent or legal guardian is an active duty member of the armed forces, as defined in section 27-103, and has been called to duty for, is on leave from, or has immediately returned from deployment to a combat zone or combat support posting, shall be granted ten days of excused absences in any school year and, at the discretion of the Board of Education, additional excused absences to visit such child's parent or legal guardian with respect to such leave or deployment of the parent or legal guardian. In the case of such excused absences such child and parent or legal guardian shall be responsible to obtaining assignments from the student's teacher prior to any period of excused absence, and for ensuring

that such assignments are completed by such child prior to his or her return to school from such period of excused absence.

Chronic Absenteeism

The Board of Education, in compliance with statute, requires the establishment of attendance review teams when chronic absenteeism rates in the District or at individual schools in the District meet the following circumstances:

1. A team for the District must be established when the District chronic absenteeism rate is 10 percent or higher.
2. A team for the school must be established when the school chronic absenteeism rate is 15 percent or higher.
3. A team for either the District or each school must be established when (a) more than one school in the District has a school chronic absenteeism rate of 15 percent or higher or (b) a District has a District chronic absenteeism rate of 10 percent or higher and one or more schools in the District have a school chronic absenteeism rate of 15 percent or higher.

The membership of attendance review teams may consist of school administrators, guidance counselors, school social workers, teachers, chronically absent children, parents or guardians of chronically absent children, and representatives from community-based programs who address issues related to student attendance by providing programs and services to truants.

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

The District shall utilize the chronic absenteeism prevention and intervention plan developed by the State Department of Education. Such plan must include the means for collecting and analyzing data relating to student attendance, truancy and chronic absenteeism. The data must be disaggregated by school district, school grades and subgroups such as race, ethnicity, gender, eligibility for free and reduced priced lunches, students whose primary language is not English, and students with disabilities.

The District shall annually include in information for the strategic school profile report for each school and the District that is submitted to the Commissioner of Education, data pertaining to truancy and chronically absent children.

The Principal or his/her designee of any elementary or middle school located in a town/city designated as an alliance district may refer to the children's truancy clinic established by the Probate Court serving the town/city, a parent/guardian with a child defined as a truant or who is at risk of becoming a truant. (An attendance officer or a police officer shall deliver the citation and summons and a copy of the referral to the parent/guardian.)

Dismissal

No school, grade, or class may be dismissed before the regularly scheduled dismissal time without the approval of the Superintendent or his/her designee.

No student may be permitted to leave school at any time other than at regular dismissal without the approval of the student's parent/guardian. If a court official with legal permission to take custody of a child, or if a police officer arrests a student, the parent/guardian should be notified of these situations by the administration.

~~The Board of Education and the Administration believe that regular attendance is important because:~~

- ~~• It assures that students will receive the necessary formal instruction from teachers, and the appropriate services of other professional staff.~~
- ~~• It makes it possible for teachers to get to know students well.~~
- ~~• It provides opportunities for class discussion, laboratory work and other exploratory activities, work on group projects, interaction with teachers and classmates, library work, and other experience that contribute to educational growth.~~
- ~~• It permits the student to enter fully into the life of the school—to participate in sports, or other extra-curricular activities and school cultural and social events.~~

~~Therefore, in compliance with State law, the Board of Education:~~

- ~~1. Requires students to attend school regularly.~~
- ~~2. Discourages parents from taking children on vacations when school is in session.~~
- ~~3. Discourages parents from keeping children out of school for a day or requesting early dismissals for any but important health related reasons.~~
- ~~4. Directs school staff members, through their work with parents and students, to foster the value of regular school attendance and to establish procedures to assure that each student (including those beyond the compulsory school age) attend school regularly.~~
- ~~5. Directs the administration, in cases of truancy to pursue any and all courses of action necessary, including working with other appropriate agencies, to insure that students of compulsory school age, are in compliance with the law.~~
- ~~6. Encourages students beyond compulsory school age to remain in school through graduation, or, if they have left school, to return to school or to explore other alternatives for continuing their high school education.~~
- ~~7. Directs administrators and other staff members to facilitate the return of drop-outs, and/or to help students explore alternative ways of earning their high school diplomas.~~

Students

Attendance/Excuses/Dismissal

Legal Reference: Connecticut General Statutes

10-184 Duties of parents (as amended by PA 98-243, ~~and~~ PA 00-157, and PA 18-15)

10-185 Penalty

10-198a Policies and procedures concerning truants (as amended by P.A.11-136, An Act Concerning Minor Revisions to the Education Statutes and PA 14-198, An Act Concerning Excused Absences from School for Children of Service Members, and PA 16-147, An Act Concerning the Recommendations of the Juvenile Justice Policy and Oversight Committee)

10-198b State Board of Education to define "excused absence," "unexcused absence," and "disciplinary absence"

10-198d Chronic absenteeism (as amended by PA 17-14 and PA 18-182)

45a-8c Truancy clinic. Administration. Policies and procedures. Report. (as amended by PA 15-25)

10-199 through 10-202 Attendance, truancy - in general

Action taken by State Board of Education on January 2, 2008, to define "attendance."

Action taken by State Board of Education on June 27, 2012, to define "excused" and "unexcused" absences.

PA 17-14 An Act Implementing the Recommendations of the Department of Education

Policy adopted: _____ December 16, 2002

Amended:

WESTPORT PUBLIC SCHOOLS

Westport, Connecticut
December 16, 2002 Page 49

This page has been intentionally left blank.

Students

Alcohol Use, Drugs, Tobacco, and Performance Enhancing Substances

Drugs and Alcohol

The Board is required by Connecticut law to prescribe rules for the management and discipline of its schools. In keeping with this mandate, the unlawful use, sale, distribution or possession of controlled drugs, controlled substances, drug paraphernalia, as defined in C.G.S. Section 21a-240, or alcohol on or off school property or during any school sponsored activity is prohibited. It shall be the policy of the Board to take positive action through education, counseling, discipline, parental involvement, medical referral, and law enforcement referral, as appropriate, in the handling of incidents in the schools involving the unlawful possession, distribution, sale or use of substances that affect behavior.

Performance-Enhancing Drugs (Including Food Supplements)

The Board participates in the Connecticut Interscholastic Athletic Conference (“CIAC”). In accordance with CIAC participation rules and the Board’s obligation under state and federal law, the Board prohibits the unauthorized use, sale, distribution or possession of controlled drugs, controlled substances, drug paraphernalia, performance enhancing substances or alcohol during any school sponsored athletic activity, whether occurring on or off school property. It shall be the policy of the Board to take positive action through education, counseling, discipline, parental involvement, medical referral, and law enforcement referral, as appropriate, in the handling of incidents by student athletes involving the possession, distribution, sale or use of substances that affect behavior, including performance enhancing substances. This policy applies to all student athletes participating in school sponsored athletics, whether or not such athletes are participating in CIAC controlled activities.

Procedures

(1) Discretionary Nature of Student Athletics.

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

(2) Emergencies.

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

(3) Prescribed Medications.

Students may possess and/or self-administer medications in school in accordance with the Board's policy concerning the administration of medication in school.

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

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

Student athletes taking improper amounts of a prescribed medication, or taking a prescribed medication without proper notification and supervision of the school nurse or designee, will be subject to the procedures for improper drug or alcohol use outlined in this policy.

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

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

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

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

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

(b) Any physical evidence obtained from such student through a professional communication indicating that a crime has been or is being committed by the student or student athlete must be turned over to school administrators or law enforcement officials as soon as possible, but no later than two calendar days after receipt of such physical evidence, excluding Saturdays, Sundays and holidays. Employees are encouraged to contact the school administrator immediately upon obtaining physical evidence. In no case, however, will such employee be required to disclose the name of the student from whom the evidence was obtained. C.G.S. Section 10-154a(b).

(c) Any professional employee who has received a professional communication from a student may obtain advice and information concerning appropriate resources and refer the student or student athlete accordingly, subject to the rights of the professional employee as described in paragraph (a) above.

(d) If a student consents to disclosure of a professional communication concerning the student's alcohol or drug problem, or if the professional employee deems disclosure to be appropriate, the professional employee should report the student's name and problem to the school's building administrator or designee who shall refer the student to appropriate school staff members for intervention and counseling.

(5) Involuntary Disclosure or Discovery of Drug/Alcohol Problems.

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

(a) The professional employee will immediately report the information to the building administrator or designee. The building administrator or designee will then refer the student to appropriate school staff members for intervention and counseling.

(b) Any physical evidence (for example, alcohol, drugs or drug paraphernalia) obtained from a student indicating that a crime has been or is being committed by the student must be turned over to the building administrator or designee or to law

enforcement officials as soon as possible, but no later than within two calendar days after receipt of such physical evidence, excluding Saturdays, Sundays and holidays. C.G.S. Section 10-154a(b). Because such evidence was not obtained through a professional communication, the name of the student must be disclosed to the building administrator or designee.

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

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

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

(a) Any student in the Westport Public Schools using, consuming, possessing, being under the influence of, manufacturing, distributing, selling or aiding in the procurement of controlled drugs, controlled substances, drug paraphernalia, performance enhancing substances, or alcohol either on or off school property, or at a school-sponsored activity, except as such use or possession is in accordance with Connecticut General Statutes § 21a-408a through 408q, is subject to discipline up to and including expulsion pursuant to the Board's student discipline policy.

(b) In conformity with the Board's student discipline policy, students may be suspended or expelled for drug or alcohol use off school grounds if such drug or alcohol use is considered seriously disruptive of the educational process. In determining whether the conduct is seriously disruptive of the educational process, the Administration and the Board may consider, among other factors: 1) whether the drug or alcohol use occurred within close proximity of a school; 2) whether other students from the school were involved; and 3) whether any injuries occurred.

(c) If a school administrator has reason to believe that any student was engaged, on or off school grounds, in offering for sale or distribution a controlled substance (as defined

by Conn. Gen. Stat. § 21a-240(9)), whose manufacturing, distribution, sale, prescription, dispensing, transporting, or possessing with intent to sell or dispense, offering or administering is subject to criminal penalties under Conn. Gen. Stats. §§ 21a-277 and 21a-278, the administrator will recommend such student for expulsion, in accordance with the Board's student discipline policy.

(d) Students found to be in violation of this policy may be referred by the building administrator to an appropriate agency licensed to assess and treat drug and alcohol involved individuals. In such event, assessment and treatment costs will be the responsibility of the parent or guardian.

(e) A meeting may be scheduled with appropriate school staff members for the purpose of discussing the school's drug and alcohol policy with the student and parent or guardian.

(f) Law enforcement officials may be contacted by the building administrator in the case of suspected involvement in the use, sale or distribution of controlled drugs, controlled substances, drug paraphernalia or alcohol.

(g) A student athlete found by the administration to have violated this policy may, in the discretion of school administrators, be suspended from play for short or long term periods, or may have their student athletic participation privileges revoked.

(h) A student athlete found by the administration to have used performance enhancing substances shall receive a minimum penalty of revocation of athletic participation privileges for one hundred eighty (180) days. The Board shall report the violation to the CIAC.

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

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

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

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

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

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

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

(8) Publication of Chemical Health Policy to School Staff Members, Coaches, Volunteers and Student Athletes.

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

(b) The Board shall publish this chemical health policy to all student athletes and their parents/guardians.

Tobacco/E-Cigarette Use by Students

There shall be no smoking or any other unauthorized use or possession of tobacco, tobacco products, including chewing tobacco or tobacco paraphernalia, and electronic nicotine delivery systems or vapor products 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.

Tobacco includes, but is not limited to cigarettes, cigars, snuff, smoking tobacco, smokeless tobacco, nicotine, nicotine delivering systems or vapor product, chemicals, or devices that produce the same flavor or physical effect of nicotine substances; and any other tobacco or nicotine innovations.

For purposes of this policy, "use of tobacco" shall mean all uses of tobacco, including but is not limited to, cigarettes, cigars, snuff, blunts, bidis, pipes, chewing tobacco, or any other substance that contains tobacco or nicotine, and all other forms of smokeless tobacco, rolling papers and any other items containing or reasonably resembling tobacco or tobacco products. In order to protect students and staff, the Board prohibits the use of tobacco or nicotine-based products in school buildings, on school grounds, in school vehicles, or at any school-related event.

Students who violate this policy will be subject to disciplinary action. The Superintendent shall propose and the Board of Education shall approve procedures and regulations to ensure that any student violating this policy is subjected to disciplinary action, and that any disciplinary actions imposed for similar actions are treated consistently.

Medical Marijuana

The conditions which follow are applicable to a District student who holds a certificate authorizing the palliative use of marijuana issued by the Connecticut Department of Consumer Protection (DCP) for the medical use of marijuana as set out in P.A. 12-55, "An Act Concerning the Palliative Use of Marijuana" and as amended by P.A. 16-23.

The District will not refuse to enroll a student or otherwise penalize a student for being a medical marijuana certificate holder unless failure to do so would cause the school to lose a monetary or licensing benefit under federal law or regulations.

A student medical marijuana certificate holder is subject to, without bias, the same code of conduct and disciplinary standards applicable to all students attending District schools. A student medical marijuana certificate holder shall not:

1. Undertake any task under the influence of marijuana that would constitute negligence;
2. Possess or engage in the medical use of marijuana on a school bus or on the grounds of any preschool, elementary school, or secondary school;
3. Utilize marijuana on any form of public transportation or in any public place;
4. Operate, navigate, or be in actual physical control of any motor vehicle while under the influence of marijuana;
5. except that a qualifying certified marijuana user for medical purposes shall not be considered to be under the influence of marijuana solely because of the presence of metabolites or components of marijuana that appear in insufficient concentration to cause impairment;
6. Use marijuana in any manner not authorized by P.A. 12-55 as amended by P.A. 16-23; or
7. Offer to give, sell, or dispense medical marijuana to another student or other individual on school property, in school-provided vehicles, at school events, or when functioning as a representative of the school.

If District officials have reasonable belief that a student may be under the influence, in possession of, or distributing medical marijuana, in a manner not authorized by the medical marijuana statute, law enforcement authorities will be informed.

A student who violates any portion of this policy shall be subject to disciplinary action and applicable criminal prosecution.

Although possession and use of marijuana for certain medical conditions, consistent with Connecticut's P.A. 12-55, "An Act Concerning the Palliative Use of Marijuana," as amended by P.A. 16-23, is no longer a crime in Connecticut, the possession and use of marijuana remains illegal under federal law. Consistent with federal law, including the Controlled Substances Act

and the Drug-Free Schools and Communities Act, the use and or possession of marijuana continues to be prohibited while a student is on a school bus, at school, on school grounds or at a school-sponsored activity. The District will continue to enforce its policies regarding controlled substances and any students who violate District policy prohibiting the use, sale or possession of illegal drugs in District facilities and school property will be subject to disciplinary and criminal action.

Definitions

- (1) Controlled Drugs: means those drugs which contain any quantity of a substance which has been designated as subject to the federal Controlled Substances Act, or which has been designated as a depressant or stimulant drug pursuant to federal food and drug laws, or which has been designated by the Commissioner of Consumer Protection pursuant to C.G.S. Section 21a-243, as having a stimulant, depressant or hallucinogenic effect upon the higher functions of the central nervous system and as having a tendency to promote abuse or psychological or physiological dependence, or both. Such controlled drugs are classifiable as amphetamine-type, barbiturate-type, cannabis-type, cocaine-type, hallucinogenic, morphine-type and other stimulant and depressant drugs. C.G.S. Section 21a-240(8).
- (2) Controlled Substances: means a drug, substance or immediate precursor in schedules I to V, inclusive, of the Connecticut controlled substance scheduling regulations adopted pursuant to C.G.S. Section 21a-243. C.G.S. Section 21a-240(9).
- (3) Professional Communication: any communication made privately and in confidence by a student to a professional employee of such student's school in the course of the professional employee's employment. C.G.S. Section 10-154a(a)(4).
- (4) Professional Employee: means a person employed by a school who "(A) holds a certificate from the State Board of Education, (B) is a member of a faculty where certification is not required, (C) is an administration officer of a school, or (D) is a registered nurse employed by or assigned to a school." C.G.S. Section 10-154a(a)(2).
- (5) Drug Paraphernalia: means any equipment, products and materials of any kind which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing or concealing, or injecting, ingesting, inhaling or otherwise introducing controlled drugs or controlled substances into the human body, including but not limited to all items specified in C.G.S. Section 21a-240(20)(A), such as "bongs," pipes, "roach clips," miniature cocaine spoons, crack cocaine vials, tobacco rolling papers, and any object or container used, intended or designed for use in storing, concealing, possessing, distributing or selling controlled drugs or controlled substances. C.G.S. Section 21a-240(20)(A).
- (6) Performance Enhancing Substances: means any anabolic steroid, hormone or analogue, diuretic or other substance designed to enhance a student's performance in athletic

competition, including creatine, androstenedione, ephedrine or other performance enhancing nutritional supplements as defined by the World Anti-Doping Agency (WADA) www.wada-ama.org, except when used under the care and direction of a licensed medical professional and only then in the manner prescribed by the medical professional and manufacturer's recommendations.

- (7) Student Athlete: means any student participating in an extracurricular school-sponsored athletic activity, whether interscholastic or intramural, including but not limited to student athletes who are participating in CIAC controlled activities.
- (8) Electronic nicotine delivery system means an electronic device that may be used to simulate smoking in the delivery of nicotine or other substance to a person inhaling from the device, and includes, but is not limited to, an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or electronic hookah and any related device and any cartridge or other component of such device.
- (9) Liquid nicotine container means a container that holds a liquid substance containing nicotine that is sold, marketed or intended for use in an electronic nicotine delivery system or vapor product, except "liquid nicotine container" does not include such a container that is prefilled and sealed by the manufacturer and not intended to be opened by the consumer.
- (10) Vapor product means any product that employs a heating element, power source, electronic circuit or other electronic, chemical or mechanical means, regardless of shape or size, to produce a vapor that may or may not include nicotine that is inhaled by the user of such product.
- (11) Electronic cigarette liquid means a liquid that, when used in an electronic nicotine delivery system or vapor product, produces a vapor that may or may not include nicotine and is inhaled by the user of such electronic nicotine delivery system or vapor product.

Legal References:

Connecticut General Statutes:

1-21b Smoking prohibited in certain places.

10-19 Teaching about alcohol, nicotine or tobacco, drugs and acquired immune deficiency syndrome. Training of personnel.

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

Section 10-154a

Section 10-212a

Section 10-220b Policy statement on drugs

Section 10-221

Sections 10-233a through 10-233f

Section 21a-240

Section 21a-243

Section 21a-408a through 408g

53-198 Smoking in motor buses, railroad cars and school buses

Public Act 11-73 An Act Regulating the Sale and Possession of Synthetic Marijuana and Salvia Divinorum.

Public Act 16-23, An Act Concerning the Palliative Use of Marijuana

Public Act 12-55 An Act Concerning the Palliative Use of Marijuana.

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

Public Act 15-206 An Act Regulating Electronic Nicotine Delivery Systems and Vapor Products

Federal Regulation 34 CFR Part 85 Drug-free Schools & Communities Act.

PL 114-95 Every Student Succeeds Act, Section 8573

Synthetic Drug Abuse Prevention Act of 2012. (part of s.3187, the Food and Drug Administration Safety and Innovation Act)

New Jersey v. T.L.O, 469 U.S. 325 (1985).

Veronia School District 47J v. Acton, 515 U.S. 646. (1995)

Board of Education of Independent School District No 92 of Pottawatomie County v. Earls 01-332 U.S. (2002).

Policy adopted:

WESTPORT PUBLIC SCHOOLS
Westport, Connecticut

Business and Non-Instructional Operations

Food Service

Food Service Personnel - Code of Conduct

The following conduct is expected of all persons who are engaged in the award and administration of contracts for the Westport School Lunch Program. These programs include, but are not limited to, the National School Lunch Program, School Breakfast Program, Child and Adult Care Food Program, and Summer Food Service Program.

No employee, officer or agent of the Westport School District shall participate in selection or in the award or administration of a contract supported by program funds if a conflict of interest, real or apparent, would be involved.

To ensure objective contractor performance and eliminate unfair competitive advantage, a person that develops or drafts specifications, requirements, statements of work, invitations, for bids, requests for proposals, contract terms and conditions of other documents for use by the child nutrition program in conducting procurement shall be excluded from competing for such procurements. Such persons are ineligible for such procurements regardless of the procurement method used.

Conflicts of interest arise when a school district employee:

1. Has a financial or other interest in the firm selected for the award;
2. Is an employee, officer, or agent of the firm selected for the award;
3. Has a member of the immediate family who is an employee, officer or agent of the firm selected for the award;
4. Is about to be employed by the firm selected for the award; or
5. Has a member of the immediate family who is about to be employed by the firm selected for the award.

The Westport School District employees, officers or agents shall neither solicit nor accept gratuities, favors, or anything of material monetary value from contractors, potential contractors or parties to sub-agreements.

Westport Board of Education employees, officers and agents shall be governed by the following rules:

1. The removal of any food, supplies, equipment or school property, such as official records, recipe books, and the like is prohibited unless express permission of the Food Service Coordinator/Business Manager/Cafeteria Supervisor has been granted.

2. Individual sales by any school person to an outside agency or other school person are prohibited.

Failure of any employee to abide by this Code of Conduct could result in a fine, suspension or dismissal.

(cf. 3542 - School Lunch Service)

(cf. 4118.13/4218.13 - Conflict of Interest)

(cf. 6142.101 - Student Nutrition and Physical Wellness, School Wellness)

Legal Reference: Connecticut General Statutes

10-215 Lunches, breakfasts and other feeding programs for public school children and employees.

10-215a Nonpublic school and nonprofit agency participation in feeding programs.

10-215b Duties of State Board of Education re feeding programs.

10-216 Payment of expenses.

State Board of Education Regulations

10-215b-1 School lunch and nutrition programs.

10-215b-11 Requirement for meals.

10-215b-12 Reimbursement payments. (including free and reduced price meals)

Child Nutrition and WIC Reauthorization Act of 2004, 42 U.S.C. Section 1751.

School Lunch and Breakfast Programs 42 U.S.C. Section 1751 et seq.

National Food Service Programs, Title 7 Code of Federal Regulations, 7 CFR Part 210, Part 220, Part 215, Part 245.

42 U.S.C. Sec. 1758(h)/7 CFR Sect 210.13, 220.7 (School Food Safety Inspections).

Federal Register (74 Fed. Reg. 66213) amending federal regulations (7 CFR Part 210 and 220).

P.L. 111-296 Healthy, Hunger-Free Kids Act of 2010 (HHFKA), 42 U.S.C. 1751

7 CFR Parts 210 & 220 - Nutrition Standards in the National School Lunch & School Breakfast Programs.

Nondiscrimination on the Basis of Handicap in Programs or Activities

Title 7 Chapter 11 of the Code of Federal Regulation Federal Management Circular A- 102, Attachment 0 FNS Instruction 796-1 Revision 2.

2 CFR 200.318 General Procurement Standards

Policy adopted:

WESTPORT PUBLIC SCHOOLS
Westport, Connecticut

This page has been intentionally left blank.

Students

Alcohol, Drugs, and Tobacco

Inhalant Use

In addition to the prohibitions pertaining to alcohol, drugs and tobacco contained in Policy 5131.6, no student shall inhale, ingest, apply, use or possess an abusable glue, aerosol paint or substance containing a volatile chemical with intent to inhale, ingest, apply or use any of these in a manner:

1. Contrary to directions for use, cautions or warnings appearing on a label of a container of the glue, paint aerosol or substance; and
2. Designed to affect the central nervous system, create or induce a condition of intoxication, hallucination or elation, or change, distort, or disturb the person's eyesight, thinking process, balance or coordination.

For purposes of this policy, inhalants are defined as follows, but not limited to:

Nitrous Oxide - Laughing Gas, Whippets, CO2 Cartridge
Amyl Nitrite - "Locker Room," "Rush," "Poppers," "Snappers"
Butyl Nitrite - "Bullet," "Climax"
Chlorohydrocarbons - Aerosol Paint Cans, Cleaning Fluids
Hydrocarbons - Aerosol Propellants, Gasoline, Glue, Butane

Further, no student, 18 years of age or older, shall intentionally, knowingly or recklessly deliver or sell potentially abusable inhalant materials as listed above to a minor student.

No student shall intentionally use or possess with intent to use inhalant paraphernalia to inhale, ingest, or otherwise introduce into the body an abusable glue, aerosol paint or substance or other substance that contains a volatile chemical.

Any student in the District schools found to be in possession of, using, distributing, or selling potentially abusable inhalant materials shall be subject to disciplinary action as outlined in this policy, up to and including suspension and a recommendation for expulsion. Violators of this policy may also be required to complete an appropriate rehabilitation program. The Superintendent shall propose and the Board of Education shall approve procedures and regulations to ensure that any student violating this policy is subjected to disciplinary action, and that any disciplinary actions imposed for similar violations are treated consistently.

Legal References:

Connecticut General Statutes:

10-19 Teaching about alcohol, nicotine or tobacco, drugs and acquired immune deficiency syndrome. Training of personnel.

Section 10-154a

Section 10-220b Policy statement on drugs

Section 10-221

Sections 10-233a through 10-233f

Section 21a-240

Section 21a-243

Section 21a-408a through 408q

Federal Regulation 34 CFR Part 85 Drug-free Schools & Communities Act.

PL 114-95 Every Student Succeeds Act, Section 8573

Synthetic Drug Abuse Prevention Act of 2012. (part of s.3187, the Food and Drug Administration Safety and Innovation Act)

New Jersey v. T.L.O, 469 U.S. 325 (1985).

Policy adopted:

WESTPORT PUBLIC SCHOOLS
Westport, Connecticut

Personnel

Reportings of Suspected Child Abuse, or Neglect, of Children or Sexual Assault

Conn. Gen. Stat. Section 17a-101 et seq. requires school employees ~~certain educational personnel (school teachers, school administrators, school superintendents, school guidance counselors, school coaches and paraprofessionals) as well as registered and licensed practical nurses, psychologists, social workers, mental health professionals, and certain professional counselors~~ who have reasonable cause to suspect or believe (1) that any child under eighteen has been abused or neglected, has had a nonaccidental physical injury, or injury which is at variance with the history given of such injury, or has been placed at imminent risk of serious harm, or (2) that any person who is being educated by the technical high school system or a local or regional board of education, other than as part of an adult education program, is a victim of sexual assault, and the perpetrator is a school employee, to report such suspicious to the appropriate authority ~~abuse and/or neglect~~. In furtherance of this statute and its purpose, it is the policy of the Westport Board of Education ("Board") to require ALL EMPLOYEES of the Board of Education to report suspected abuse and/or neglect, nonaccidental physical injury, imminent risk of serious harm, or sexual assault of a student by a school employee, in accordance with the procedures set forth below. ~~For purposes of this policy, school employees also include any person who, under a contract with the Board, and in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in a public elementary, middle or high school.~~

1. Scope of Policy

This policy applies not only to employees who are required by law to report suspected child abuse and/or neglect, nonaccidental physical injury, imminent risk of serious harm, or sexual assault of a student by a school employee, but to ALL EMPLOYEES of the Board of Education.

2. Definitions

For the purposes of this policy:

"Abused" means that a child (a) has had physical injury or injuries inflicted upon him or her other than by accidental means, or (b) has injuries which are at variance with the history given of them, or (c) is in a condition which is the result of maltreatment, such as, but not limited to, malnutrition, sexual molestation or exploitation, deprivation of necessities, emotional maltreatment or cruel punishment.

"Neglected" means that a child (a) has been abandoned, or (b) is being denied proper care and attention, physically, educationally, emotionally or morally, or (c) is being permitted to live under conditions, circumstances or associations injurious to his well-being, or (d) has been abused.

"School employee" means (a) a teacher, substitute teacher, school administrator, school superintendent, guidance counselor, school counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by the Board or who is working in a Board elementary, middle or high school; or (b) any other person who, in the

performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in the Westport Public Schools (“District”), pursuant to a contract with the Board.

"Sexual assault" means, for the purposes of the mandatory reporting laws and this policy, a violation of Sections 53a-70, 53a-70a, 53a-71, 53a-72a, 53a-72b or 53a-73a of the Connecticut General Statutes. Please see Appendix A of this policy for the relevant statutory definitions of sexual assault laws and related terms covered by the mandatory reporting laws and this policy.

"Statutory mandated reporter" means an individual required by Conn. Gen. Stat. Section 17a-101 to report suspected abuse and/or neglect of children or the sexual assault of a student by a school employee. In the public school context, the term "statutory mandated reporter" includes all school employees, as defined above, any person who is a licensed behavior analyst, and any person who holds or is issued a coaching permit by the State Board of Education, is a coach of intramural or interscholastic athletics, and is eighteen years of age or older. ~~teachers, school administrators, school superintendents, school guidance counselors, school coaches, paraprofessionals, registered and licensed practical nurses, psychologists, social workers, mental health professionals, certified alcohol and drug counselors and any other licensed professional counselor.~~

P-4118.25(b)
5141.4

Personnel

Reports of Suspected Abuse or Neglect of Children

3. What Must Be Reported

a) A report must be made when any employee of the Board of Education in the ordinary course of such person’s employment or profession has reasonable cause to suspect or believe that a child under the age of eighteen years:

a.i) has been abused or neglected;

b.ii) has had nonaccidental physical injury, or injury which is at variance with the history given for such injury, inflicted upon him/her; or

e.iii) is placed at imminent risk of serious harm.

b) A report must be made when any employee of the Board of Education in the ordinary course of such person’s employment or profession has reasonable cause to suspect or believe that any person, regardless of age, who is being educated by the technical high school system or a local or regional board of education, other than as part of an adult education program, is a victim of the following sexual assault crimes, and the perpetrator is a school employee:

i) sexual assault in first degree;

ii) aggravated sexual assault in the first degree;

iii) sexual assault in the second degree;

iv) sexual assault in the third degree;

v) sexual assault in the third degree with a firearm; or

vi) sexual assault in the fourth degree.

Please see Appendix A of this policy for the relevant statutory definitions of sexual assault laws and related terms covered by the mandatory reporting laws and this policy.

c) The suspicion or belief of a Board employee may be based on factors including, but not limited to, observations, allegations, facts or statements by a child or victim, as described above, or a third party. Such suspicion or belief does not require certainty or probable cause.

4. Reporting Procedures for Statutory Mandated Reporters

The following procedures apply only to statutory mandated reporters, as defined above.

When an employee of the Board of Education who is a statutory mandated reporter and who, in the ordinary course of the person's employment, has reasonable cause to suspect or believe that a child has been abused or neglected or placed at imminent risk of serious harm, or is a victim of sexual assault by a school employee, as described in Paragraph 3, above, the following steps shall be taken.

(1) ~~(1)~~—The employee shall make an oral report as soon as practicable, but not later than twelve(12) hours after having reasonable cause to suspect or believe that a child has been abused or neglected or placed at imminent risk of serious harm, or is a victim of sexual assault by a school employee. ~~Such oral report shall be made by telephone or in person to the Commissioner of Children and Families or the local law enforcement agency.~~

(a) An oral report shall be made by telephone or in person to the Commissioner of the Department of Children and Families (“DCF”) or the local law enforcement agency. DCF has established a 24 hour Child Abuse and Neglect Careline at 1-800-842-2288 for the purpose of making such oral reports.

(b) An electronic report shall be made in the manner prescribed by the Commissioner of DCF. An employee making an electronic report shall respond to further inquiries from the Commissioner of DCF or designee made within twenty-four (24) hours. Such employee shall inform the Superintendent or his/her designee as soon as possible as to the nature of the further communication with the Commissioner or designee.

(2) The employee shall also make an oral report as soon as practicable to the Building Principal or his/her designee, and/or Superintendent or the Superintendent's designee. If the Building Principal is the alleged perpetrator of the abuse/neglect or sexual assault of a student, then the employee shall notify the Superintendent or his/her designee directly.

- (3) In cases involving suspected or believed abuse, ~~or~~ neglect, or sexual assault of a student by a school employee, the Superintendent or his/her designee shall immediately notify the child's parent or guardian that such a report has been made.
- (4) Not later than forty-eight ~~Within~~ (48) hours of making an oral report the employee shall submit a written or electronic report to the Commissioner of ~~Children and Families~~ DCF or the Commissioner's designee containing all of the required information. The written or electronic report should be submitted in the manner prescribed by the Commissioner of DCF. When such report is submitted electronically, the employee shall respond to further inquiries from the Commissioner of DCF or designee made within twenty-four (24) hours. Such employee shall inform the Superintendent or his/her designee as soon as possible as to the nature of the further communication with the Commissioner or designee. ~~or his/her representative containing all of the required information.~~
- (4) (5) The employee shall immediately submit a copy of the written or electronic report to the Building Principal or his/her designee and the Superintendent or the Superintendent's designee.

P 4118.25(e)
5141.4

Personnel

~~Reports of Suspected Abuse or Neglect of Children~~

- (6) If the report concerns suspected abuse ~~or~~ neglect, or sexual assault of a student by a school employee holding a certificate, authorization or permit issued by the State Department of Education, the the Commissioner of DCF (or his/her designee) ~~Superintendent~~ shall submit a copy of the written report to the Commissioner of Education (or his/her representative ~~designee~~).

5. Reporting Procedures for Employees Other Than Statutory Mandated Reporters

The following procedures apply only to employees who are not statutory mandated reporters, as defined above.

- a) When an employee who is not a statutory mandated reporter and who, in the ordinary course of the person's employment or profession, has reasonable cause to suspect or believe that a child has been abused or neglected or placed at imminent risk of serious harm, or is a victim of sexual assault by a school employee, as described in Paragraph 3, above, the following steps shall be taken.

- (1) The employee shall make an oral report as soon as practicable, but not later than twelve (12) hours after the employee has reasonable cause to suspect or believe that a child has been abused or neglected, ~~or~~ placed at imminent risk of serious harm or is a victim of sexual assault by a school employee. Such oral report shall be made by telephone or in person to the Superintendent of Schools or his/her designee, to be followed by an immediate written report to the Superintendent or his/her designee.
 - (2) If the Superintendent or his/her designee determines that there is reasonable cause to suspect or believe that a child has been abused or neglected or placed at imminent risk of serious harm or is a victim of sexual assault by school employee, he/she shall cause reports to be made in accordance with the procedures set forth for statutory mandated reporters, ~~set forth above~~.
- b) Nothing in this policy shall be construed to preclude an employee reporting suspected child abuse and/or neglect from reporting the same directly to the Commissioner of ~~Children and Families~~DCF.

6. Contents of Reports

Any ~~oral or written~~ report made pursuant to this policy shall contain the following information, if known:

P-4118.25(d)
5141.4

Personnel

~~Reports of Suspected Abuse or Neglect of Children~~

- a) The names and addresses of the child* and his/her parents or other person responsible for his/her care;
- b) the age of the child;
- c) the gender of the child;
- d) the nature and extent of the child's injury or injuries, maltreatment or neglect;
- e) the approximate date and time the injury or injuries, maltreatment or neglect occurred;
- f) information concerning any previous injury or injuries to, or maltreatment or neglect of the child or his/her siblings;
- g) the circumstances in which the injury or injuries, maltreatment or neglect came to be known to the reporter;
- h) the name of the person or persons suspected to be responsible for causing such injury or injuries, maltreatment or neglect; and

- i) the reasons such person or persons are suspected of causing such injury or injuries, maltreatment or neglect;
- j) any information concerning any prior cases in which such person or persons have been suspected of causing an injury, maltreatment or neglect of a child; and
- k) whatever action, if any, was taken to treat, provide shelter or otherwise assist the child.

7. Investigation of the Report

- a) ~~—If the suspected abuser is a school employee, the~~ The Superintendent or his/her designee shall thoroughly investigate the reports of suspected abuse, neglect or sexual assault if/when such report involves an employee of the Board of Education or other individual under the control of the Board, provided the procedures in subparagraph (b), below are followed. In all other cases, DCF shall be responsible for conducting the investigation with the cooperation and collaboration of the Board, as appropriate.
- b) ~~—Recognizing that the fact that the Department of Children and Families (“DCF”) is the lead agency for the investigation of child abuse and neglect reports and reports of a student’s sexual assault by school employees, the Superintendent’s investigation shall permit and give priority to any investigation conducted by the Commissioner of~~ be coordinated with DCF and/ the appropriate local law enforcement agency or the police in order to minimize the number of interviews of any child and to share information with other persons authorized to conduct an investigation of child abuse and neglect. The Superintendent shall conduct the District’s investigation and take any disciplinary action, consistent with state law, upon notice from the Commissioner of DCF or the appropriate local law enforcement agency that the District’s investigation will not ~~When investigating a report, the Superintendent shall endeavor to obtain, when possible, the consent of parents or guardians or other persons responsible for the care of the child to an interview with a child, except in those cases in which there is reason to believe that the parents or guardians or other persons responsible for the care of such child are the perpetrators of the alleged abuse, or where DCF has indicated that obtaining such consent will interfere with its the~~ investigation the Commissioner of DCF or the local law enforcement agency.
- c) The Superintendent shall coordinate investigatory activities in order to minimize the number of interviews of any child or student victim of sexual assault and share information with other persons authorized to conduct an investigation of child abuse or neglect, as appropriate.
- d) Any person reporting child abuse or neglect or the sexual assault of a student by a school employee, or having any information relevant to alleged abuse or neglect or of the sexual assault of a student by a school employee, shall provide the Superintendent with all information related to the investigation that is in the possession or control of such person, except as expressly prohibited by state or federal law.
- e) When the school district is conducting an investigation involving suspected abuse or neglect or sexual assault of a student by an employee of the Board or other individual under the control of the Board, the Superintendent’s investigation shall include an opportunity for the individual suspected of abuse, neglect or sexual assault to be heard with respect to the allegations contained within the report. During the course of such investigation, the Superintendent may suspend a Board employee

may place the employee on administrative leave with pay, pending the outcome of the investigation. If the individual is one who provides services to or on behalf of students enrolled in the District, pursuant to a contract with the Board of Education, the Superintendent may suspend the provision of such services, and direct the individual to refrain from any contact with students enrolled in the District, pending the outcome of the investigation.

P-4118.25(e)
5141.4

Personnel

Reports of Suspected Abuse or Neglect of Children

~~The investigation shall include an opportunity for the suspected abuser to be heard with respect to the allegations contained within the report. During the course of an investigation of suspected abuse by a school employee, the Superintendent may suspend the employee with pay or may place the employee on administrative leave with pay, pending the outcome of the investigation.~~

8. Evidence of Abuse, Neglect or Sexual Assault by a School Employee

a) ~~Evidence of Abuse by a School Employee Holding a Certificate, Authorization or Permit Issued by the State Department of Education~~

a) If, upon completion of the investigation by the Commissioner of Children and Families (“Commissioner”), the Superintendent has received a report from the Commissioner that he or she has reasonable cause to believe that (1) a child has been abused by a school employee, ~~as defined above~~ who holds a certificate, permit, or authorization issued by the State Department of Education, and that the Commissioner has recommended that such employee be placed on the child abuse and neglect registry, or (2) a student is a victim of sexual assault by a school employee, the Superintendent shall ~~make a written request (and the law provides) that DCF notify the Superintendent not later than five (5) working days after such finding, and provide the Superintendent with records, whether or not created by DCF, concerning such investigation. to the Commissioner that he or she provide all records, whether or not created by DCF, concerning such investigation to the Superintendent.~~ In addition, the Superintendent shall suspend ~~the such school~~ employee, Such suspension shall be with if not previously suspended, with pay and without diminution or termination of benefits to such employee.

b) ~~Within~~ Not later than seventy-two (72) hours after such suspension the Superintendent shall notify the Board of Education and the Commissioner of Education, or the Commissioner of Education's or his or her representative, of the reasons for and the conditions of the suspension. The Superintendent shall disclose records received from DCF to the Commissioner of Education and the Board of Education or its attorney for purposes of review of employment status or the status of such employee's certificate, permit or authorization. ~~For certified personnel, such suspension shall remain in effect until the Board of Education acts pursuant to the provisions of Conn. Gen. Stat. Section 10-151, if any.~~

- c) The suspension of a school employee employed in a position requiring a certificate shall remain in effect until the Superintendent and/or Board of Education acts pursuant to the provisions of Conn. Gen. Stat. §10-151. If the contract of employment of such certified school employee is terminated, or such certified school employee resigns such employment, the Superintendent shall notify the Commissioner of Education, or the Commissioner of Education's representative, within seventy-two (72) hours after such termination or resignation.
- d) The suspension of a school employee employed in a position requiring an authorization or permit shall remain in effect until the Superintendent and/or Board of Education acts pursuant to any applicable termination provisions. If the contract of employment of a school employee holding an authorization or permit from the State Department of Education is terminated, or such school employee resigns such employment, the Superintendent shall notify the Commissioner of Education, or the Commissioner of Education's representative, within seventy-two (72) hours after such termination or resignation.
- e) Regardless of the outcome of any investigation by the Commissioner of DCF and/or the police, the Superintendent and/or the Board, as appropriate, may take disciplinary action, up to and including termination of employment, in accordance with the provisions of any applicable statute, if the Superintendent's investigation produces evidence that a child has been abused or neglected by a school ~~staff member who holds a certificate, permit or authorization issued by the State Department of Education~~ employee or that a student has been a victim of sexual assault by a school employee.
- f) The District shall not employ a person whose employment contract is terminated or who resigned from employment following a suspension pursuant to Paragraph 8(a) of this policy and Conn. Gen. Stat. § 17a-101i, if such person is convicted of a crime involving an act of child abuse or neglect or an act of sexual assault of a student, as described in Paragraph 2 of this policy.

P-4118.25(f)
5141.4

Personnel

~~Reports of Suspected Abuse or Neglect of Children~~

~~If the contract of employment of such certified school employee is terminated as a result of an investigation into reports of child abuse and neglect, the Superintendent shall notify the Commissioner of Education, or his or her representative, within seventy two (72) hours after such termination.~~

9. Evidence of Abuse, Neglect or Sexual Assault by An Independent Contractor of the Board of Education

~~b) Evidence of Abuse by Other School Staff~~

If the investigation by the Superintendent and/or the Commissioner of ~~Children and Families~~ DCF produces evidence that a child has been abused or neglected, or a student has been sexually assaulted, by any individual who provides services to or on behalf of students enrolled in the District, pursuant to a contract with the Board, the Superintendent shall permanently suspend the provision of such services, and direct the individual to refrain from any contact with students enrolled in the District.

~~by a non-certified school staff member, the Superintendent and/or the Board, as appropriate, may take disciplinary action, up to and including termination of employment.~~

810. Delegation of Authority by Superintendent

The Superintendent may appoint a designee for the purposes of receiving and making reports, notifying and receiving notification, or investigating reports pursuant to this policy.

911. Disciplinary Action for Failure to Follow Policy

Except as provided in Section ~~10-13~~ below, any employee who fails to comply with the requirements of this policy shall be subject to discipline, up to and including termination of employment.

12. The District shall not hire any person whose employment contract was previously terminated by a board of education or who resigned from such employment, if such person has been convicted of a violation of Section 17a-101a of the Connecticut General Statutes, as amended, relating to mandatory reporting, when an allegation of abuse or neglect or sexual assault has been substantiated.

~~10~~13. Non-Discrimination Policy/Prohibition Against Retaliation

The Board of Education expressly prohibits retaliation against individuals reporting child abuse or neglect or the sexual assault of a student by a school employee and shall not discharge or in any manner discriminate or retaliate against any employee who, in good faith makes a report pursuant to this policy, or testifies or is about to testify in any proceeding involving abuse or neglect or sexual assault by a school employee. The Board of Education also prohibits any employee from hindering or preventing or attempting to hinder or prevent any employee from making a report pursuant to this policy or state law concerning suspected child abuse or neglect or the sexual assault of a student by a school employee or testifying in any proceeding involving child abuse or neglect or the sexual assault of a student by a school employee.

~~The Board of Education shall not discharge or in any manner discriminate or retaliate against any employee who, in good faith makes, or in good faith does not make, a report pursuant to this policy, or testifies or is about to testify in any proceeding involving abuse or neglect.~~

15. Distribution of Policy and Posting of Careline Information

This policy shall be distributed annually to all school employees employed by the Board. The Board shall document that all such school employees have received this written policy and completed the training and refresher training programs required by in Section 16, below. The Board shall post the Internet web site address and telephone number for the DCF Child Abuse and Neglect Careline in a conspicuous location frequented by students in each school under the jurisdiction of the Board.

16. Training

- a) All new school employees, as defined above, shall be required to complete an educational training program for the accurate and prompt identification and reporting of child abuse and neglect. Such training program shall be developed and approved by the Commissioner of DCF.
- b) All school employees, as defined above, shall take a refresher training course developed and approved by the Commissioner of DCF at least once every three years.
- c) The principal for each school shall annually certify to the Superintendent that each school employee, as defined above, working at such school, is in compliance with the training provisions in this policy and as required by state law. The Superintendent shall certify such compliance to the State Board of Education.

17. Records

- a) The Board shall maintain in a central location all records of allegations, investigations, and reports that a child has been abused or neglected by a school employee employed by the Board or that a student has been a victim of sexual assault by a school employee employed by the Board, as defined above, and conducted in accordance with this policy. Such records shall include any reports made to the DCF. The State Department of Education shall have access to such records upon request.
- b) Notwithstanding the provisions of Conn. Gen. Stat. §10-151c, the Board shall provide the Commissioner of DCF, upon request and for the purposes of an investigation by the Commissioner of DCF of suspected child abuse or neglect by a teacher employed by the Board, any records maintained or kept on file by the Board. Such records shall include, but not be limited to, supervisory records, reports of competence, personal character and efficiency maintained in such teacher's personnel file with reference to evaluation of performance as a professional employee of the Board, and records of the personal misconduct of such teacher. For purposes of this section, "teacher" includes each certified professional employee below the rank of superintendent employed by the Board in a position requiring a certificate issued by the State Board of Education.

18. Child Sexual Abuse and/or Sexual Assault Response Policy and Reporting Procedure

The Board has adopted a uniform child sexual abuse and/or sexual assault response policy and reporting procedure in connection with the implementation of its sexual assault and abuse prevention and awareness program, as outlined in Board Policy [#], **Child Sexual Abuse and/or Sexual Assault Response Policy and Reporting Procedure**. Upon receipt of any report of child sexual abuse and/or sexual assault from any source, a school employee shall report such suspicion to the Safe School Climate Coordinator in addition to complying with his/her obligations under this Policy and the law regarding mandatory reporting of abuse, neglect and sexual assault.

Legal References:

Connecticut General Statutes:

Section 10-151

[Section 10-221s](#)

Section 17a-101 et seq.

[—Section 17a-101q, Statewide Sexual Abuse and Assault Awareness and Prevention Program](#)

Section 17a-103

[Section 46b-120](#)

[Section 53a-65](#)

~~Public Act 09-242, “An Act Concerning Sexual Activity between School Workers and Students and Including School Superintendents as Mandated Reporters of Child Abuse or Neglect”~~

Policy Adopted: March 22, 2010

[Amended:](#)

WESTPORT PUBLIC SCHOOLS

Westport, Connecticut

This page has been intentionally left blank.

Students

Attendance, Truancy, and Chronic Absenteeism

Regular and punctual student attendance in school is essential to the educational process. Connecticut state law places responsibility for assuring that students attend school with the parent or other person having control of the child. To assist parents and other persons in meeting this responsibility, the Board of Education (the “Board”), through its Superintendent, will adopt and maintain procedures to implement this policy.

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

- Legal References:
- Connecticut General Statutes §10-220
 - Connecticut General Statutes §10-184
 - Connecticut General Statutes §10-186
 - Connecticut General Statutes §10-198a`
 - [Connecticut General Statutes § 10-198b](#)
 - [Connecticut General Statutes § 10-198c](#)
 - [Connecticut General Statutes § 10-198d](#)
 - [Connecticut General Statutes § 10-198e](#)
 - ~~Public Act 11-136, An Act Concerning Minor Revisions to the Education Statutes~~
 - Guidelines for Reporting Student Attendance in the Public School Information —System (Connecticut State Department of Education, January 2008)
 - ~~Connecticut State Department of Education Circular Letter C 2, Utilizing Local Support Resources Prior to Referral of Students for Family with Service Needs (August 4, 2009)~~
 - [Connecticut State Board of Education Memorandum, Definitions of Excused and Unexcused Absences \(June 27, 2012\)](#)

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

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

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

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

Policy adopted: ~~_____~~ October 22, 2007

Amended: _____

WESTPORT PUBLIC SCHOOLS
Westport, Connecticut

Business and Non-Instructional Operations

Food Service

Charging Policy

The goal of the food service program is to provide students with nutritious and healthy foods, through the District's food services program, that will enhance learning. The school nutrition program is an essential part of the education system and by providing good-tasting, nutritious meals in pleasant surroundings; we are helping to teach students the value of good nutrition.

Connecticut's school Child Nutrition Programs consist of the National School Lunch, School Breakfast, Special Milk, After School Snack and Fresh Fruit and Vegetable Programs. It is a local decision as to in which programs the District selects to participate. These programs are federally funded and are administered by the United States Department of Agriculture's Food and Nutrition Service. At the State level, the school Child Nutrition Programs are administered by the Connecticut State Department of Education, which operates the program through agreements with the local school food authorities.

The school nutrition program is an extension of the school's educational programs and it is the District's vision to have a partnership among students, staff, school family and the community in offering access to and providing nutritious meals, which are attractively presented at an affordable price.

The Board realizes that funds from the non-profit school food service account, according to federal regulations, cannot be used to cover the cost of charged meals that have not been paid.

In order to sustain the District's food services program, the District cannot permit the excessive charging of student meals. Therefore, any charging of meals must be consistent with this policy and any accompanying regulations. The Superintendent or his/her designee shall develop regulations designed to effectively and respectfully address family responsibility for unpaid meals.

1. Parents are responsible for providing meals or meal money for their student(s). Borrowing or charging is for one meal only in an emergency. Repayment is expected without delay. Snack and a-la-carte purchases are cash only for delinquent account holders.

2. Although not required by law, the Board of Education approves the establishment of a system to allow a student to charge a meal. The Board authorizes the Superintendent to develop rules which address:

- a. What can be charged;
- b. The limit on the number of charges per student;
- c. The system used for identifying and recording charged meals;
- d. The system used for collection of repayments; and

e. Ongoing communication of the policy to parents/guardians and students.

Any parent/guardian who anticipates a problem with paying for meals is encouraged to contact the Food Services Manager/Director and/or the applicable school Principal for assistance. The Board encourages all families who may have a child eligible for free or reduced price lunch to apply. There will be outreach to families.

Definitions

"Alternate Meals" are not clearly defined in federal and state regulations. The use of alternate meals refers to any meal served to a student that is different from the day's advertised reimbursable meal. Alternate meals are most often provided to those students who have forgotten their meal payment(s) or medium of exchange.

"Delinquent Debt" are unpaid meal charges, like any other money owed to the nonprofit school food service account when payment is overdue, as defined by state or local policies.

"Bad Debt" are when unpaid meal charges are not collected and are considered a loss. Such debt must be written off as an operating loss, which cannot be absorbed by the nonprofit school food service account, but must be restored using nonfederal funds.

Elementary and Secondary Students

1. The District uses an automated prepayment system, which allows parents/guardians to view their child's meal account balance and purchases, receive low-balance notifications, as well as, make deposits, to their child's school meal account. Any student whose account has insufficient funds (i.e., is at the charging limit) and does not bring a meal from home may charge any combination of meals up to a negative balance of \$10.00. When the charge limit is reached, the student will be given the same reimbursable meal that other children are provided. No snacks or a-la-carte items may be charged. Parents with low balances or delinquent accounts shall be notified until the charges are paid in full. Negative balance status can be avoided by making a payment in the form of cash or check payable to "Westport School Lunch", or by credit card to the My School Bucks website.

2. No student shall be deprived a reimbursable meal due to forgotten or lost meal money. In situations in which a student is consistently without meal money, the Principal or his/her designee should encourage the parent/guardian to apply for free or reduced price meals.

3. Students with delinquent accounts will be given the same reimbursable meal that other children are provided. Parents of students who charge shall be notified. If a pattern of charging continues, attempts will be made to discuss the issue with the parents/guardians and encourage them to complete a free and reduced meal application, and/or refer them to Human Services.

Delinquent Debt and Bad Debt

The District's efforts to recover from households money owed due to the charging of meals must not have a negative impact on the children involved and shall focus primarily on the adults in the household responsible for providing funds for meal purchases. The school food authority is encouraged to consider whether the benefits of potential collections outweigh the costs which would be incurred to achieve those collections.

Money owed because of unpaid meal charges shall be considered "delinquent debt," as defined, as long as it is considered collectable and reasonable efforts are being made to collect it.

After reasonable attempts are made to collect the delinquent debt, and it is determined that further collection efforts are useless or too costly, the debt must be reclassified as "bad debt." Such debt shall be written off as an operating loss not to be absorbed by the nonprofit school food service account but must be restored using non-federal funds.

Collection procedures shall be in place that include the administration and food service provider.

Dissemination of Policy

This policy shall be provided to all households at the start of each school year and to households transferring to the school or school district during the school year.

This policy shall be included in student/parent handbooks, placed on the District's website, and published at the beginning of each school year at the time information is distributed regarding free and reduced price meals and again to the household the first time the policy is applied to a specific child.

This policy shall be provided to all school staff and/or school food authority staff responsible for its enforcement. In addition, school social workers, nurses, the homeless liaison, and other staff members assisting children in need or who may be contacted by families with unpaid meal charges also should be informed of this policy.

The District's school food authority shall maintain, as required, documentation of the methods used to communicate this policy to households and school or school food authority-level staff responsible for policy enforcement.

(cf. 3542 - Food Service)

(cf. 3542.31 - Free or Reduced Price Lunch Program)

Legal Reference: Connecticut General Statutes

10-215 Lunches, breakfasts and other feeding programs for public school children and employees.

10-215a Nonpublic school and nonprofit agency participation in feeding programs.

10-215b Duties of State Board of Education re feeding programs.

State Board of Education Regulations

State of Connecticut, Bureau of Health/Nutrition, Family Services and Adult Education Operational Memorandum No. 4-17, "Guidance on Unpaid Meal Charges and Collection of Delinquent Meal Payments," Nov. 2, 2016

Operational Memorandum #19-10, State of Connecticut, Bureau of Health/Nutrition, Family Services and Adult Education "Unallowable Charges to No-profit School Food Service Accounts and the Serving of Meals to No-paying Full and Reduced Price Students"

National School Lunch Program and School Breakfast Program; Competitive Foods. (7 CFR Parts 210 and 220, Federal Register, Vol 45 No. 20, Tuesday, January 29, 1980, pp 6758-6772

USDA Guidance:

- SP 46-2016, "Unpaid Meal Charges: Local Meal Charge Policies"
- SP 47-2016, "Unpaid Meal Charges: Clarification on Collection of Delinquent Meal Payment"
- SP 57-2016 "Unpaid Meal Charges: Guidance and Q and A"
- SP 58-2016 "2016 Edition: Overcoming the Unpaid Meal Challenge: Proven Strategies from Our Nation's Schools"

Policy adopted:

WESTPORT PUBLIC SCHOOLS
Westport, Connecticut