

# HAMPTON BOARD OF EDUCATION

## STUDENTS

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# HAMPTON BOARD OF EDUCATION

5134

## STUDENTS

### MARRIED/PREGNANT STUDENTS

Married students shall have the same educational opportunities as unmarried students, and the Board of Education's responsibility for the education of all school-age children includes pregnant students whether married or unmarried who shall be allowed to remain in school and provided appropriate support services as a part of the school program.

A pregnant girl may remain in her regular school program as long as her physical and emotional condition permits. Any variation from a pregnant student's continuance in regular classes shall be based upon her specific needs. In addition, per state regulations, pregnant students must be identified as eligible for special education. Homebound and hospitalized instruction shall be provided only when the Planning and Placement Team finds that it is in the best interest of the student.

A student who is under age 16 and a mother may request permission from the Board to attend education class in lieu of the regular school program.

(cf. 6200 - Adult Continuing Education)

Legal Reference: Connecticut General Statutes

10-184 Duties of parents.

10-186 Duties of local and regional boards of education re school attendance.

State Board of Education Regulations

10-76a-35 Educationally exceptional children.

10-76d-15 Homebound and hospitalized instruction (subsection b4).

10-76d (e)(2) Duties and powers of boards of education to provide special education programs and services.

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# HAMPTON BOARD OF EDUCATION

**5136**

**STUDENTS**

## **FOREIGN STUDENTS ATTENDING SCHOOLS**

Foreign students in the district's high schools shall be limited to those foreign students who are being sponsored by a local family or by a local civic organization and are being housed by a local family.

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# HAMPTON BOARD OF EDUCATION

**5141**

## **STUDENTS**

### **STUDENT HEALTH SERVICES**

#### School District Medical Advisor

The Board of Education shall appoint a school district medical advisor and appropriate medical support service personnel including nurses.

School health efforts shall be directed toward detection and prevention of health problems and to emergency treatment, including the following student health services:

1. Appraising the health status of student and school personnel;
2. Counseling students, parents, and others concerning the findings of health examination;
3. Encouraging correction of defects;
4. Helping prevent and control disease;
5. Providing emergency care for student injury and sudden illness;
6. Maintaining school health records.

#### Health Records

There shall be a health record for each student enrolled in the school district which will be maintained in the school nurse's room. For the purposes of confidentiality, records will be treated in the same manner as the student's cumulative academic record.

Student health records are covered by the Family Educational Rights and Privacy Act (FERPA) and are exempt from the Health Insurance Portability Act (HIPAA) privacy rule. However, it is recognized that obtaining medical information from health care providers will require schools to have proper authorization and to inform parents that such information once released by health care providers is no longer protected under HIPAA but is covered under FERPA.

#### Regular Health Assessments

Prior to enrollment in kindergarten, each child shall have a health assessment by one of the following medical personnel of the parents or guardians choosing to ascertain whether the student has any physical disability or other health problem tending to prevent him or her from receiving the full benefit of school work and to ascertain whether such school work should be modified in order to prevent injury to the student or to secure for the student a suitable program of education:

1. a legally qualified physician;
2. an advanced practice registered nurse;
3. a registered nurse;
4. a physician's assistant.

Such health assessment shall include:

1. Physical examination which shall include hematocrit or hemoglobin tests, height, weight, and blood pressure;
2. Updating of immunizations required under 10-204 and 10-204a;
3. Vision, hearing, postural, and gross dental screenings;

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4. If required by the school district medical advisor, testing for tuberculosis and sickle cell anemia or Cooley's anemia; OPTIONAL: TB screening will be required as determined by the child's health care provider or required from children who are at increased risk of acquiring tuberculosis infection and disease. Students entering from outside the United States will be required to have a new tuberculin test and results reported prior to entry into the District's schools.
5. Any other information including a health history as the physician believes to be necessary and appropriate.

Health assessments shall also be required in grades 6 or 7 and in grade 10 or 11 (effective July 1, 2008: grades 9 or 10) by a legally qualified physician of each student's parents or guardians own choosing, or by the school medical advisor, or the advisor's designee, to ascertain whether a student has any physical disability or other health problem. Such health assessments shall include:

1. Physical examination which shall include hematocrit or hemoglobin tests, height, weight, and blood pressure;
2. Updating of immunizations required under 10-204 and 10-204a;
3. Vision, hearing, postural, and gross dental screenings;
4. If required by the school district medical advisor, testing for tuberculosis and sickle cell anemia or Cooley's anemia;
5. Any other information including a health history as the physician believes to be necessary and appropriate.

A child will not be allowed, as the case may be, to begin or continue in district schools unless health assessments are performed as required. Students transferring into the district must provide evidence of required Connecticut vaccinations, immunizations, and health assessments at enrollment and prior to school attendance.

Health assessments will be provided by the school medical advisor or the advisor's designee without charge to all students whose parents or guardians meet the eligibility requirement of free and reduced priced meals under the National School Lunch Program or for free milk under the special milk program.

The Board of Education shall annually designate a representative to receive reports of health assessments and immunizations from health care providers.

Health assessment results and recommendations signed by the examining physician or authorized medical personnel shall be recorded on forms provided by the Connecticut State Board of Education and kept on file in the school the student attends. Upon written authorization from the student's parent or guardian, original cumulative health records shall be sent to the chief administrative officer of the school district to which such student moves and a true copy of the student's cumulative health records maintained with the student's academic records. The Superintendent of Schools, or designee, shall notify parents of any health-related problems detected in health assessments and shall make reasonable efforts to assure that further testing and treatment is provided, including advice on obtaining such required testing or treatment.

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

### Vision Screening

All students in grades K—6, and grade 9 will be screened using a Snellen chart, or equivalent screening, by the school nurse or school health aide. Additional vision screenings will also be conducted in response to appropriate requests from parents/guardians or professionals working with the student in question. Results will be recorded in

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the student's health record on forms supplied by the Connecticut State Board of Education, and the Superintendent shall cause a written notice to be given to the parent or guardian of each student found to have any defect of vision or disease of the eyes, with a brief statement describing such defect or disease.

As necessary, special educational provisions shall be made for students with disabilities.

### Hearing Screening

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

As necessary, special educational provisions shall be made for students with disabilities.

### Postural Screening

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

As necessary, special educational provisions shall be made for students with disabilities.

### Tuberculin Testing

In addition to tuberculin testing required by the school district medical advisor as part of regular student health assessments, all new students, including preschool students, will be required to have at least one test for tuberculosis prior to entry in district schools.

A test for tuberculosis should be performed if any of the following risk factors prevail:

1. birth in a high risk country of the world (to include all countries in Africa, Asia, the former Soviet Union, Eastern Europe, Central South America, Dominican Republic, and Haiti);
2. travel to a high risk country staying at least a week with substantial contact with the indigenous population since the previously required examination;
3. extensive contact with persons who have recently come to the United States since the previously required examination;
4. contact with persons suspected to have tuberculosis, or
5. had contact with anyone who was in a homeless shelter, jail or prison, uses illegal drugs or has an HIV infection.

### Immunizations/Vaccinations.

No student will be allowed to enroll in district schools without vaccination against smallpox and adequate immunization against the following diseases:

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1. Measles
2. Rubella
3. Poliomyelitis
4. Diphtheria
5. Tetanus
6. Pertussis
7. Mumps
8. Hemophilus influenza type B
9. Any other vaccine required by section 19a-7f of Connecticut General Statutes.
10. Hepatitis B
11. Varicella (Chickenpox)

Before entering the seventh grade, each child shall receive a second immunization against measles or show proof of serologic evidence of infection with Hepatitis B.

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

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

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

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

### Health Assessments/Interscholastic Sports Programs

Any student participating in an interscholastic sports program must have a health assessment, within one year prior to the first training session for the sport or sports. After the initial examination, repeat examinations are required every two years. Each participant in a sport program must complete a health questionnaire before participating in each sport.

Parents are expected to use the services of their private physician. If a student is unable to obtain a health assessment from his/her personal physician for financial or other reasons, an examination can be arranged with school medical advisor. Health assessment results shall be recorded on forms provided by the Connecticut State Board of Education, signed by the examining physician, school medical advisor or advisor's designee, filed in the student's health folder, and maintained up to date by the school nurse.

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

## Student Medical Care at School

School personnel are responsible for the immediate care necessary for a student whose sickness or injury occurs on the school premises during school hours or in school-sponsored and supervised activities.

Schools shall maintain files of Emergency Information cards for each student. If a child's injury requires immediate care, the parent or guardian will be called by telephone by the nurse, the building Principal, or other personnel designated by the Principal, and advised of the student's condition. When immediate medical or dental attention is indicated, and when parents or guardians cannot be reached, the student will be transported to the nearest hospital unless otherwise indicated on the student's Emergency Information card. In this event, the family physician/dentist and school district medical advisor will be notified of school district actions.

(cf. 5142 Student Safety)

(cf. 5141.4 Child Abuse and Neglect)

(cf. 5141.5 Suicide Prevention)

(cf. 6142.1 Family Life and Sex Education)

(cf. 6142.5 Interscholastic/Intramural Athletics)

(cf. 6159 Special Education)

## Legal Reference: Connecticut General Statutes

10 203 Sanitation.

10 204 Vaccination.

10 204a Required immunizations.

10 204c Immunity from liability

10 205 Appointment of school medical advisors.

10 206 Health assessments.

10 206a Free health assessments.

10 207 Duties of medical advisers.

10 208 Exemption from examination or treatment.

10 208a Physical activity of student restricted; Boards to honor notice.

10 209 Records not to be made public.

10 210 Notice of disease to be given parent or guardian.

10 212 School nurses and nurse practitioners.

10 212a Administration of medicines by school personnel.

10 213 Dental hygienists.

10 214 Vision, audiometric and postural screenings: When required; notification of parents re defects; record of results.

10 214a Eye protective devices.

10 214b Compliance report by local or regional Board of Education.

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

Federal Family Educational Rights and Privacy Act 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)

42 U.S.C. 1320d-1320d-8, P.L. 104-191, Health Insurance Portability and Accountability Act of 1996 (HIPAA)



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# HAMPTON BOARD OF EDUCATION

## 5141.21

### STUDENTS

#### ADMINISTERING MEDICATIONS

The purpose of this policy is for the Hampton Board of Education to determine who shall administer medications in a school and the circumstances under which self-administration of medication by students shall be permitted.

The Board of Education allows students to self-administer medication and school personnel to administer medication to students in accordance with the established procedures, and applicable state regulations, sections [10-212a-1](#) through [10-212a-10](#) inclusive. In order to provide immunity afforded to school personnel who administer medication, the Board of Education, with the advice and approval of the School Medical Advisor and the school nurse supervisor, shall review and/or revise this policy and regulation biennially concerning the administration of medications to District students by a nurse, or in the absence of a nurse, by qualified personnel for schools. The District's School Medical Advisor (or other qualified physician) shall approve this policy, its regulations and any changes prior to adoption by the Board.

#### **Definitions**

**Administration of medication** means any one of the following activities: handling, storing, preparing or pouring of medication; conveying it to the student according to the medication order; observing the student inhale, apply, swallow, or self-inject the medication, when applicable; documenting that the medication was administered; and counting remaining doses to verify proper administration and use of the medication.

**Advanced practice registered nurse** means an individual licensed pursuant to C.G.S. [20-94a](#).

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

**Before- and after-school program** means any child care program operated and administered by a local or regional Board of Education or municipality exempt from licensure by the Office of Early Childhood pursuant to subdivision (1) of subsection (b) of C.G.S. [19a-77](#). Such programs shall not include public or private entities licensed by the Office of Early Childhood or Board of Education enhancement programs and extra-curricular activities.

**Carrier** means any school district, educational institution, or person, firm or corporation under contract to such district or institution engaged in the business of transporting students. (C.G.S. [14-212 \(2\)](#)).

**Cartridge injector** means an automatic prefilled cartridge injector or similar automatic injectable equipment used to deliver epinephrine in a standard dose for emergency first aid response to allergic reaction.

**Coach** means any person holding a coaching permit hired by the Board of Education to coach for a sport season.

**Controlled drugs** means those drugs as defined in Connecticut General Statutes Section [21a-240](#).

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**Cumulative health record** means the cumulative health record of a student mandated by Connecticut General Statutes Section [10-206](#).

**Director** means the person responsible for the operation and administration of any school readiness program or before- and after-school program.

**Eligible student** means a student who has reached the age of eighteen or is an emancipated minor.

**Error** means:

(1) the failure to do any of the following as ordered:

- (a) administer a medication to a student;
- (b) administer medication within the time designated by the prescribing physician;
- (c) administer the specific medication prescribed for a student;
- (d) administer the correct dosage of medication;
- (e) administer medication by the proper route; and/or
- (f) administer the medication according to generally accepted standards of practice; or

(2) the administration of medication to a student which is not ordered by an authorized prescriber, or which is not authorized in writing by the parent or guardian of such student, except for the administration of epinephrine for the purpose of emergency first aid pursuant to Connecticut General Statutes [10-212a](#) and Section [10-212a-2](#) of the Regulations of Connecticut State Agencies.

**Extracurricular activities** means activities sponsored by local or regional Boards of Education that occur outside of the school day, are not part of the educational program, and do not meet the definition of before- and after-school programs and school readiness programs.

**Guardian** means one who has the authority and obligations of guardianship of the person of a minor, and includes: (1) the obligation of care and control; and (2) the authority to make major decisions affecting the minor's welfare, including, but not limited to, consent determinations regarding marriage, enlistment in the armed forces and major medical, psychiatric or surgical treatment.

**Intramural athletic events** means tryouts, competition, practice, drills, and transportation to and from events that are within the bounds of a school district for the purpose of providing an opportunity for students to participate in physical activities and athletic contests that extend beyond the scope of the physical education program.

**Interscholastic athletic events** means events between or among schools for the purpose of providing an opportunity for students to participate in competitive contests which are highly organized and extend beyond the scope of intramural programs and includes tryouts, competition, practice, drills, and transportation to and from such events.

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**Investigational drug** means any medication with an approved investigational new drug (IND) application on file with the Food and Drug Administration (FDA), which is being scientifically tested and clinically evaluated to determine its efficacy, safety and side effects and which has not yet received FDA approval.

**Licensed athletic trainer** means a licensed athletic trainer employed by the school district pursuant to Chapter 375a of the Connecticut General Statutes.

**Medication** means any medicinal preparation including over-the-counter, prescription and controlled drugs, as defined in Connecticut General Statutes Section [21a](#)-240. This definition includes Aspirin, Ibuprofen or Aspirin substitutes containing Acetaminophen.

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

**Medication plan** means a documented plan established by the school nurse in conjunction with the parent and student regarding the administration of medication in school. Such plan may be a stand-alone plan, part of an individualized health care plan, an emergency care plan or a medication administration form.

**Medication order** means the written direction by an authorized prescriber for the administration of medication to a student which shall include the name of the student, the name and generic name of the medication, the dosage of the medication, the route of administration, the time of administration, the frequency of administration, the indications for medication, any potential side effects including overdose or missed dose of the medication, the start and termination dates not to exceed a 12-month period, and the written signature of the prescriber.

**Nurse** means an advanced practice registered nurse, a registered nurse or a practical nurse licensed in Connecticut in accordance with Chapter 378 of the Connecticut General Statutes.

**Occupational therapist** means an occupational therapist employed full time by the local or regional board of education and licensed in Connecticut pursuant to Chapter 376a of the Connecticut General Statutes.

**Optometrist** means an optometrist licensed to provide optometry pursuant to Chapter 380 of the Connecticut General Statutes.

**Paraprofessional** means a health care aide or assistant or an instructional aide or assistant employed by the local or regional Board of Education who meets the requirements of such Board for employment as a health care aide or assistant or instructional aide or assistant.

**Physical therapist** means a physical therapist employed full time by the local or regional Board of Education and licensed in Connecticut pursuant to Chapter 376 of the Connecticut General Statutes.

**Physician** means a doctor of medicine or osteopathy licensed to practice medicine in Connecticut pursuant to Chapters 370 and 371 of the Connecticut General Statutes, or licensed to practice medicine in another state.

**Physician assistant** means an individual licensed to prescribe medications pursuant to Section [20](#)-12d of the Connecticut General Statutes.

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**Podiatrist** means an individual licensed to practice podiatry in Connecticut pursuant to Chapter 375 of the Connecticut General Statutes.

**Principal** means the administrator in the school.

**Qualified medical professional**, as defined in C.G.S. [10-212](#), means a physician licensed under Chapter 370, an optometrist licensed to practice optometry under Chapter 380, an advanced practice registered nurse licensed to prescribe in accordance with Section [20-94a](#) or a physician assistant licensed to prescribe in accordance with Section [20-12d](#).

**Qualified personnel for schools** means (a) a qualified school employee who is a full time employee or is a coach, athletic trainer, or school paraprofessional or for school readiness programs and before and after school programs, means the director or director's designee and any lead teachers and school administrators who have been trained in the administration of medications. For school readiness programs and before- and after-school programs, Directors or Director's designee, lead teachers and school administrators who have been trained in the administration of medication may administer medications pursuant to Section [10-212a-10](#) of the State regulations.

**Qualified school employee**, as defined in C.G.S. [10-212](#), means a principal, teacher, licensed athletic trainer, licensed physical or occupational therapist employed by a school district, coach or school paraprofessional.

**Research or study medications** means FDA-approved medications being administered according to an approved study protocol. A copy of the study protocol shall be provided to the school nurse along with the name of the medication to be administered and the acceptable range of dose of such medication to be administered.

**School** means any educational facility or program which is under the jurisdiction of the Board excluding extracurricular activities.

**School medical advisor** means a physician appointed pursuant to C.G.S. [10-205](#).

**School nurse** means a nurse appointed in accordance with Connecticut General Statutes Section [10-212](#).

**School nurse supervisor** means the nurse designated by the local or regional Board of Education as the supervisor or, if no designation has been made by the Board, the lead or coordinating nurse assigned by the Board.

**School bus driver** means any person who holds a commercial driver's license with a public passenger endorsement to operate a school bus pursuant to subsection (a) of C.G.S. [14-44](#).

**School readiness program** means a program that receives funds from the State Department of Education for a school readiness program pursuant to subsection (b) of Section [10-16p](#) of the Connecticut General Statutes and exempt from licensure by the Office of Early Childhood pursuant to subdivision (1) of subsection (b) of Section [19a-77](#) of the Connecticut General Statutes.

**Self-administration of medication** means the control of the medication by the student at all times and is self-managed by the student according to the individual medication plan.

Supervision means the overseeing of the process of the administration of medication in a school.

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**Teacher** means a person employed full time by a Board of Education who has met the minimum standards as established by that Board for performance as a teacher and has been approved by the School Medical Advisor and school nurse to be designated to administer medications pursuant to the Regulations of Connecticut State Agencies Sections [10-212a-1](#) through [10-212a-7](#).

### **General Policies on Administration of Medication**

A child with diabetes may test his/her own blood glucose level per the written order of a physician stating the need and the capacity of such child to conduct self-testing along with written authorization of the parent/guardian. Such self-testing shall be pursuant to guidelines promulgated by the Commissioner of Education. The time or place where a student with diabetes may test his/her blood-glucose level on school grounds shall not be restricted provided the student has written parental/guardian permission and a written order from a physician licensed in Connecticut.

The school nurse or school principal shall select a qualified school employee to, under certain conditions, give a glucagon injection to a student with diabetes who may require prompt treatment to protect him/her from serious harm or death. The nurse or principal must have the written authority from the student's parent/guardian and a written order from the student's Connecticut-licensed physician. The authorization shall be limited to situations when the school nurse is absent or unavailable.

No qualified school employee shall administer this medication unless he/she has annually completed any training required by the school nurse and school medical advisor in the administration of medication with injectable equipment used to administer glucagon, the school nurse and school medical advisor must attest that the qualified school employee has completed such training and the qualified school employee voluntarily agrees to serve as a qualified school employee. The injections are to be given through an injector or injectable equipment used to deliver an appropriate dose of glucagon as emergency first aid response to diabetes.

A child diagnosed with asthma or a diagnosed life-threatening allergic condition, pursuant to State Board of Education regulations, may possess, self-administer or possess and self-administer medicine administered through the use of an asthmatic inhaler or an EpiPen or similar device in the school at all times or while receiving school transportation services if he/she is under the care of a physician, physician assistant, or advanced practice registered nurse (APRN) and such practitioner certifies in writing to the Board of Education that the child needs to keep an asthmatic inhaler or EpiPen at all times to ensure prompt treatment of the child's asthma or allergic condition and protect the child against serious harm or death. A written authorization of the parent/guardian is also required.

A school nurse may administer medication to any student pursuant to the written order of an authorized prescriber (physician, dentist, optometrist, an advanced practice registered nurse, or a physician assistant and for interscholastic and intramural athletic events only, a podiatrist) and the written authorization of a parent or guardian of such child or eligible student and the written permission of the parent/guardian for the exchange of information between the prescriber and the school nurse necessary to ensure the safe administration of such medication.

In the absence of a school nurse, any other nurse licensed pursuant to the provisions of Chapter 378, including a nurse employed by, or providing services under the direction of the Board of Education at a school-based clinic, only qualified personnel for schools who have been properly trained may administer medications to students as delegated by the school nurse upon approval of the School Medical Advisor and the school nurse may administer

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medication to any student in the school following the successful completion of specific training in administration of medication and satisfactory completion of the required criminal history check.

Medications with a cartridge injector may be administered by qualified personnel for schools only to a student with a medically diagnosed allergic condition which may require prompt treatment to protect the student against serious harm or death. Qualified personnel for schools, as defined, may administer oral, topical, intranasal, or inhalant medication in the absence of a licensed nurse. Investigational drugs or research or study medications may not be administered by qualified personnel for schools.

Coaches and licensed athletic trainers during intramural and interscholastic events may administer medications pursuant to Section [10-212a-9](#) of the Regulations of Connecticut State Agencies and as described in this policy and in the administrative regulations to this policy.

In compliance with all applicable state statutes and regulations, parents/guardians may administer medications to their own children on school grounds.

### **Administration of Medication by Paraprofessionals**

A specific paraprofessional, through a plan approved by a school nurse supervisor and School Medical Advisor, may administer medications including medications administered with a cartridge injector, to a specific student with a medically diagnosed allergic condition that may require prompt treatment in order to protect the student against serious harm or death pursuant to Section [10-212a-9](#) of the Regulations of Connecticut State Agencies and as described in the administrative regulations. The approved plan also requires the written authorization of the student's parent/guardian and pursuant to the written order from the student's authorized prescriber licensed to prescribe medication.

### **Administration of Medications in School Readiness Programs and Before- and After- School Programs**

Directors, or their designees, who may include lead teachers or school administrators, who have been properly trained, may administer medications to students as delegated by the school nurse or other registered nurse, in school readiness programs and before- and after-school programs that are child care programs. Such programs must either be District-administered or administered by a municipality exempt from licensure by the Department of Public Health and are located in a District public school. Medicine may be administered pursuant to the Regulations of Connecticut State Agencies, Section [10-212a-10](#), to children enrolled in these programs.

Administration of medications shall be provided only when it is medically necessary for program participants to access the program and maintain their health status while attending the program. A child attending any before- or after-school program, defined as any child care program operated and administered by the Board in any building or on the grounds of any district school, upon the request and with the written authorization of the child's parent/guardian and pursuant to the written order from the student's authorized prescriber, will be supervised by the District staff member (Director or designee, lead teacher, school administrator) trained to administer medication including a cartridge injector. Such administration shall be to a particular student medically diagnosed with an allergy that may require prompt treatment to avoid serious harm or death.

Investigational drugs or research or study medications may not be administered by Directors or their designees, lead teachers or school administrators.

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Properly trained Directors, Directors' designees, lead teachers or school administrators may administer medications to students as delegated by the school nurse or other registered nurse. They may administer oral, topical, intranasal, or inhalant medications. No medication shall be administered without the written order of an authorized prescriber and the written approval of the parent/guardian.

The selected staff member shall be trained in the use of a cartridge injector by either a licensed physician, physician's assistant, advanced practice registered nurse or registered nurse.

The administration shall determine, in cooperation with the School Medical Advisor and school nurse [supervisor] whether additional school nursing services/nurses are required based on the needs of the program and the participants in the program. This determination shall include whether a licensed nurse is required on site. The recommendation shall be subject to Board approval.

The Board will allow students in the school readiness and before- and after-school programs to self-administer medication according to the student's individual health plan and only with the written order of an authorized prescriber, written authorization of the child's parent or guardian, written approval of the school nurse (The nurse has evaluated the situation and deemed it appropriate and safe and has developed a plan for general supervision of such self-medication.), and with the written permission of the parent or guardian for the exchange of information between the prescriber and the school nurse necessary to ensure the safe administration of such medication.

An error in the administration of medication shall be reported immediately to the school nurse, the parents/guardians and the prescribing physician. In case of an anaphylactic reaction or the risk of such reaction a school nurse may administer emergency oral and/or injectable medication to any child in need thereof on school grounds, or in the school building, according to the standing order of the School Medical Advisor or the child's private physician. However, in an emergency any other person trained in CPR and First Aid may administer emergency oral and/or injectable medication to any child in need on school grounds, or in the school building. In addition, local poison control center information shall be readily available at the sites of these programs. The Program Director or his/her designee shall be responsible for decision making in the absence of the nurse.

In the event of a medical emergency, the following will be readily available: (1) local poison information center contact information; (2) the physician, clinic or emergency room to be contacted in such an emergency; and (3) the name of the person responsible for the decision making in the absence of a school nurse.

All medications shall be handled and stored in accordance with the provisions of subsection (a) to (k) inclusive of the Regulations of Connecticut State Agencies, as outlined in the accompanying administrative regulation to this policy.

Where possible, a separate supply of the child's medication shall be stored at the site of the before- or after-school program or school readiness program. If this is not possible, a plan should be in place to ensure the timely transfer of the medication from the school to the program and back on a daily basis.

Documentation and record keeping shall be done in compliance with the stipulations outlined in the administrative regulation accompanying this policy.

**THE PORTION OF THIS POLICY PERTAINING TO THE ADMINISTRATION OF MEDICATION IN SCHOOL READINESS PROGRAMS AND BEFORE- AND AFTER-SCHOOL PROGRAMS SHALL BE**



## HAMPTON BOARD OF EDUCATION

REVIEWED BY THE BOARD ON AN ANNUAL BASIS WITH INPUT FROM THE SCHOOL MEDICAL ADVISOR OR A LICENSED PHYSICIAN AND THE SCHOOL NURSE SUPERVISOR.

### **Administration of Medication by Coaches and Licensed Athletic Trainers During Intramural and Interscholastic Events**

During intramural and interscholastic athletic events, a coach or licensed athletic trainer who has been trained in the general principles of medication administration applicable to receiving, storing, and assisting with inhalant medications or cartridge injector medications and documentation, may administer medication for select students for whom self-administration plans are not viable options as determined by the school nurse.

The medication which may be administered is limited to: (1) inhalant medications prescribed to treat respiratory conditions and (2) medication administered with a cartridge injector for students with a medically diagnosed allergic condition which may require prompt treatment to protect the student against serious harm or death.

The school nurse is responsible for the student's individualized medication plan and shall provide the coach with a copy of the authorized prescriber's order and the parental/guardian permission form. Parents are responsible for providing the medication, such as the inhaler or cartridge injector, to the coach or licensed athletic trainer, which shall be kept separate from the medication stored in the school health office during the school day.

Medications to be used in athletic events shall be stored in containers for the exclusive use of holding medications; in locations that preserve the integrity of the medication; under the general supervision of the coach or licensed athletic trainer trained in the administration of medication; and in a locked secure cabinet when not in use at athletic events.

The agreement of the coach or licensed athletic trainer is necessary for the administration of emergency medication and the implementation of the emergency care plan.

Coaches and athletic trainers are required to fulfill the documentation requirements as outlined in the administrative regulations accompanying this policy. Errors in the administration of medication shall be addressed as specified in Section [10-212a-6](#) of the Regulations of Connecticut State Agencies, and detailed in the administrative regulation pertaining to this policy. If the school nurse is not available, a report may be submitted by the coach or licensed athletic trainer to the school nurse on the next school day.

### **Storage and Administration of Epinephrine**

Storage and Use of Epinephrine Cartridge Injectors (Emergency Administration of Epinephrine to Students without Prior Written Authorization)

A school nurse or, in the absence of a school nurse, a "qualified school employee" who has completed the training required by PA 14-176, shall maintain epinephrine in cartridge injectors for the purpose of emergency first aid to students who experience allergic reactions, who were not previously known to have serious allergies and who do not have a prior written authorization of a parent/guardian or a prior written order of a qualified medical professional for the administration of epinephrine.

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*Note: Epipens expire yearly. Therefore, schools are responsible for refilling their prescriptions annually. It is estimated that each school would require two to three two-pack epipens.*

The school nurse or school principal shall select qualified school employees who voluntarily agree to be trained to administer such epinephrine as emergency first aid. There shall be at least one such qualified school employee on the grounds of each District school during regular school hours in the absence of the school nurse. Each school must maintain a supply of epinephrine in cartridge injectors (epipens) for such emergency use.

*Note: This requirement pertains only during regular school hours and does not include after-school activities.*

The school shall fulfill all conditions and procedures promulgated in the regulations established by the State Board of Education (Section [10-212a-2](#)) for the storage and administration of epinephrine by school personnel to students for the purpose of emergency first aid to students who experience allergic reaction and do not have prior written authorization for epinephrine administration.

The school nurse or, in the absence or unavailability of such school nurse, such qualified school employee may administer epinephrine to a student experiencing a life-threatening undiagnosed allergic reaction as emergency first aid, to students who do not have a prior written authorization from a parent or guardian or a prior written order from a qualified medical professional for the administration of epinephrine. A qualified school employee must annually complete the required training program in order to be permitted to administer epinephrine utilizing an epipen.

Following the emergency administration of epinephrine by a qualified school employee to a student who does not have a prior written authorization of a parent/guardian or a prior written order of a qualified medical professional, such administration must be reported immediately to the school nurse or medical advisor, the student's parent/guardian by the school nurse or the qualified school employee and a medication administration record shall be submitted by the qualified school employee at the earliest possible time, but not later than the next school day. Such record must be filed in or summarized on the student's cumulative health record.

The parent/guardian of a student may submit, in writing, to the school nurse and school medical advisor, if any, that epinephrine shall not be administered to his/her child permitted by statute. The District shall annually notify parents/guardians of the need to provide such written notice.

The Board of Education, recognizing this emergency use of epinephrine for previously undiagnosed students, per the statute, is to take place during "regular school hours" establishes such hours to be from the arrival of the first students to the school site to the departure of the last bus serving the school at the conclusion of the day's instructional programs.

*Note: The regulations indicate that boards of education determine the regular school hours for each school. Another definition could be the hours specified in the Teacher's Contract for the normal school/employment day in terms of hours.*

### **Administration of Anti-Epileptic Medications to Students**

With the written authorization of a student's parent/guardian, and pursuant to the written order of a physician, a school nurse (and a school medical advisor, if any), shall select and provide general supervision to a qualified school employee, who voluntarily agrees to serve as a qualified school employee, to administer anti-epileptic

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medication, including by rectal syringe, to a specific student with a medically diagnosed epileptic condition that requires prompt treatment in accordance with the student's individual seizure action plan. Such authorization is limited to situations when the school nurse is absent or unavailable. No qualified school employee shall administer such medication unless he/she annually completes the training program developed by the State Department of Education, in consultation with the School Nurse Advisory Council.

In addition the school nurse (and school medical advisor, if any), shall attest, in writing, that such qualified school employee has completed the required training. The qualified school employee shall also receive monthly reviews by the school nurse to confirm his/her competency to administer anti-epileptic medication. For purposes of the administration of anti-epileptic medication, a "qualified school employee" means a principal, teacher, licensed athletic trainer, licensed physical or occupational therapist employed by the District, coach or school paraprofessional.

### **School Bus Drivers Training**

By June 30, 2019, school transportation carriers must provide training to all school bus drivers, including instruction on (1) identifying the signs and symptoms of anaphylaxis, (2) administering epinephrine by a cartridge injector ("EpiPen"), (3) notifying emergency personnel, and (4) reporting an incident involving a student's life-threatening allergic reaction. Such training can be completed online, provided the online module fulfills legislative requirements.

Beginning July 1, 2019, each carrier must provide the training to school bus drivers (1) following the issuance or renewal of a public passenger endorsement to operate a school bus for carrier employees, and (2) upon the hiring of a school bus driver who is not employed by such carrier (e.g., subcontractor), except a driver who received the training after the most recent issuance or renewal of his or her endorsement is not required to repeat it.

(cf. [4112.5/4212.5](#) - Security Check/Fingerprinting)

(cf. [5141](#) - Student Health Services)

(cf. 5141.23 - Students with Special Health Care Needs)

Legal Reference: Connecticut General Statutes

[10-206](#) Health Assessment

[10-212](#) School nurses and nurse practitioners. Administration of medications by parents or guardians on school grounds. Criminal history; records check.

[10-212a](#) Administration of medications in schools. (as amended by PA 99-2, and June Special Session and PA 03-211, PA 04-181, PA 07-241, PA 07-252, PA 09-155, PA 12-198, PA 14-176, PA 15-215 and PA 18-185)

[10-212c](#) Life-threatening food allergies and glycogen storage disease: Guidelines; district plans. (as amended by PA 18-185)

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[10-220j](#) Blood glucose self-testing by children. Guidelines. (as amended by PA 12-198)

[19a-900](#) Use of cartridge injector by staff member of before- or after-school program, day camp or day care facility.

[21a-240](#) Definitions

[29-17a](#) Criminal history checks. Procedure. Fees.

[52-557b](#) Immunity from liability for emergency medical assistance first aid or medication by injection. School personnel not required to administer or render. (as amended by PA 05-144, An Act Concerning the Emergency Use of Cartridge Injectors and PA 18-185)

Connecticut Regulations of State Agencies [10-212a-1](#) through [10-212a-10](#), inclusive, as amended.

Code of Federal Regulations: Title 21 Part 1307.2

[20-12d](#) Medical functions performed by physician assistants. Prescription authority.

[20-94a](#) Licensure as advanced practice registered nurse.

[29-17a](#) Criminal history checks. Procedure. Fees.

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

**Presented: 11/28/18**

**Final Approval: 02/27/2019**

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## STUDENTS

### COMMUNICABLE AND INFECTIOUS DISEASES

The Board of Education recognizes that all children have a constitutional right to a free, suitable program of educational experiences. The Board of Education has established reasonable health requirements as prerequisites to admission or attendance, including the requirement that students undergo physical examination prior to admission.

Where it can be medically established that a student suffers from a serious infectious disease and there is a significant risk of transmission of the disease to others because of the nature of the disease or the personal characteristics of the student carrier, it may be appropriate to exclude the student from the regular classroom. The determination of exclusion of any student will be made on a case by case basis with appropriate procedural due process safeguards. However, where the risk of transmission is relatively low or appropriate procedures can be adopted to reduce the risk of transmission, exclusion is not warranted.

A child with an infectious disease may be considered handicapped, if the condition presents such physical impairment that limits one or more major life activities. Therefore, Section 504 of the Rehabilitation Act, the "Education of all Handicapped Children Act" may apply. The parent, guardian or the school administration may make a referral for determination whether the student is handicapped and entitled to protection under Section 504. The Planning and Placement Team will determine whether the student is handicapped or is "otherwise qualified" within the meaning of Section 504. All students should be educated in the least restrictive environment.

The District will include as part of its emergency procedure plan a description of the actions to be taken by District personnel in case of pandemic flu outbreak or other catastrophe that disrupts District operations.

(cf. 5111 Admission)

(cf. 5142 Student Safety)

(cf. 5141 Student Health Services)

(cf. 6162 Individualized Education Program/Special Education Program)

Legal Reference: "Education for Children with Disabilities", 20 U.S.C. 1400, et seq.

Section 505 of the Rehabilitation Act of 1973, 29 U.S.C. 706(7)(b)

"Americans with Disabilities Act"

The Family Educational Rights & Privacy Act of 1974, (FERPA), 20 U.S.C. 1232g, 45 C.F.R. 99

Connecticut General Statutes

10-76(d)(15) Duties and powers of Boards of education to provide special education programs and services.

10-154a Professional communications between teacher or nurse and student

10-207 Duties of medical advisors

10-209 Records not to be public

10-210 Quarantine of certain persons

19a-581-585 AIDS testing and medical information

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5141.22

# HAMPTON BOARD OF EDUCATION

## STUDENTS

### COMMUNICABLE AND INFECTIOUS DISEASES/BLOODBORNE PATHOGENS

#### **Exposure Control Plan**

The OSHA Bloodborne Pathogens Standard (29CFR 1910.1030) covers all employees who could be "reasonably anticipated" to face contact with bloodborne pathogens and other potentially infectious materials as the result of performing their job duties. In accordance with this standard, the district has developed an Exposure Control Plan which contains the following information:

1. General Program Management
2. Exposure Determination
3. Compliance Methods
4. Work Area Restrictions
5. Personal Protective Equipment
6. Hepatitis B. Vaccine Program
7. Post Exposure Evaluation and Follow up
8. Training

#### Availability of the Exposure Control Plan to Employees

A copy of the Exposure Control Plan is found in and available to all employees in each program site.

#### Review and Update of the Plan

It is important to keep this Exposure Control Plan up to date. To ensure this, the plan will be reviewed and updated under the following circumstances:

1. Annually
2. Whenever new or modified tasks and procedures are implemented which affect opportunities for occupational exposure.
3. Whenever employees' jobs or responsibilities are modified or altered so that a new potential of occupational exposure may exist.
4. Whenever new or revised positions are established that may involve occupational exposure.

#### Exposure Determination

CFR 1910.1030, paragraph (b) defines "occupational exposure" to mean "reasonably anticipated skin, eye, mucous membrane, or parenteral (i.e. intravenous subcutaneous) contact with blood or other potentially infectious materials that may result from the performance of an employee's duties. Other potentially infectious materials include the following: human body fluids (semen, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluid, pericardial fluid, peritoneal

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fluid, saliva in dental procedures, any body fluids visibly contaminated with blood, and all body fluids in situations where it is difficult or impossible to differentiate between body fluids).

OSHA requires employers to perform an exposure determination concerning which employees may incur occupational exposure to blood or other potentially infectious materials. The exposure determination is made without regard to the use of personal protective equipment (i.e. employees are considered to be exposed even if they wear personal protective equipment). This exposure determination is required to list all job classifications in which employees may be expected to incur such occupational exposure, regardless of frequency. The following job classifications are in this category:

1. School Nurses
2. First Responders First Aid Certified
3. Pre School Staff
4. Any staff member determined by medical advisor to be at risk due to unique circumstances

In addition, OSHA requires a listing of job classifications in which some employees may be anticipated to have occupational exposure. Since not all the employees in these categories would be expected to incur exposure to blood or other potentially infectious materials, tasks or procedures that would cause these employees to have occupational exposure are also required to be listed in order to clearly understand which employees in these categories may be considered to have occupational exposure. The following job classifications are in this category:

1. Teachers and aides not specifically listed above
2. Principals
3. Tutors
4. Cafeteria workers
5. Custodians
6. Coaches

### Compliance Methods

Universal precautions will be observed at all district building sites\* in order to prevent contact with blood or other potentially infectious materials. All blood or other potentially infectious materials will be considered infectious regardless of the perceived status of the source individual.

Engineering and work practice controls will be utilized to eliminate or minimize exposure to employees. Where occupational exposure remains after institution of these controls, personal protective equipment shall also be utilized. At these sites, the following engineering controls will be utilized:

1. Sharps container in school health offices
2. Bio hazard bags in school health offices
3. Gloves available to all staff
4. Double bagging (custodians)
5. Eye protection, plastic apron as needed in Special Needs and Developmentally Delayed classrooms
6. Gloves, plastic bags, proper clean up solution in all sport first aid kits

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It is the responsibility of the teacher and nurse in each site to monitor the storage and need for replacement of personal protective equipment.

Hand washing facilities are also available to the employees who incur exposure to blood or other potentially infectious materials. OSHA requires that these facilities be readily accessible after incurring exposure. Hand washing facilities are located in:

Some Classrooms	Health Office
All Bathrooms	Some Staff Lounges
Gym locker rooms	Custodial Closets
Some Administrative Offices	

\*Sites: indicates all school district buildings and grounds

## Work Area Restrictions

In work areas where there is a reasonable likelihood of exposure to blood or other potentially infectious materials, employees are not to eat, drink, apply cosmetics, or lip balm, smoke, or handle contact lenses. Food or beverages are not to be kept in refrigerators, freezers, shelves, cabinets, counter tops or bench tops where blood or other potentially infectious materials are present.

Mouth pipetting/suction of blood or other potentially infectious materials is prohibited.

After removal of personal protective gloves, employees shall wash hands and any other potentially contaminated skin area immediately or as soon as feasible with soap and water.

If employees incur exposure to their skin or mucous membranes, then those areas shall be washed or flushed with water as appropriate as soon as feasible following contact.

All procedures will be conducted in a manner which will minimize splashing, spraying, splattering, and generation of droplets of blood or other potentially infectious materials.

Equipment which has become contaminated with blood or other potentially infectious materials shall be examined prior to servicing or shipping and shall be decontaminated.

## Personal Protective Equipment

All personal protective equipment used at the sites will be provided without cost to employees. Personal protective equipment will be chosen based on the anticipated exposure to blood or other potentially infectious materials. The protective equipment will be considered appropriate only if it does not permit blood or other potentially infectious materials to pass through or reach the employees' clothing, skin, eyes, mouth, or other mucous membranes under normal conditions of use and for the duration of time which the protective equipment will be used.



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All personal protective equipment will be cleaned, laundered, and disposed of by the employer at no cost to employees. All repairs and replacement will be made by the employer at no cost to employees.

All garments which are penetrated by blood shall be removed immediately or as soon as feasible. All personal protective equipment will be removed prior to leaving the work area. All personal protective equipment shall be disposable. After use such shall be rinsed with water or bleach/water solutions if contaminated, then disposed of in plastic bag lined container in classroom or health office. This will be disposed of by the custodian wearing gloves.

Gloves shall be worn where it is reasonably anticipated that employees will have hand contact with blood, other potentially infectious materials, non intact skin, and mucous membranes. Gloves will be used when contact with blood or body secretion occurs or is suspected.

Disposable gloves used at sites are not to be washed or decontaminated for re use and are to be replaced as soon as practical when they become contaminated or as soon as feasible if they are torn, punctured, or when their ability to function as a barrier is compromised. Utility gloves may be decontaminated for re use provided that the integrity of the glove is not compromised. utility gloves will be discarded if they are cracked, peeling, torn, punctured, or exhibit other signs of deterioration or when their ability to function as a barrier is compromised.

Masks in combination with eye protection devices, such as goggles or glasses with solid side shield, or chin length face shields, are required to be worn whenever splashes, spray, splatter, or droplets of blood or other potentially infectious materials may be generated and eye, nose, or mouth contamination can reasonable be anticipated. No situations at sites should require such protection.

OSHA standard also requires appropriate protective clothing to be used under certain conditions. The clothing could be lab coats, gowns, aprons, clinic jackets, or similar outer garments. No situations should require that such protective clothing be utilized.

Any contaminated surfaces will be cleaned and decontaminated immediately.

Decontamination will be performed by utilizing a department issued/approved agent with a 1:100 solution of bleach in water. All disinfectants will be Tuberculocidal.

All contaminated work surfaces will be decontaminated after completion of procedures and immediately or as soon as feasible after any spill of blood or other potentially infectious materials, as well as the end of the work shift of the surface may have become contaminated since the last cleaning.

All bins, pails, cans and similar receptacles shall be inspected and decontaminated on a regularly scheduled basis by health office and custodial staff.

Any broken glassware which may be contaminated will not be picked up directly with the hands. The following procedures will be used:

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Staff will stay at area to prevent further injury/contamination. Custodians will be called to sweep up glass fragments using gloves. Equipment will be immediately decontaminated.

All contaminated sharps shall be discarded as soon as feasible in sharps containers which are located in each school health office.

## Hepatitis B Vaccine Program

All employees who have been identified as having exposure to blood or other potentially infectious materials will be offered the Hepatitis B vaccine, at no cost to the employee. The vaccine will be offered within 10 working days of their initial assignment to work involving the potential for occupational exposure to blood or other potentially infectious materials unless the employee has previously had the vaccine or who wishes to submit to antibody testing which shows the employee to have sufficient immunity.

Employees who decline the Hepatitis B vaccine will sign a waiver. Employees who initially decline the vaccine but who later wish to have it may have the vaccine provided at no cost.

The school nurse will assist employees to get the vaccine. The school medical advisor will supervise the administration of the vaccine.

## Post Exposure Evaluation and Follow up

Employees will immediately report a possible exposure incident to the school nurse where available or to their building Principal and will make out an incident report. The nurse or administrator will contact the school medical advisor or the Connecticut Department of Health Services to determine if an incident has occurred.

When an incident is confirmed, the school medical advisor will arrange for a confidential medical evaluation and follow up including:

- 1 . Documentation of the route of exposure and the circumstances related to the incident.
2. Identification and documentation of the source individual if feasible unless school medical advisor can establish that identification is infeasible or prohibited by state law.
  - a. Source individual's blood will be tested as soon as feasible after consent is obtained, for HIV/HBV infectivity, unless source is a known carrier. If consent is not obtained, school medical advisor shall
  - b. Results of the source individual's testing shall be made available to the exposed employee, and the employee shall be informed of applicable laws and regulations concerning disclosure of the identity and infectious state of the source individual.

Minor students/clients' parents/guardians must be contacted and advised of the incident and their options. They should be encouraged to contact their own primary health care provider prior to giving consent for testing or disclosure.

## 3. Blood Collection

- a. The exposed employee's blood shall be collected as soon as feasible by an accredited laboratory and tested after consent is obtained.

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- b. If the employee consents to collection but does not give consent for HIV serological testing, the sample shall be preserved for at least 90 days by the laboratory. If within the 90 days, the employee elects to have the baseline sample tested, such testing will be done as soon as feasible.
- c. Post exposure prophylaxis, when medically indicated, as recommended by the U.S. Public Health Service.
- d. Appropriate counseling concerning precautions to take place during the period after the exposure incident.
- e. Information for the employee on what potential illnesses to be alert for and to report any related experiences to appropriate personnel.

### Information for Health Care Professionals

District employees will insure that the health care professional evaluating an employee after an exposure incident is provided the following information:

- A copy of the regulations.
- A description of the exposed employee's duties as they relate to the exposure incident.
- Documentation of the route(s) of exposure and circumstances under which exposure occurred.
- Results of the source individual's blood testing, if available.
- All medical records relevant to the appropriate treatment of the employee including vaccination status which is the district's responsibility to maintain.

### Health Care Professional's Written Opinion

Employees will obtain a copy of the health care professional's written opinion when an employee goes for Hepatitis B vaccination or following an exposure incident. If the latter occurs, the district will provide the employee with a copy of the evaluating health care professional's written opinion within 15 days of the completion of the evaluation.

Written opinion will be limited to:

- Is Hepatitis B vaccine indicated and has it been given to the employee?
- Has the employee been informed of the results of the evaluation?
- Has the employee been told about any medical condition resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment?

All other findings or diagnosis shall remain confidential between the health care professional and district employee and shall not be included in the written report.

### Record Keeping

The Superintendent of Schools will establish and maintain an accurate separate record for each employee with occupational exposure in accordance with 29CFR1920.20. This record will include:

- The name and social security number of the employee.
- Hepatitis B Vaccine Declination.
- A copy of the employee's Hepatitis B vaccination status including the dates of all of the Hepatitis B vaccinations and any medical records relative to the employee's ability to receive vaccination.
- A copy of all results of examinations, medical testing and follow-up procedures required by these guidelines.
- The employer's copy of the health care professional's written opinion as required by these guidelines.
- A copy of the information provided to the health care professional as required in these guidelines.

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- Confidentiality
- District administrators and health personnel will ensure that the above medical records are:
  - Kept confidential.
  - Not disclosed or reported without the employee's expressed written consent to any person within or outside the workplace except as required by this standard or as may be required by law.
  - Kept separate from the personnel record.
  - Provided upon request for examination and copying to the subject employee, to anyone having written consent of the subject employee or to OSHA designees.
  - Maintained for at least the duration of employment plus 30 years.

### Training

District employees shall ensure that all employees with occupational exposure participate in a training program at the time of initial assignment to tasks where occupational exposure may take place; when changes such as modification of tasks or procedures are implemented or institution of new tasks or procedures affect the employee's occupational exposure, and updated annually thereafter. A record of each training session will be filed in the Personnel Department.

District employees occupationally at risk will receive a training program which will include:

The modes of transmission of AIDS and Hepatitis B viruses.

- Instructions on types of protective clothing and equipment generally appropriate for employees, as well as instructions on the basis for selecting the clothing and equipment.
- Instructions on the actions to take and persons to contact if exposure has occurred.
- Instructions on the requirements for work practices and protective equipment for each task they may perform.
- Instructions on where protective clothing and equipment is kept; how to use it; and how to remove, handle, decontaminate, and dispose of contaminated clothing or equipment.
- Instructions on the limitation of protective clothing and equipment.

Legal Reference: "Education for Children with Disabilities", 20 U.S.C. 1400, et seq.

"Americans with Disabilities Act"

The Family Educational Rights and Privacy Act of 1974, (FERPA), 20 U.S.C. 1232g, 45 C.F.R. 99

Connecticut General Statutes

10 76(d)(15) Duties and powers of Boards of education to provide special education programs and services.

10 154a Professional communications between teacher or nurse and student.

10 207 Duties of medical advisors.

10 209 Records not to be public.

10 210 Notice of disease to be given parent or guardian.

19a 221 Quarantine of certain persons.

19a 581 585 AIDS testing and medical information.

**Tentative Approval: 06/13/07**

# HAMPTON BOARD OF EDUCATION

**Final Approval: 07/11/07**

**4118.234/5141.231**

## **PERSONNEL — CERTIFIED/STUDENTS**

### **PSYCHOTROPIC DRUG USE**

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

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

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

The District shall follow procedures for identification, evaluation, placement and delivery of services to children with disabilities or suspected disabilities provided in state and federal statutes that govern special education.

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

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

Legal Reference: Connecticut General Statutes

10-212b Policies prohibiting the recommendation of psychotropic drugs by school personnel. (as amended by PA 03-211)

46b-120. Definitions

10-76a Definitions. (as amended by PA 00-48)

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

10-76d Duties and powers of boards of education to provide special education programs and services. (as amended by PA 97-114 and PA 00-48)

10-76h Special education hearing and review procedure. Mediation of disputes. (as amended by PA 00-48)

State Board of Education Regulations.

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

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

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

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

**Policy Presented: 04/27/16**

HAMPTON BOARD OF EDUCATION

**Policy Approved: 06/22/16**

# HAMPTON BOARD OF EDUCATION

5141.24

## STUDENTS

### **STUDENTS/STAFF WITH HIV, ARC (AIDS RELATED COMPLEX) OR AIDS**

Scientific studies show that the Human Immunodeficiency Virus (HIV), the virus which causes the acquired immune deficiency syndrome (AIDS) or ARC (AIDS Related Complex), is transmitted through sexual intercourse with an infected individual or through exposure to contaminated blood or needles. There is no evidence to support the notion that the HIV virus can be transmitted through ordinary school or household activities, e.g. coughing, sneezing, hugging, sharing of utensils or food, or shaking hands.

The anonymity of individuals with HIV infection or AIDS is protected by law. Moreover, individuals with HIV infection or AIDS are protected from discrimination by both federal and state laws. Neither attendance at school nor employment may be denied to an individual with HIV infection or AIDS. It is the policy of the District that no student or staff member with HIV infection or AIDS may be prohibited from attending school/employment unless there is an immediate risk of injury or harm to the individual or to others.

Because the diagnosis of HIV infection or AIDS is a confidential matter between the individual student or staff member and his or her physician, the District may be unaware of the diagnosis. Consequently, the Board of Education has adopted a policy of "universal precautions" which protects all students and staff from contact with blood and body fluids of others. These precautions are enumerated in the Bloodborne Pathogen policy.

(cf. - 4147.1/4247.1 Bloodborne Pathogens)

Legal Reference: Connecticut General Statutes

10-76(d)(15) Duties and powers of boards of education to provide special education programs and services

10-154a Professional communications between teacher or nurse and student

10-207 Duties of medical advisors

10-209 Records not to be public

10-210 Notice of disease to be given parent or guardian

19a-221 Quarantine of certain persons

19a-581-585 AIDS testing and medical information

20 U.S.C. 7906, No Child Left Behind Act of 2001

**Tentative Approval: 06/13/07**

**Final Approval 07/11/07**

# HAMPTON BOARD OF EDUCATION

## 5141.25

### STUDENTS

#### **STUDENTS WITH SPECIAL HEALTH CARE NEEDS**

The focus of a Districtwide Food Allergy Management Plan shall be prevention, education, awareness, communication and emergency response. The management plan shall strike a balance between the health, social normalcy and safety needs of the individual student with life threatening food allergies and the education, health and safety needs of all students. The District Food Allergy Management Plan shall be the basis for the development of the procedural guidelines that will be implemented at the school level and provide for consistency across all schools within the district.

The goals for the Districtwide Plan include:

1. To maintain the health and protect the safety of children who have life-threatening food allergies in ways that are developmentally appropriate, promote self-advocacy and competence in self-care and provide appropriate educational opportunities.
2. To ensure that interventions and individual health care plans for students with life-threatening food allergies are based on medically accurate information and evidence-based practices.
3. To define a formal process for identifying, managing, and ensuring continuity of care for students with life-threatening food allergies across all transitions. (Pre-K-Grade 12)

It is the policy of the Board of Education to follow the guidelines developed and promulgated by the Connecticut Department of Public Health and Department of Education for students within the District with life-threatening food allergies. Such guidelines include (1) education and training for school personnel on the management of students with life-threatening food allergies, including training related to the administration of medication with a cartridge injector, (2) procedures for responding to life threatening allergic reactions to food, (3) a process for the development of individualized health care and food allergy action plans for every student with a life-threatening food allergy, and (4) protocols to prevent exposure to food allergens.

It is the Board's expectation that specific building-based guidelines/actions will take into account the health needs and well-being of all children without discrimination or isolation of any child. It is the Board's belief that education and open and informative communication are vital for the creation of an environment with reduced risks for all students and their families. In order to assist children with life-threatening allergies to assume more individual responsibility for maintaining their safety as they grow, it is the policy of the Board that guidelines shift as children advance through the primary grades and through secondary school.

(cf. 5141 - Student Health Services)

(cf. 5141.21 - Administering Medication)

(cf. 5141.23 - Students with Special Health Care Needs)

(cf. 5141.3 - Health Assessments)

(cf. 5145.4 - Nondiscrimination)



# HAMPTON BOARD OF EDUCATION

Legal Reference: Connecticut General Statutes

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

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

10-207 Duties of medical advisors.

10-212a Administrations of medications in schools

10-212a(d) Administration of medications in schools by a paraprofessional

10-220i Transportation of students carrying cartridge injectors

52-557b Good Samaritan Law. Immunity from liability for emergency medical assistance, first aid or medication by injection

PA 05-104 An Act Concerning Food Allergies and the Prevention of Life-Threatening Incidents in Schools

PA 05-144 and 05-272 An Act Concerning the Emergency Use of Cartridge Injectors

The Regulations of Connecticut State Agencies section 10-212a through 10-212a-7

Federal Legislation

Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794 § 504; 34 C.F.R. § 104 et seq.)

Americans with Disabilities Act (ADA) of 1990 (42 U.S.C. §12101 et seq.; 29 C.F.R. §1630 et seq.)

The Family Education Rights and Privacy Act of 1974 (FERPA)

The Individuals with Disabilities Education Act of 1976 (IDEA) (20 U.S.C. § 1400 et seq.); 34 C.F.R. § 300 et seq.

FCS Instruction 783-2, Revision 2, Meal substitution for medical or other special dietary reasons.

Land v. Baptist Medical Center, 164 F3d 423 (8th Cir. 1999)

**Tentative Approval: 10/17/07**

**Final Approval: 11/14/07**

# HAMPTON BOARD OF EDUCATION

## 5141.4

### STUDENTS

#### **REPORTING OF CHILD ABUSE, NEGLECT AND SEXUAL ASSAULT**

The Board of Education (Board) recognizes its legal and ethical obligations in the reporting of suspected child abuse and neglect. Any person applying for employment with the Board shall submit to a record check of the Department of Children and Families Child Abuse and Neglect Registry before the person may be hired. Mandated reporters include all school employees, specifically Superintendent, administrators, teachers, substitute teachers, guidance counselors, school paraprofessionals, coaches of intramural and interscholastic athletics, as well as licensed nurses, physicians, psychologists and social workers either employed by the Board or working in one of the District schools, or 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 District schools. Such individual(s) who have reasonable cause to suspect or believe that a child has been abused, neglected, placed in imminent risk of serious harm, or sexually assaulted by a school employee is required to report such abuse and/or neglect or risk and/or sexual assault.

A mandated reporter's suspicions may be based on factors including, but are not limited to, observations, allegations, facts by a child, victim or third party. Suspicion or belief does not require certainty or probable cause.

Furthermore, the Board of Education requires all personnel who have reasonable cause to suspect or believe that a child, under the age of eighteen (18), except in the case of sexual assault by a school employee, has been abused, neglected, has had non-accidental physical injury, or injury which is at variance with the history given of such injury, is placed in imminent danger of serious harm or has been sexually abused by a school employee to report such cases in accordance with the law, Board policy and administrative regulations. The mandatory reporting requirement regarding the sexual assault of a student by a school employee applies based on the person's status as a student, rather than his or her age.

A mandated reporter shall make an oral report, by telephone or in person, to the Commissioner of Children and Families or a law enforcement agency as soon as possible, but no later than twelve (12) hours after the reporter has reasonable cause to suspect the child has been abused or neglected. In addition, the mandated reporter shall inform the building principal or his/her designee that he/she will be making such a report. Not later than forty-eight hours of making the oral report, the mandated reporter shall file a written report with the Commissioner of Children and Families or his/her designee. (The Department of Children and Families has established a 24 hour Child Abuse and Neglect Hotline at 1-800-842-2288 for the purpose of making such oral reports.)

The oral and written reports shall include, if known: (1) the names and addresses of the child and his/her parents/guardians or other persons responsible for his/her care; (2) the child's age; (3) the child's gender; (4) the nature and extent of the child's injury or injuries, maltreatment or neglect; (5) the approximate date and time the injury or injuries, maltreatment or neglect occurred; (6) information concerning any previous injury or injuries to, or maltreatment or neglect of, the child or his/her siblings; (7) the circumstances in which the injury or injuries, maltreatment or neglect came to be known to the reporter; (8) the name of the person(s) suspected to be responsible for causing such injury or injuries, maltreatment or neglect; (9) the reasons such person or persons are suspected of causing such injury or injuries, maltreatment or neglect; (10) any information concerning any prior cases in which

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such person or persons have been suspected of causing an injury, maltreatment or neglect of a child; and (11) whatever action, if any, was taken to treat, provide shelter or otherwise assist the child.

(For purposes of this section pertaining to the required reporting, a child includes any victim under eighteen years of age educated in a technical high school or District school. Any person who intentionally and unreasonably interferes with or prevents the making of the required report or attempts to conspire to do so shall be guilty of a class D felony, unless such individual is under eighteen years of age or educated in the technical high school system or in a District school, other than part of an adult education program.)

If the report of abuse, neglect or sexual assault involves an employee of the District as the perpetrator, the District may conduct its own investigation into the allegation, provided that such investigation shall not interfere with or impede any investigation conducted by the Department of Children and Families or by a law enforcement agency.

The Board recognizes that the Department of Children and Families is required to disclose records to the Superintendent of Schools in response to a mandated reporter's written or oral report of abuse or neglect or if the Commissioner of Children and Families has reasonable belief that a school employee abused or neglected a student. Not later than five (5) working days after an investigation of child abuse or neglect by a school employee has been completed, DCF is required to notify the school employee and the Superintendent and the Commissioner of Education of the investigation's results. If DCF has reasonable cause, and recommends the employee be placed on DCF's Child Abuse and Neglect Registry, the Superintendent shall suspend such employee.

The Board, recognizing its responsibilities to protect children and in compliance with its statutory obligations, shall provide to each employee in-service training regarding the requirements and obligations of mandated reporters. District employees shall also participate in training offered by the Department of Children and Families. Each school employee is required to complete a refresher training program, not later than three years after completion of the initial training program and shall thereafter retake such refresher training course at least once every three years.

The Principal of each school in the district shall annually certify to the Superintendent that each school employee working at such school has completed the required initial training and the refresher training.

State law prohibits retaliation against a mandated reporter for fulfilling his/her obligations to report suspected child abuse or neglect. The Board shall not retaliate against any mandated reporter for his/her compliance with the law and Board policy pertaining to the reporting of suspected child abuse and neglect.

In accordance with the mandates of the law and consistent with its philosophy, the Board in establishing this policy directs the Superintendent of Schools to develop and formalize the necessary rules and regulations to comply fully with the intent of the law.

This policy will be distributed annually to all employees. Documentation shall be maintained that all employees have, in fact, received the written policy and completed the required initial and refresher training related to mandated reporting of child abuse and neglect as required by law.

### **Establishment of the Confidential Rapid Response Team**

Not later than January 1, 2016, the Board of Education shall establish a confidential rapid response team to coordinate with DCF to (1) ensure prompt reporting of suspected child abuse or neglect; or 1st, 2nd, 3rd, or 4th

## HAMPTON BOARD OF EDUCATION

degree sexual assault; 1st degree aggravated sexual assault; or 3rd degree sexual assault with a firearm of a student not enrolled in adult education by a school employee and (2) provide immediate access to information and individuals relevant to DCF's investigation of such cases.

The confidential rapid response team shall consist of (1) a local teacher and the Superintendent, (2) a local police officer, and (3) any other person the Board of Education deems appropriate.

DCF, along with a multidisciplinary team, is required to take immediate action to investigate and address each report of child abuse, neglect or sexual abuse in any school.

### **Hiring Prohibitions**

The Board of Education will not employ anyone who was terminated or resigned after a suspension based on DCF's investigation, if he or she has been convicted of (1) child abuse or neglect or (2) 1st, 2nd, 3rd, or 4th degree sexual assault; 1st degree aggravated sexual assault; or 3rd degree sexual assault with a firearm of a student who is not enrolled in adult education.

The Boards of Education will not employ an individual who was terminated or resigned, if he or she (1) failed to report the suspicion of such crimes when required to do so or (2) intentionally and unreasonably interfered with or prevented a mandated reporter from carrying out this obligation or conspired or attempted to do so. This applies regardless of whether an allegation of abuse, neglect, or sexual assault has been substantiated.

(cf. [4112.6/4212.6](#) - Personnel Records)

(cf. 5141.511 - Sexual Abuse Prevention and Education Program)

Legal Reference: Connecticut General Statutes

- 10-220a Inservice training. Professional development committees. Institutes for educators. Cooperating teacher program, regulations (as amended by PA 11-93)
- 10-221d Criminal history records check of school personnel. Fingerprinting. Termination or dismissal (as amended by PA 11-93)
- 17a-28 Definitions. Confidentiality of and access to records; exceptions. Procedure for aggrieved persons. Regulations (as amended by PA 11-93)
- 17a-101 Protection of children from abuse. Reports required of certain professional persons. When child may be removed from surroundings without court order. (as amended by PA 96-246, PA 00-220, PA 02-106, PA 03-168, PA 09-242, PA 11-93 and PA 15-205)
- 17a-101a Report of abuse or neglect by mandated reports. (as amended by PA 02-106, PA 11-93 and PA 15-205)
- 17a-102 Report of danger of abuse. (as amended by PA 02-106)
- 17a-106 Cooperation in relation to prevention, identification and treatment of child abuse/neglect.
- 10-151 Teacher Tenure Act
- P.A. 11-93 An Act Concerning the Response of School Districts and the Departments of Education and Children and Families to Reports of Child Abuse and Neglect and the Identification of Foster Children in a School District
- P.A. 14-186 An Act Concerning the Department of Children and Families and the Protection of Children.
- P.A. 15-205 An Act Protecting School Children.

HAMPTON BOARD OF EDUCATION

**Tentative Approval: 04/27/16**

**Final Approval: 05/25/16**

# HAMPTON BOARD OF EDUCATION

**5141.5**

## **STUDENTS**

### **SUICIDE PREVENTION**

The Board of Education recognizes that suicide is a complex issue and that, while the school may recognize a potentially suicidal youth, it cannot make a clinical assessment of risk and provide in-depth counseling. Instead, the Board directs school staff to refer students who may be at risk of attempting suicide to an appropriate service for assessment and counseling.

The Board of Education recognizes the need for youth suicide prevention procedures and will establish program(s) to identify risk factors for youth suicide, procedures to intervene with such youth, referral services and training for teachers, other school professionals and students to provide assistance in these programs.

Any school employee who may have knowledge of a suicide threat must take the proper steps to report this information to the building principal or his/her designee who will, in turn, notify the appropriate school officials, the student's family and appropriate resource services.

Legal Reference: Connecticut General Statutes  
10-221 Boards of education to prescribe rules, policies, and procedures. (e) re "policy and procedures for dealing with youth suicide prevention and youth suicide attempts."

**Tentative Approval 06/13/2007**

**Final Approval 07/11/2007**

**Reapproved 11/16/16**

HAMPTON BOARD OF EDUCATION

# HAMPTON BOARD OF EDUCATION

## 5141.6

### STUDENTS

#### CRISIS RESPONSE

The district recognizes that schools are subject to a number of potentially disruptive events. These events include major crises. No school is immune no matter the size or location. The challenge, however, is to protect students as much as possible in an increasingly violent world.

Being prepared for crises can enhance the district's effectiveness in responding to smaller incidents.

Although there is no guarantee that a district (school) will ever be completely safe from crime, the district will take the following security measures to lessen the chances of violence occurring on school grounds:

1. The district will coordinate a local school security committee (task force) comprised of school officials, law enforcement, other youth-service providers, parents and students. The committee will plan what safety measures are needed and how they can be implemented, as well as regularly review school safety and security measures;
2. Schools site administrators will acquire appropriate knowledge of crime-prevention measures and take greater responsibility in working with the Board and district to implement site security programs;
3. Schools will develop a comprehensive crisis management plan that incorporates resources available through other community agencies;
4. A school communications network will be established that links classrooms and playground supervisors with the front office or security staff as well as with local law enforcement and fire departments;
5. School staff will be informed and regularly updated on safety plans through in-service training. The training will include certified staff, classified staff, part-time employees and substitute teachers, and may include parents and community volunteers;
6. Parents and community volunteers will be used to help patrol surrounding neighborhoods and supervise the grounds before, during and after school;
7. Access points to school grounds will be limited and monitored during the school day. A single visitor entrance should be supervised. Visitors shall sign in at the office and wear an identification pass. Delivery entrances used by vendors will be checked regularly;
8. Students will be taught to take responsibility for their own safety by reporting suspicious individuals or unusual activity on school grounds and by learning personal safety and conflict-resolution techniques;
9. Schools will establish a curriculum committee to focus on teaching students non-violence, social skills, conflict resolution, law-related education and good decision making. A school

security committee will be created to focus on safety measures which need to be implemented and methods for their accomplishment.



## HAMPTON BOARD OF EDUCATION

To protect against intrusion, the district will not only analyze the facilities to make illegal entry as difficult as possible, but will develop a crisis plan so that each staff member and student knows what to do in an emergency.

Legal References: Connecticut General Statutes  
10-221(e) Boards of education to prescribe rules.

**Tentative Approval: 06/13/2007**

**Final Approval: 07/22/2007**

# HAMPTON BOARD OF EDUCATION

5142

## STUDENTS

### STUDENT SAFETY

The Board of Education (Board) shall strive to build safe, supportive, and academically challenging school learning environments in partnership with students, staff members and families. The Board shall develop and adopt a mission statement that promotes a safe and secure environment for learning. Such mission statement shall emphasize respect, caring, and high academic achievement.

The Board shall ensure that all facilities, grounds, equipment, and vehicles meet acceptable injury and violence prevention standards for design, installation, use and maintenance.

Student safety shall be a priority of all school district personnel through close supervision of students in all school buildings and grounds and through special attention to:

1. Maintenance of safe school environments through conducting regular safety vulnerability and hazard assessments of all school facilities, school grounds, sports-related equipment and vehicles used to transport students. Security and vulnerability assessments shall be conducted every two years, resulting in a school safety plan for each school, based upon the assessment results.
2. Safe practices by school personnel and students – particularly in instructional areas or in extracurricular activities presenting special hazards.
3. Development of school programs and activities consistent with appropriate abilities and limitations of students at each age level.
4. Offering safety education to students germane to particular subjects, such as laboratory courses in science, industrial arts, and health and physical education.
5. Appropriate first aid care for students in case of accident or sudden illness.
6. Adequacy of emergency response procedures at each school in the District (first aid, cardiopulmonary resuscitation, infection control security).
7. Development, adoption and implementation of a code of conduct and other appropriate rules that are designed to promote health and safety and prevent unintended injury, harassment, bullying and other forms of violence. Such code shall prohibit the use and possession of alcohol, tobacco and other drugs and weapons and dangerous instruments at school.
8. Training exercises for all school staff designed to help them maintain a positive climate for learning and to effectively enforce safety and discipline rules.
9. Requiring the District and its individual schools to have safety and security plans which serve as a guide to address the various safety needs in the school, such as lockdown procedures, evacuations, drills and safety protocols, and personnel assignments. The school security and safety plan for each of the District's schools shall annually be submitted to the Department of Emergency Services and Public Protection.

## HAMPTON BOARD OF EDUCATION

10. Conducting regular audits (at least annually) to evaluate and analyze the effectiveness of each school's safety and security plans. First responders, local law enforcement and the entire school community shall be involved in this process. Law enforcement and local public safety officials shall evaluate all fire and crisis response drills.
11. Communicating with parents/guardians and community members about school-level emergency preparedness protocols to the greatest extent possible.
12. Providing regular training for all school employees on the Districts' school emergency management systems and protocols, as well as violence prevention training.
13. Creating a partnership between schools, local law enforcement and appropriate community agencies, including mental health, to prevent and reduce school violence.
14. Establishing a school security and safety committee at each school. Such committee shall be responsible for assisting in the development of the school's security and safety plan and administering such plan.
15. Assistance of the safe school climate committee at each school, originally established to address issues related to bullying in the school, to also collect, evaluate, and report information relating to instances of disturbing or threatening behavior that may not meet the statutory definition of bullying.

### **Firearm Safety Program**

The Board may offer a firearm safety program to students in grades kindergarten through grade 6. The program will utilize curriculum guides developed by the State Board of Education in consultation with the Connecticut Police Chiefs Association. A written notification by the student's parent/guardian shall be sufficient to exempt the student from such program in its entirety or from any portion thereof so specified by the parent/guardian.

(cf. [0100](#) - Mission Statement)

(cf. [5131/5144/5114](#) - Conduct/Discipline/Suspension/Expulsion)

(cf. [5131.21](#) - Terroristic Threats/Acts of Violent Behavior)

(cf. [5131.6](#) - Drugs/Alcohol and Tobacco)

(cf. [5131.7](#) - Weapons and Dangerous Instruments)

(cf. [5131.911](#) - Bullying/Safe School Climate Plan)

(cf. [5141.21](#) - Administering Medications)

(cf. [5141.22](#) - Communicable and Infectious Diseases)

(cf. [5141.3](#) - Student Health Assessments and Immunizations)

(cf. [5141.4](#) - Child Abuse and Neglect)

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(cf. [5141.5](#) - Suicide Prevention)

(cf. [5141.6](#) - Crisis Management Plan)

(cf. [6142.1](#) - Family Life and Sex Education)

(cf. [6114](#) - Emergencies and Disaster Preparedness)

(cf. [6114.7](#) - Safe Schools)

(cf. [6114.8](#) - Pandemic/Epidemic Emergencies)

Legal Reference: Connecticut General Statutes

[10-220f](#) Safety committee.

P.A. 13-3 An Act Concerning Gun Violence Prevention and Children's Safety (Sections 86, 87, 88)

P.A. 19-5 An Act Concerning the Safe Storage of Firearms in the Home and Firearm Safety Programs in Public Schools

**Presented: 10/23/19**

**Final Approval: 12/18/19**

# HAMPTON BOARD OF EDUCATION

## 5142.1

### STUDENTS

#### RELATIONS WITH NONCUSTODIAL PARENTS

The Board of Education, unless informed otherwise, assumes that there are no restrictions regarding the noncustodial parent's right to be kept informed of the student's school progress and activities. If restrictions are made relative to these rights, the custodial parent will be required to submit a copy of the court order to the superintendent, which curtails these specific rights.

Unless there are specific court-imposed restrictions, such as a final divorce decree which includes specific denial of visitation rights or a restraining order denying such rights, the noncustodial parent, upon written request and in accordance with Board of Education records policies 5124 and 5125 (a-c) may view the student's educational, medical or similar records maintained in such student's cumulative record, receive school progress reports, visit the child briefly at school and have an opportunity to confer with the student's teacher(s).

In addition, upon written request to the child's school principal, the school will subsequently and routinely mail to the parent making the request copies of all school information which is normally sent home with the child. This will include mailings of copies of report cards and class and school newsletters during the school year in which the request is made. Noncustodial parents and parents with shared custody not normally receiving materials from the school may annually request this service.

The custodial parent has the responsibility to keep the school office informed as to the address of residence, in a manner determined by the school, and how he/she may be contacted at all times. Any legal documents which restrict the rights of the noncustodial parent must be provided by the custodial parent. Unless otherwise indicated by a verified note from the parent or by a legal document provided by a parent, only the custodial parent has the right to remove the student from school property. If school personnel anticipate a possible student abduction, law enforcement personnel are to be notified immediately, and the student will remain on school property pending the arrival of law enforcement officials.

- (cf. 5113.2 - Attendance and Excuses)
- (cf. 5118 - Nonresident students)
- (cf. 5124 - Reporting to Parents)
- (cf. 5125/5125.1 - Student Records/Confidentiality)
- (cf. 5145.8 Emancipation of Minors)
- (cf. 5142.2 - Student Dismissal Precautions)

Legal Reference: Connecticut General Statutes  
10-15b Access of parent or guardian to student's records  
46b-56 Access of records of minor children by noncustodial parent  
Federal Family Educational Rights and Privacy Act of 1974  
Department of Education 34 C.F.R. Part 99 (May 9, 1980 45FR 30802) regs. implementing  
FERPA enacted as part of 438 of General Education Provisions Act (20 U.S.C. 1232g) - parent and student privacy  
and other rights with respect to educational records.

**Tentative Approval: 06/13/2007**

**Final Approval: 07/11/2007**

# HAMPTON BOARD OF EDUCATION

**5142.2**

## **STUDENTS**

### **SAFETY: STUDENT DISMISSAL PRECAUTIONS**

The Hampton School district is legally responsible for the safety of its students during the school day. Therefore, the building Principal will establish procedures to validate requests for early dismissal, to assure that students are released for only proper reasons, and only to authorized person(s).

Staff members shall not excuse any student from school prior to the end of the school day, or into any person's custody without the direct prior approval and knowledge of the building Principal or his/her designee.

Precautions may be taken by the school administration, appropriate to the age of students, and as needs arise. Parents shall provide documentation concerning parental rights, including divorce decrees and restraining orders if any.

**Tentative Approval: 09/02/99**

**Final Approval: 10/07/99**

# HAMPTON BOARD OF EDUCATION

**5142.21**

**STUDENTS**

## **SAFETY: BIKE USE**

The Hampton Board of Education recognizes the risks and danger associated with student bike riding to and from school. The Board acknowledges that certain parents/guardians would like to allow their child/ward to ride a bike to school. The Board is not in a position to ensure a safe bike route to and from school and thus parents/guardians who do allow their child/ward to ride bikes to school are assuming the risks involved with bike use

**Tentative Approval: 09/26/18**

**Final Approval: 10/24/18**

# HAMPTON BOARD OF EDUCATION

5144

## STUDENTS

### DISCIPLINE

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

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

#### Definitions

1. **"Exclusion"** shall be defined as any denial of public school privileges to a student for disciplinary purposes.
2. **"Removal"** shall be defined as an exclusion from a classroom for all or part of a single class period, provided such exclusion shall not extend beyond ninety (90) minutes.
3. **"In-School Suspension"** shall be defined as an exclusion from regular classroom activity for no more than five (5) (ten days effective July 1, 2010) consecutive school days, but not exclusion from school, provided such exclusion shall not extend beyond the end of the school year in which such in-school suspension was imposed. Class attendance not permitted except to take a test or review for a test at a teacher's request. Students who are on in-school suspension are not allowed to participate in extracurricular activities.
4. **"Suspension"** shall be defined as an exclusion from school privileges for no more than ten (10) consecutive school days, provided such exclusion shall not extend beyond the end of the school year in which suspension was imposed. (Effective July 1, 2010: Suspensions shall be in-school suspensions unless the administration determines that the student being suspended poses such a danger to persons or property or such a disruption of the educational process that the student shall be excluded from school during the period of suspension.) The administration is expected to use the guidelines developed and promulgated by the Commissioner of Education to help determine whether a student should receive an in-school or out-of-school suspension.
5. **"Expulsion"** means the exclusion from school privileges for more than ten (10) consecutive school days and shall be deemed to include, but not be limited to, exclusion from the school to which such student was assigned at the time such disciplinary action was taken, provided such exclusion shall not extend beyond a period of one calendar year.
6. **"Emergency"** means a situation under which the continued presence of the student in school poses a danger to persons or property or a disruption of the educational process. A hearing will be held as soon after the exclusion of such student as is possible/reasonable.
7. **"Days"** shall mean days when school is in session.
8. **"School-sponsored activity"** means any activity sponsored, recognized or authorized by the Board of Education and includes activities conducted on or off school property.

#### Removal from Class



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Each teacher shall have the authority to remove a student from class when such student deliberately causes a serious disruption of the educational process within the classroom. No student shall be removed from class more than six (6) times in any year nor more than twice in one week unless such student is referred to the principal or his/her designee(s) and granted an informal hearing in accordance with the provisions specified in number 3 of the "In-School Suspension/Expulsion Procedures" of this policy.

Whenever any teacher removes a student from the classroom, such teacher shall send the student to a designated area and shall immediately inform the principal of his/her designee(s) giving the name of the student against whom such disciplinary action was taken and the reason therefore.

## **Standards Governing In-school Suspension, Suspension and Expulsion**

A student may be given in-school suspension, suspension, or expelled for one or more of the following behaviors or actions on school property or at school activities, including but not limited to:

1. Conduct which endangers persons or property or is seriously disruptive of the educational process. Included in such prohibited behavior are the following:
  - A. Conduct causing a threat of danger to the physical well-being of himself/herself or other people;
  - B. Physical assault on another person which is not reasonably necessary for self-defense;
  - C. Taking, or attempting to take, personal property or money;
  - D. Willfully causing, or attempting to cause, substantial damage to school or personal property;
  - E. Knowingly possessing a firearm or deadly weapon, in violation of C.G.S. 29-35 or 53-206, or on the real property comprising any public school or at any school activity as defined in Section 10-233a. A firearm, as currently defined by Section 10-53a-3, includes any sawed-off shotgun, machine gun, rifle, shotgun, pistol, revolver, or other weapon whether loaded or unloaded from which a shot may be discharged. A deadly weapon, as currently defined by Section 10-53a-3, is any weapon, whether loaded or unloaded from which a shot may be discharged, or a switchblade knife, gravity knife, billy, blackjack, bludgeon, or metal knuckles. It may also include pellet guns and/or air soft pistols.
  - F. Knowingly possessing or using a dangerous instrument in or on the real property comprising any public school or at any school activity as defined in Section 10-233a. A dangerous instrument, as currently defined by Section 10-53a-3 includes any instrument, article, or substance which, under the circumstances in which it is used or attempted or threatened to be used, is capable or causing death or serious physical injury and includes a vehicle as defined in subdivision (8) of 10-53a-3.
  - G. Participation in or intentional incitement which results in an unauthorized occupancy of any part of a school or school premises or other school district building, and failure to leave promptly after having been directed to do so by the principal or other person then in charge of such building or facility; participation in, or intentional incitement to participate in any form of disruptive demonstration. The school administration shall recognize student's rights to express points of view as long as such expression is not disruptive of the educational process.

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- H. Possession, use, transmission or being under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, or intoxicant of any kind;
- I. Knowingly being in the presence of those who are in possession or using, transmitting, or being under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, or intoxicant of any kind;
- J. Violation of any Federal or State law which would indicate that the violator presents a danger to any person in the school community or to school property;
- K. Violation of any other Board policy, dealing with student conduct, including conduct on school buses, a copy of which is incorporated in the student handbook.

\* **The Board of Education shall expel a student for one full calendar year for possessing a firearm, deadly weapon or dangerous instrument as indicated in items E and F. The Board may modify the term of a mandatory expulsion on a case-by-case basis.**

- 2. Open defiance, including verbal abuse, obscene or profane language or gestures, of the authority of any teacher or person having authority over the student.
- 3. Repeated unauthorized absence from school.
- 4. Intentional and successful incitement of truancy by other students.
- 5. Possessing and/or using tobacco.
- 6. Knowingly using or copying the academic work of another and presenting it as his/her own without proper attribution.
- 7. Falsification of school records.
- 8. Other serious misconduct determined by the school principal.

A student may be given in-school suspension, suspended, or expelled for one or more of the following behaviors or actions off school property or outside of school activities:

- 1. Conduct leading to a felony or Class A misdemeanor arrest if that conduct is determined to pose a danger to the student himself/herself, other students, school employees or school property.
- 2. Adjudication as a delinquent or a youthful offender as the result of a felony if the conduct leading to the adjudication is determined to pose a danger to the student himself/herself, other students, school employees or school property.
- 3. Open defiance, including verbal abuse, obscene or profane language or gestures, of the authority of any teacher or person having authority over the student.
- 4. Repeated unauthorized absence from school.
- 5. Intentional and successful incitement of truancy by other students.

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6. Possessing and/or using tobacco.
7. Knowingly using or copying the academic work of another and presenting it as his/her own without proper attribution.
8. Falsification of school records
9. Other serious misconduct determined by the school principal.

A student may be given in-school suspension, suspended, or expelled for one or more of the following behaviors or actions off school property or outside of school activities:

1. Conduct leading to a felony or Class A misdemeanor arrest if that conduct is determined to pose a danger to the student himself/herself, other students, school employees or school property.
2. Adjudication as a delinquent or a youthful offender as the result of a felony if the conduct leading to the adjudication is determined to pose a danger to the student himself/herself, other students, school employees or school property.

### In-school Suspension/Suspension Procedures

1. Each principal or his/her designee shall have the authority to invoke in-school suspension or suspension, for one or more of the reasons stated in the section "Reasons Leading to In-school Suspension, Suspension or Expulsion From School," in accordance with the procedure outlines in number 3 below. However, the administrator or the Superintendent of Schools or designee shall have the authority to immediately suspend a student from school when an "emergency" exists, and under those conditions, the hearing outlined in number 3 of this section shall be held as soon after the suspension as possible. (Effective July 1, 2010: Suspensions shall be in-school suspensions unless the administration determines that the student being suspended poses such a danger to persons or property or such a disruption of the educational process that the student shall be excluded from school during the period of suspension.) In addition, as previously indicated, guidelines from the Commissioner of Education shall also be used to determine whether a suspension shall be in-school or out-of-school.
2. In the case of in-school suspension or suspension, the principal or designee shall notify the Superintendent of Schools as soon as possible, but in any case not later than twenty-four (24) hours of the in-school suspension or suspension as to the name of the student who has been suspended and the reason therefore. Suspended student shall have an opportunity to complete any class work, including, but not limited to examinations, missed during the period of his/her removal from classes.
3. In-school suspensions shall be served in the school attended by the student.
4. Except in the case of an "Emergency," a student shall be afforded an opportunity to meet with the principal or designee(s) to discuss the charges against him/her prior to beginning any period of in-school suspension or suspension. If at such meeting the student denies the charges, the student may at that time present his/her version of the incident(s) upon which the in-school suspension or suspension is based. The principal or designee(s) shall then determine, in his/her judgment, whether in-school suspension or suspension is warranted. In determining the length of a suspension period, the administration may consider past disciplinary problems which have led to removal from a classroom, suspension or expulsion of the student.

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5. Whenever a student is suspended, notice of the suspension and the conduct for which the student was suspended shall be included on his/her cumulative educational record. Such notice shall be expunged from the cumulative record by the Board if the student graduates from high school or is not expelled or suspended again one or more times during the two-year period commencing on the date of his/her return to school from such a suspension.
6. For any student who is suspended for the first time and who has never been expelled, the school administration may shorten the length of or waive the suspension period if the student successfully completes an administration-specified program and meets any other administration-required conditions. Such program shall be at no expense to the student or his/her parents/guardians
7. No student shall be suspended more than ten (10) times or a total of fifty (50) days in one school year, whichever results in fewer days of exclusion, unless a hearing as provided in number 3 of the "Expulsion" section of this policy is first granted. (C.G.S. 4-176e -- 4-180a)
8. No student shall be placed on in-school suspension more than fifteen (15) times or a total of fifty (50) days in one school year, whichever results in fewer days of exclusion.

### **Expulsion**

1. The Superintendent of Schools may recommend to the Board of Education the expulsion of any student for one or more of the reasons stated in "Reasons Leading to Suspension or Expulsion from School" if, in the Superintendent's judgment such disciplinary action is in the best interest of the school system. The Superintendent shall recommend an expulsion hearing if there is reason to believe a student possessed a firearm or other dangerous weapon in or on the real property comprising any public school or at any school activity as defined in Section 10-233a.

Unless an emergency exists, the procedures outlined in numbers 2 and 3 below shall be followed prior to expulsion. If an emergency situation exists, such hearing shall be held as soon after the expulsion date as possible.

2. Upon recommendation of expulsion by the Superintendent, the Board of Education shall notify the student concerned and his/her parents or guardians, or the student if he/she has attained the age of eighteen (18), and in accordance with current statutes appropriate notice shall be given, of any board hearing, to the student and his/her parent/guardian. The Board of Education at a meeting at which three or more members of the Board are present, or if the Board of Education so chooses, an impartial hearing board (appointed by the Board of Education) consisting of one or more persons none whom are members of the Board of Education shall hold a hearing in accordance with the hearing procedure as set forth in paragraph number 3 below. The date for such hearing may be extended by agreement of the parties or because of unavoidable emergencies.
3. The procedure for any hearing conducted under this section shall be in accordance with current statutes and as determined by the hearing officer or Board Chairperson as appropriate, but shall at least include the right of the student to the following:

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- A. Notice of the proposed hearing which shall include a statement of the time, place, and nature of the hearing, and a statement of the legal authority and jurisdiction under which the hearing is to be held.
  - B. A short and plain statement of the matters asserted, if such matters have not already been provided in a statement of reasons requested by the student. The statement may be limited to a statement of the issues in detail at the time such notice is served. Thereafter, upon request from a student concerned, a more definite and detailed statement of the issues shall be furnished.
  - C. A list of names of accusing witnesses, if any, at least five (5) days prior to the hearing.
  - D. The opportunity to be heard in his/her own defense.
  - E. The opportunity to present witnesses and evidence in his/her defense.
  - F. The opportunity to cross-examine adverse witnesses. In exceptional circumstances the Board or impartial hearing panel may refuse to allow a witness against the accused student to appear, when the Board or panel believes that fear on the part of the witness would prevent accurate testimony. In such cases, a verbatim statement of the witness's testimony must be given to the student.
  - G. A witness's unsubstantiated desire to remain anonymous is not an exceptional circumstance and shall not justify dispensing with direct testimony and cross-examination.
  - H. The opportunity to be represented by counsel or other representation of the student's choice.
  - I. Information concerning legal services provided free of charge or at a reduced rate that are available locally and how to access such services.
  - J. The prompt notification of the decision of the Board of Education or hearing board which decision shall be in writing.
  - K. A statement which points out that under provisions C.G.S. 10-233 (e) in certain circumstances the Board does not have to offer an alternative educational opportunity to students between the ages of 16-18.
  - L. The services of a translator, to be provided by the Board of Education, whenever the student or his/her parent or guardian do not speak the English language.
  - M. At his/her own expense, a copy of the verbatim record of the hearing.
4. The record of any hearing held in an expulsion case shall include the following:
    - A. All evidence received and considered by the Board of Education.
    - B. Questions and offers of proof, objections, and ruling on such objections.
    - C. The decision of the Board of Education rendered after such hearing. If the student is found to have possessed a firearm or other dangerous weapon in or on the real property of a school or at any school activity as defined in Section 10-233a, he or she must be expelled.
    - D. A copy of the initial letter of notice of proposed expulsion, a copy of any statement of reasons provided upon request, and a statement of the notice of hearing.
  5. Rules of evidence at expulsion hearing shall include the following:
    - A. Any oral or documentary evidence may be received by the Board of Education but, as a matter of policy, irrelevant, immaterial or unduly repetitious evidence may be excluded.
    - B. The Board of Education shall give effect to the rules of privilege by law.
    - C. In order to expedite a hearing, evidence may be received in written form, provided the interest of any part is not substantially prejudiced thereby.
    - D. Documentary evidence may be received in the form of copies or excerpts, if the original is not readily available provided, however, that any party to a hearing shall be given an opportunity to compare the copy with the original.

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- E. A party to an expulsion hearing may conduct cross-examination of witnesses where examination is required for a full and true disclosure of the facts.
  - F. The Board of Education may take notice of judicially appropriate facts in addition to facts within the Board's specialized knowledge provided; however, the parties shall be notified either before or during the hearing of material noticed including an staff memoranda or data, and an opportunity shall be afforded to any party to contest the materials so noticed.
  - G. A record of any oral proceedings before the Board of Education at an expulsion hearing shall be made, provided, however, that a transcript of such proceedings shall be provided only upon request of a party with the cost of such transcript to be paid by the requesting party. Findings of fact made by the Board after an expulsion hearing shall be based exclusively upon the evidence adduced at the hearing.
6. Any student expelled from school shall be offered an alternative educational opportunity during the period of expulsion, except that such alternative education is the Board of Education's option if the student is between the ages of sixteen and eighteen, was not previously expelled and is found to: (1) have possessed a firearm or other dangerous instrument or weapon in or on the real property of a school or at a school-sponsored activity, as defined in Section 10-233a or (2) is found to have offered for sale or distribution on school property or at a school-sponsored activity a controlled substance (*as defined in Subdivision (9) of Section 21a-240 as amended by Section 9 of Public Act 93-381*) whose manufacture, distribution, sale, prescription, dispensing, transporting, or possessing with the intent to sell or dispense, offering, or administration is subject to criminal penalties under Sections 21a-277 and 21a-278.

When a student is expelled for the sale or distribution of a controlled substance, the Board of Education shall refer the student to an appropriate state or local agency for rehabilitation, intervention or job training, or any combination thereof, and shall inform the agency of its action. Further, the Board shall give the name of the student, and a summary of the Board's action in referring a student, to the Commissioner of Education within thirty (30) days after the student is expelled.

7. Subsequent to a hearing, before three (3) or more members of the Board of Education or an impartial hearing panel, to determine whether the grounds for expulsion in the previous district would also warrant expulsion under the policies of the Board, the Board may adopt the decision of a student expulsion hearing conducted by another school district.

Whenever a student withdraws from school while involved in an expulsion hearing before a decision is rendered, (1) notice of the pending expulsion hearing shall be included on the student's cumulative educational record and (2) the Board shall completed the expulsion hearing and render a decision. The receiving district may also conduct its own expulsion hearing on the student actions in his/her previous district.

Whenever a student is expelled, notice of the expulsion and the conduct for which the student was expelled shall be included on the student's cumulative educational record. Such notice shall be expunged from the cumulative educational record by the Board if the student graduates from high school, unless the expulsion notice is based on possession of a firearm or deadly weapon.

8. For any student expelled for the first time and who has never been suspended, the Board of Education may shorten the length of or waive the expulsion period if the student successfully completes a Board specified program and meets any other conditions required by the Board. Such a Board specified program shall not require the student or the parent/guardian of such student to pay for participation in the program.

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9. If a student's expulsion is shortened or the expulsion period waived based upon the fact that the student was expelled for the first time, had never been suspended, and successfully completed a Board specified program and/or met other conditions required by the Board, the notice of expulsion shall be expunged from the cumulative educational record if the student graduates from high school or, if the Board so chooses, at the time the student completes the Board specified program and meets any other conditions required by the Board.

## **Notification to Parents or Guardian**

The parents or guardian of any minor student either given in-school suspension, suspension or expelled shall be given notice of such disciplinary action as soon as possible by telephone, but in any case written notice must be mailed within twenty-four (24) hours of the decision to institute in-school suspension, suspension or expulsion.

## **Annual Student Notification of Board of Education Policies and Regulations**

The Principal shall, within thirty (30) days of school opening each year and at other times deem necessary, provide a copy of Board policies and regulations governing student conduct to students and their parents or guardians.

## **Students with Disabilities**

Notwithstanding the foregoing, the following procedures shall apply to students who have been identified as having one or more disabilities under the IDEA and/or Section 504 of the Rehabilitation Act (a "student with disabilities"):

1. If a student with disabilities engages in conduct that would lead to a recommendation for expulsion, the district shall promptly convene an IEP team (PPT) meeting to determine whether the misconduct was directly caused by the student's disability. A student may be suspended for up to ten days pending the IEP team (PPT) determination.
2. If the IEP team (PPT) finds that the misconduct was not caused by the disability, the Superintendent may proceed with a recommendation for expulsion. During any period of expulsion, a student with disabilities under the IDEA shall receive an alternative educational plan consistent with the student's educational needs as determined by the IEP team (PPT) in light of such expulsion. The services must continue to the extent determined necessary to enable the disabled student to appropriately advance in the general education curriculum and to advance toward achieving the goals of his/her IEP.
3. If the IEP team (PPT) finds that the misconduct was caused by the disability, the Superintendent shall not proceed with the recommendation for expulsion. The IEP team (PPT) shall consider the student's misconduct and revise the IEP to prevent a recurrence of such misconduct and to provide for the safety of the other students and staff.
4. Should a parent of a student with disabilities who is eligible for services under the IDEA (or the student himself/herself if eighteen years of age or older) file a request for a due process hearing under C.G.S. 10-76h to contest an expulsion under subparagraph (2) above or a proposed change in placement under subparagraph (3), unless the parents (or student if eighteen years of age or older) and the Board otherwise agree, the child shall remain in the alternative educational setting until the appeal is resolved or until the expiration of the suspension, whichever occurs first in said due process hearing and any subsequent judicial review proceedings.

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5. Notwithstanding the provisions of the preceding subparagraph (4), a student with disabilities may be assigned to an interim alternative educational setting for not more than forty-five (45) school days if the student brings a weapon to school or to a school function or knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or at a school function, or has inflicted serious bodily injury upon another person while at school, or school premises, or at a school function. For purposes of this paragraph, “weapon” means a device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury, but excludes a pocket knife with a blade of less than 2½ inches in length. “Serious bodily injury” for the purposes of IDEA, is defined as bodily injury which involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ, or mental faculty. The interim alternative placement shall be determined by the IEP team (PPT). If a due process hearing is requested, the student shall remain in said interim alternative placement pending a decision in the due process hearing, unless the Board and the parents otherwise agree, or the Board obtains a court order.
6. In order for the district to unilaterally obtain a 45 day change in placement from a federal judge of Connecticut hearing officer, it must prove by substantial evidence, that maintaining the current placement of the student is substantially likely to result in injury to the child or other. The school must also prove that it has made reasonable efforts to minimize the risk of harm the student presents in the current placement.

Legal Reference: Connecticut General Statutes

4-177 through 4-180. Contested Cases. Notice. Record, as amended.

10-233a through 10-233f Suspension, removal and expulsion of students, as amended by PA 95-304, PA 96-244, PA 98-139, PA 07-66, PA 07-122, PA 08-160, PA 09-82 and PA 09-6 (September Special Session)

21a-240(9) Definitions.

53a-3 Definitions.

GOALS 2000: Educate America Act, Pub. L. 103-227.

18 U.S.C. 921 Definitions.

Legal Reference: Connecticut General Statutes (continued)

Title III - Amendments to the Individuals with Disabilities Act Sec. 314

Elementary and Secondary Schools Act of 1968, as amended by the Gun Free Schools Act of 1994

PL 105-17 The Individuals with Disabilities Act, Amendments of 1997

20 U.S.C. Section 7114, No Child Left Behind Act

P.L. 108-446 Individuals with Disabilities Education Improvement Act of 2004

*State v. Hardy*, 896 A.2d 755, 278 Conn 113 (2006)



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## APPENDIX

### Provision of an Alternative Educational Opportunity for Eligible Expelled Students

#### Options for Alternative Educational Opportunity

The District shall provide an alternative educational opportunity for eligible expelled students by exercising one of the following two permissible options.

1. Enroll the student in an alternative education program which is compliant with requirements for such programs, including the length of school year and number of hours, with an individualized learning plan IF the district provides such alternative education, (use of this option requires the alternative education program to comply with C.G.S. [10-74j](#) which requires adherence to C.G.S. [10-15](#) and [10-6](#) requiring a minimum of 180 days and 900 hours of actual school work per year) and the program is appropriate for the student. OR
2. Provide the student with an alternative educational opportunity in accordance with the State Board of Education (SBOE) adopted standards, including through an alternative education program offered by another school district or operator. (A standard program for its alternative educational opportunity providing such program meets the other requirements of the Standards, including the individualized learning plan.)

#### 1. State Department of Education (SDE) Positions to Consider

1. In order to properly implement the provision of an alternative educational opportunity to expelled students, whether the District implements option #1 or #2 above, the District must comply with the SBOE adopted (1/3/18) Standards.
2. SDE "expects that, in most cases, school districts will determine that enrollment in an alternative education program...is the appropriate alternative educational opportunity" for an expelled student. Such an alternative education program could be operated by the local district or another provider.
3. There may be "unusual cases" where placement in an alternative education program may not be appropriate or available.
4. The alternative educational opportunity must be "full-time" and "comprehensive," and such opportunity for learning is comparable to a regular school setting. (This provides the district that does not provide placement for the expelled student in alternative educational program some flexibility in developing an alternative educational opportunity that provides comparable learning opportunities for the expelled student without dictating a certain number of minimum instructional hours, but, per the Standards, must be "full-time" and "comprehensive.")
5. Assignment to homebound instruction will not satisfy the "Guiding Principles" of the Standards.

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### **Requirements of Standards for Alternative Educational Opportunities for Students Who Have Been Expelled**

#### **Guiding Principles**

Consistent with the Guidelines for Alternative Education Settings, these standards are grounded in the conviction that alternative educational opportunities for students who have been expelled should exhibit the following characteristics:

- whole student approach that addresses the personal, social, emotional, intellectual, work skills, safety, and security needs of all students in addition to academic content (including the Connecticut Core Standards);
- full time, comprehensive experience, where the learning is comparable to what the student would experience in a regular school environment;
- instruction that is based on a curriculum aligned to the Connecticut Core Standards unless modified as indicated by goals and objectives of an Individualized Education Program (IEP);
- high expectations that are consistent with LEA goals and Connecticut state standards including the belief that all students are capable and can be successful regardless of their discipline history; and
- research/evidence-based practices with student success in mind including the engagement of parents/guardians and families as well as community partners, as appropriate.

These principles are unlikely to be satisfied by assignment to homebound instruction.

### **Requirements of Standards for Alternative Educational Opportunities for Students Who Have Been Expelled**

The SBOE adopted Standards for Alternative Educational Opportunities require the District to:

1. Provide a full time, comprehensive alternative educational opportunity, with a focus on an opportunity for learning that is comparable to those in a regular school setting.
2. Notify parents/students at the time of expulsion of the right to apply for early readmission, which can be granted at the discretion of the Board of Education or the Superintendent, if the Board delegates this authority to the Superintendent (C.G.S. [10-233\(j\)](#)). (The criteria for early readmission should be recorded in the individualized learning plan (ILP)).
3. Meet with parents/guardians prior to placement to provide information about potential alternative educational opportunities and a placement meeting to finalize such placement. (Such meeting can take place directly after the expulsion hearing.)

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4. Consult with relevant school personnel knowledgeable about the student's academic, social and behavioral history to help in the determination of an appropriate alternative educational opportunity.
5. Involve the PPT for expelled special education students who are determined to have educational programming and placement during the period of expulsion in accordance with the Individuals with Disabilities Act (IDEA).
6. Develop an Individualized Learning Plan (ILP) to address:
  - Information pertaining to the student's academic and behavioral needs and appropriate academic and behavioral goals and interventions including the core classes and current placement or progress in the curriculum of those classes at the time of expulsion.
  - Benchmarks to measure progress towards the goals and progress towards graduation. (This will include monitoring attendance, work completion, and progress toward meeting the coursework's academic standards.)
  - Reviewing the student's progress and communicating that progress to parent/guardian or student. (What would be done for students generally.)
  - Transfer of records to/from the alternative educational provider and the school from which the student was expelled.
  - Language pertaining to the possibility of early readmission to the school from which the student was expelled.
7. Monitor progress of student performance and placement. (This must be done and documented at least once per marking period, review of the student's ILP and make any needed adjustments.)
8. Adopt procedures to address a student's transition from an alternate educational opportunity to the student's regular school. (The criterion for readmission is the completion of the expulsion period.)

### **Procedural Steps to be taken by District following the Expulsion of a Student to Provide the Required Alternative Educational Opportunity**

The Superintendent or his/her designee is responsible for the fulfillment of the following:

1. Determine the eligibility of the expelled student for an alternative education opportunity.
  - a. The student is under the age of sixteen (16) and must be offered an alternative educational opportunity.

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- b. The student is between the ages of sixteen (16) and eighteen (18) and has not been previously expelled and wishes to continue his or her education shall be offered such an alternative educational opportunity. (The District is not obligated to provide an alternative educational opportunity to students in this age bracket who have been previously expelled, even if the prior expulsion occurred before the student was sixteen years of age.)
  - c. The student is eighteen years of age or older and the Board of Education is not obligated to provide an alternative educational opportunity.
  - d. Other considerations:
    - i. Any parent/guardian of an expelled student who does not choose to have his or her child enrolled in an alternative educational opportunity shall not be subject to the provision of Section [10](#)-184 of the Connecticut General Statutes regarding school attendance.
    - ii. A student seventeen (17) years of age or older may be assigned to an adult education program and not be required to withdraw from school per C.G.S. [10](#)-184.
    - iii. The student may be placed in a regular classroom program of a school other than the one from which the student has been excluded.
    - iv. A student expelled for the sale or distribution of a controlled substance, shall be referred to an appropriate state or local agency for rehabilitation, intervention or job training, or any combination thereof.
    - v. A student expelled for possession of a firearm, deadly weapon, dangerous instruments (those that can be used to cause death or serious injury) or martial arts weapons shall be reported to the local police department.
    - vi. An expelled special education student's alternative educational opportunity shall be established by the IEP team (PPT).
2. Determine the appropriate option for the alternative educational opportunity option to be offered to the expelled student.
    - a. Enroll the student in an alternative education program operated by the District which is compliant with requirements for such programs, (hours, length of school year and number of hours) with an individualized learning plan IF the district provides such alternative education.
    - b. Provide the student with an alternative educational opportunity in accordance with the SBOE adopted standards, including through an alternative education program offered by another school district or operator. (A standard program for its alternative educational

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opportunity providing such program meets the other requirements of the Standards, including the individualized learning plan.)

3. Consult with relevant school personnel knowledgeable about the student to obtain information regarding the student's academic, social and behavioral history that will help inform the decision concerning an appropriate alternative educational opportunity. The input shared by school personnel may be gathered via written reports.\
4. Meet with the student's parent(s)/guardian(s) prior to placement to provide information concerning the potentially appropriate alternative educational opportunities for the student.
5. Hold a placement meeting after parents/guardians have been informed and the appropriate school personnel have shared information regarding the student.
  - a. Explore all alternative educational opportunities at this meeting.
  - b. The placement decision should be made at this meeting.
  - c. Other considerations:
    - i. Parents/students, at the time of expulsion, should be informed of the right to apply for early readmission, which can be granted at the discretion of the Board of Education or Superintendent (if the BOE delegates this authority to the Superintendent under C.G.S. Section [10-233d\(j\)](#)).
    - ii. Any criteria for early readmission to the school from which the student has been expelled should be recorded in the Individualized Learning Plan (ILP).
6. Development of an Individualized Learning Plan (ILP) to inform and direct the student's learning goals and activities for the duration of the expulsion.
  - a. After placement in the alternative education opportunity, an ILP must be developed to govern the student's programming during period of the expulsion.
  - b. Develop the ILP through collaboration among school personnel, the student and the parent/guardian.
  - c. Reference student records with information relevant to the alternative educational opportunity. (student success plan, Individualized Education Program (IEP) under special education, Section 504 Plan, Individualized Health Plan, and/or other academic and behavioral data.)
  - d. The student's ILP is to contain:
    - i. The student's academic and behavioral needs and appropriate academic and behavioral goals and interventions;

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- ii. The student's core classes at the time of expulsion;
- iii. The student's current placement or progress in the curriculum of those classes so that the student has an opportunity to continue to progress in the LEA's academic program and earn graduation credits, if applicable;
- iv. Benchmarks to measure progress towards the goals and ultimately, progress towards graduation;
- v. Timing and method for reviewing the student's progress and for communicating that progress to the parent/guardian or student; (For most students, monitoring and reviewing the student's progress will include monitoring the student's attendance, work completion and progress toward meeting the relevant academic standards for particular coursework, and thus progressing toward graduation, if applicable.)
  - The progress monitoring of student performance and placement must be done and documented at least once per marking period, including a review of the ILP and the making of any necessary adjustments.
- vi. Such progress to be communicated to the parent/guardian and/or student with the same frequency as similar progress for students in the regular school environment is reported and communicated to parents/guardians or students;
- vii. Provision for the timely transfer of the student's records both from the student's school to the alternative educational opportunity provider, and also from the alternative educational opportunity provider to the student's school; and
- viii. The possibility of early readmission to the school from which the student was expelled and the early readmission criteria.
- ix. A process for transition planning based upon the following considerations:
  - Efforts to readmit students at semester start points at the high school level to facilitate re-entry;
  - A plan to transfer the student's credits and record back to the school from which the student was expelled;
  - The student's needs for academic and other supports upon return to the home school environment; and
  - Efforts to connect returning students with opportunities to participate in extracurricular activities to support student engagement and general health and development.

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7. If a determination is made that placement in the current alternative educational opportunity is no longer beneficial to an expelled student but it is also inappropriate to have the student return to the school from which the student was expelled, a plan for different alternative educational opportunities should be developed, following the procedure outlined above.
8. Students who have a student success plan as mandated by state law, such plan may inform the ILP but does not replace the ILP.

**Presented: 08/22/18**

**Final Approved: 09/26/18**

# HAMPTON BOARD OF EDUCATION

## 5144.1

### STUDENTS

#### USE OF PHYSICAL FORCE

##### PHYSICAL RESTRAINT/SECLUSION

The Board of Education (Board) believes that maintaining an orderly, safe environment is conducive to learning and is an appropriate expectation of all staff members within the district. To the extent that staff actions comply with all applicable statutes and Board policy governing the use of physical force, including physical restraint of students and seclusion of students, staff members will have the full support of the Board of Education in their efforts to maintain a safe environment.

The Board recognizes that there are times when it becomes necessary for staff to use reasonable restraint or place a student in seclusion as an emergency intervention to protect a student from harming himself/herself or to protect others from harm.

#### Definitions

**Life-threatening physical restraint** means any physical restraint or hold of a person that restricts the flow of air into a person's lungs, whether by chest compression or any other means, or immobilizes or reduces the free movement of a person's arms, legs or head while the person is in the prone position.

**Psychopharmacologic agent** means any medication that affects the central nervous system, influencing thinking, emotion or behavior.

**Physical restraint** means any mechanical or personal restriction that immobilizes or reduces the free movement of a person's arms, legs or head. Excluded from this definition is briefly holding a person in order to calm or comfort the person; restraint involving the minimum contact necessary to safely escort a person from one area to another; medical devices including but not limited to, supports prescribed by a health care provider to achieve proper body position or balance; helmets or other protective gear used to protect a person from injuries due to a fall; or helmets, mitts and similar devices used to prevent self-injury when the device is part of a documented treatment plan or individualized education program pursuant to Connecticut's special education laws or prescribed or recommended by a medical professional and is the least restrictive means to prevent such self-injury.

**School employee** means a teacher, substitute teacher, school administrator, Superintendent, guidance counselor, psychologist, social worker, nurse, physician, school paraprofessional, or coach employed by the Board of Education or working in a public elementary, middle or high school; or any other individual who, in the performance of his/her duties has regular contact with students and who provides services to or on behalf of students enrolled in the district's schools, pursuant to a contract with the board of education.

**Seclusion** means the involuntary confinement of a student in a room, with or without staff supervision, in a manner that prevents the student from leaving.



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**Student** means a child (A) enrolled in grades kindergarten to twelve, inclusive, in a public school under the jurisdiction of a local or regional Board of Education, (B) receiving special education and related services in an institution or facility operating under contract with a local or regional Board of Education, (C) enrolled in a program or school administered by a regional education service center, or (D) receiving special education and related services from an approved private special education program, but shall not include any child receiving educational services from Unified School District #2 or the Department of Mental Health and Addiction Services.

### Conditions Pertaining to the Use of Physical Restraint and/or Seclusion

- A. School employees shall not use a life-threatening physical restraint on a student.
- B. If any instance of physical restraint or seclusion of a student exceeds fifteen minutes an administrator or his/her designee, or a school health or mental health personnel, or a board certified behavioral analyst, who has received training in the use of physical restraint and seclusion shall determine whether continued physical restraint or seclusion is necessary to prevent immediate or imminent injury to the student or to others. Upon a determination that such continued physical restraint or seclusion is necessary, such individual shall make a new determination every thirty minutes thereafter regarding whether such physical restraint or seclusion is necessary to prevent immediate or imminent injury to the student or to others.
- C. No student shall be placed in seclusion unless:
  - a. The use of seclusion is as an emergency intervention to prevent immediate or imminent injury to the student or to others, provided the seclusion is not used for discipline or convenience and is not used as a substitute for a less restrictive alternative.
  - b. Such student is continually monitored by a school employee during the period of such student's seclusion. Any student voluntarily or involuntarily placed in seclusion or restrained shall be regularly evaluated by a school employee for indications of physical distress. The school employee conducting the evaluation shall enter each evaluation in the student's educational record. Monitor shall mean by direct observation or by observation using video monitoring within physical proximity sufficient to provide aid as may be required.
  - c. The area in which such student is secluded is equipped with a window or other fixture allowing the student a clear line of sight beyond the area of seclusion.
- D. School employees may not use a psychopharmacologic agent on a student without that student's consent except (1) as an emergency intervention to prevent immediate or imminent injury to the student or to others, or (2) as an integral part of the student's established medical or behavioral support or educational plan, as developed consistent with Section 17a-543 of the Connecticut General Statutes or, if no such plan has been developed, as part of a licensed practitioner's initial orders. The use of psychopharmacologic agents, alone or in combination, may be used only in doses that are therapeutically appropriate and not as a substitute for other appropriate treatment.
- E. In the event that physical restraint or seclusion is used on a student four or more times within twenty school days:
  - a. An administrator, one or more of such student's teachers, the parent/guardian of such student and, if any, a mental health professional shall convene for the purpose of:
    - i. Conducting or revising a behavioral assessment of the student;
    - ii. Creating or revising any applicable behavioral intervention plan; and
    - iii. Determining whether such student may require special education.
  - b. If such student is a child requiring special education or is a child being evaluated for eligibility for special education and awaiting a determination, such student's planning and placement team shall convene for the purpose of (1) conducting or revising a behavioral assessment of the student, and (2)

## HAMPTON BOARD OF EDUCATION

creating or revising any applicable behavioral intervention plan, including, but not limited to, such student's individualized education plan.

- F. The parent/guardian of a student who is placed in physical restraint or seclusion shall be notified not later than twenty-four hours after the student is placed in physical restraint or seclusion. A reasonable effort shall be made to provide such notification immediately after such physical restraint or seclusion is initiated.
- G. School employees shall not use a physical restraint on a student or place a student in seclusion unless he/she has received training on the proper means for performing such physical restraint or seclusion.
- H. Beginning July 1, 2016, the Board of Education, and each institution or facility operating under contract with the Board to provide special education for children, including any approved private special education program, shall:
  - a. Record each instance of the use of physical restraint or seclusion on a student;
  - b. Specify whether the use of seclusion was in accordance with an individualized education program;
  - c. Specify the nature of the emergency that necessitated the use of such physical restraint or seclusion; and
  - d. Include such information in an annual compilation on its use of such restraint and seclusion on students.
- I. The Board and institutions or facilities operating under contract with the Board to provide special education for children, including any approved private special education program shall provide such annual compilation to the Department of Education in order to examine incidents of physical restraint and seclusion in schools.
- J. Any use of physical restraint or seclusion on a student shall be documented in the student's educational record. The documentation shall include:
  - a. The nature of the emergency and what other steps, including attempts at verbal deescalation, were taken to prevent the emergency from arising if there were indications that such an emergency was likely to arise; and
  - b. A detailed description of the nature of the restraint or seclusion, the duration of such restraint or seclusion and the effect of such restraint or seclusion on the student's established educational plan.
- K. Any incident of the use of restraint or seclusion that results in physical injury to a student shall be reported to the State Board of Education.

### **Required Training and Prevention Training Plan**

Training shall be provided by the Board to the members of the crisis intervention team for each school in the district. The Board may provide such training to any teacher administrator, school professional or other school employee, designated by the school principal and who has direct contact with students regarding physical restraint and seclusion of students. Such training shall be provided during the school year commencing July 1, 2017 and each school year thereafter, and shall include, but not be limited to:

1. An overview of the relevant laws and regulations regarding the use of physical restraint and seclusion on students and the proper uses of physical restraint and seclusion. (Such overview is to be provided by the Department of Education commencing July 1, 2017 and annually thereafter, in a manner and form as prescribed by the Commissioner of Education.)
2. The creation of a plan by which the Board will provide training regarding the prevention of incidents requiring physical restraint or seclusion of students.  
Such plan is to be implemented not later than July 1, 2018.

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3. The Board will create a plan, to be implemented not later than July 1, 2018, requiring training regarding the proper means of physical restraint or seclusion of a student, including, but not limited to:
  - a. Verbal defusing and de-escalation
  - b. Prevention strategies
  - c. Various types of physical restraint and seclusion;
  - d. The differences between life-threatening physical restraint and other varying levels of physical restraint;
  - e. The differences between permissible physical restraint and pain compliance techniques; and
  - f. Monitoring methods to prevent harm to a student who is physically restrained or in seclusion, including training in the proper means of physically restraining or secluding a student.
  - g. Recording and reporting procedures on the use of physical restraint and seclusion.

### **Crisis Intervention Teams**

For the school year commencing July 1, 2017 and each school year thereafter, the Board requires each school in the District to identify a crisis intervention team. Such team shall consist of any teacher, administrator, school professional or other school employee designated by the school principal and who has direct contact with student and trained in the use of physical restraint and seclusion.

Such teams shall respond to any incident in which the use of physical restraint or seclusion may be necessary as an emergency intervention to prevent immediate or imminent injury to a student or to others.

Each member of the crisis intervention team shall be recertified in the use of physical restraint and seclusion on an annual basis. The Board shall maintain a list of the members of the crisis intervention team for each school.

### **Dissemination of Policy**

This policy and its procedures shall be made available on the District's website and in the Board's procedural manual. The policy shall be updated not later than sixty (60) days after the adoption or revision of regulations promulgated by the State Board of Education.

(cf. 4148/4248 - Employee Protection)

(cf. 5141.23 - Students with Special Health Care Needs)

Legal Reference: Connecticut General Statutes

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

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

10-236b Physical restraint and seclusion of students by school employees. (as amended by PA 17-220)

46a-150 Definitions. (as amended by PA 07-147 and PA 15-141)

46a-152 Physical restraint, seclusion and use of psychopharmacologic agents restricted. Monitoring and documentation required.

**Presented: 09/27/17**

**Approved:10/25/17**

# HAMPTON BOARD OF EDUCATION

## 5144.2

### STUDENTS

#### USE OF EXCLUSIONARY TIME OUT SETTINGS

The Board of Education (Board) recognizes that the use of exclusionary time out may be an effective method of behavior intervention for some students. A time out setting used for an exclusionary time out is an area for a student to safely deescalate, regain control, and prepare to meet expectations to return to his/her educational program. The time out setting offers a quiet place to be used when students are overwhelmed, experiencing over-stimulation or are out of control.

#### **Definitions**

**Exclusionary time out** means a temporary, continuously monitored separation of a student from an ongoing activity in a non-locked setting, for the purpose of calming such student or deescalating such student's behavior.

**Seclusion** means the involuntary confinement of a student in a room, physically prevented from leaving. Seclusion does not include an exclusionary time out.

**Physical restraint** means any mechanical or personal restriction that immobilizes or reduces the free movement of a person's arms, legs or head, including, but not limited to, carrying or forcibly moving a person from one location to another. Excluded from this definition is briefly holding a person in order to calm or comfort the person; restraint involving the minimum contact necessary to safely escort a person from one area to another; medical devices including but not limited to, supports prescribed by a health care provider to achieve proper body position or balance; helmets or other protective gear used to protect a person from injuries due to a fall; helmets, mitts and similar devices used to prevent self-injury when the device is part of a documented treatment plan or individualized education program pursuant to Connecticut's special education laws or prescribed or recommended by a medical professional and is the least restrictive means to prevent such self-injury or an exclusionary timeout.

#### **Types of Time Out**

A time-out is a behavioral support strategy in which a student temporarily separates from the learning activity or classroom, either by choice or by staff direction for the purpose of calming.

There are two kinds of time-out:

- Inclusionary - when a student is removed from positive reinforcement or full participation in the class while remaining in the class. The use of inclusionary time-out functions as a behavior support strategy while allowing the student to remain fully aware of the learning activities in the classroom.
- Exclusionary - when a student is separated from the rest of the class through complete visual separation or actual physical separation.

Time-out is used for calming an agitated student. Time-out is not used for punishment or discipline.

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## Use of Exclusionary Time Out Setting/Space

If a time out setting/space is to be used, it must be used as a behavioral intervention strategy that is designed to teach and reinforce alternative appropriate behaviors in which a student is removed to a supervised area or room in order to facilitate self-control or when it is necessary to remove a student from a potentially dangerous situation and for unanticipated situations that pose an immediate concern for the physical safety of a student or others.

The Board has adopted and implemented the following policy and procedures governing school use of time out settings/spaces as part of its behavior management approach consistent with P.A. 18-51.

At a minimum, the use of exclusionary time out settings/spaces shall be governed by the following rules and standards:

1. The Board prohibits placing a student in a locked room or space or in a setting where the student cannot be continuously observed and supervised. The time out space shall be unlocked and the door must be able to be opened from the inside. The use of locked rooms or spaces for purposes of time out or emergency interventions is prohibited.

Staff shall continuously monitor the student in a time out setting. The staff must be able to see and hear the student at all times. At least one school employee must remain with the student or be immediately available to the student so that the student and the staff member can communicate verbally throughout the time out.

Under no circumstances shall a time out setting/space in a school program be used for seclusion of the student, where the term "seclusion" is interpreted to mean placing a student in a locked room or space or in a room where the student is not continuously observed and supervised.

2. Factors which may precipitate the use of the time out setting/space:
  - a. Student fails to respond to less severe interventions (behavior that cannot be controlled through interventions short of isolation in the designated time out space or room)
  - b. Behavior that is severely disruptive
  - c. Dangerous behavior that presents a risk of injury or harm to that student or to others
  - d. Behavior that is dangerous or presents a risk of significant property damage.

*The designated time out setting/space shall not be used for punitive purposes, for staff convenience or to control minor misbehavior.*

3. Time limitations for the use of the time out setting/space:

A student should remain in the designated time out setting/space only for the time necessary for the student to compose him/herself sufficiently to return to the classroom with minimal risk that the behavior will quickly reoccur, in the opinion of school staff monitoring the intervention. The time should normally not exceed 30 minutes.

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School staff shall not keep a student in the designated time out setting/space for more than one hour. If the student continues to present dangerous behaviors after this period of time, the placement in that space may be continued only with written authorization of the building Principal or designee. In that event, the student's parent/guardian should also be called for the purpose of taking the student home for the remainder of that school day.

If, at any point during the student's stay in the designated time out space, the building Principal or his/her designee believes that the student cannot be maintained safely even in that setting, the building Principal/designee shall call the student's parent/guardian to come pick up the student, and may also call other emergency personnel for the purpose of taking custody of the student and ensuring the student's safety.

Further, a student's IEP shall specify when a behavioral intervention plan includes the use of a time out setting for a student with a disability, including the maximum amount of time a student will need to be in a time out setting as a behavioral consequence as determined on an individual basis in consideration of the student's age and individual needs.

School administration or other personnel shall be notified in the event a student is placed in a time out setting for excessive amounts of time; and such information shall be considered when determining the effectiveness of the student's behavioral intervention plan and the use of the time out setting for the student. Whether the student requires a debriefing following the use of a time out setting shall be left to the staff knowledgeable about the individual student.

When it is decided through the program planning process to use a time out setting as a behavioral intervention, it should be clearly articulated in the planning what will be done if the student refuses to comply with the request to move to a time out setting or if the use of this strategy is not successful in managing the student's behavior. Should staff be required to physically remove the student to the time out setting, it is important that non-violent crisis techniques be used. Consideration must be given to the procedures pertaining to use of physical restraint and/or seclusion as defined in policy [5144.1](#).

4. Staff training on the policies and procedures related to the use of time out setting/space shall include, but not be limited to, the following measures:

- a. The Director of Special Education shall be responsible to the Superintendent for establishing administrative practices and procedures for training all District personnel responsible for use of time out.
- b. Specific Training Activities and Programs:

Staff members working with students who have the use of the time out space will:

- Receive full training in the policy and procedures for the use of a time out setting.
- Participate in work sessions to review each student's Behavior Intervention Plan and receive specific instruction in the implementation of the plan. The work sessions will include teachers, teaching assistants, monitors, building administrators and the Director of Pupil Personnel Services.

5. Data collection to monitor the effectiveness of the use of time out settings/spaces:

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The District shall establish and implement procedures to document the use of time out space, including information to monitor the effectiveness of the use of the time out space to decrease specified behaviors. Such data may be subject to review by the State Education Department (SED) upon request.

Such data collection should appropriately include, but is not limited to, the following information:

- a. A record for each student showing the date and time of each use of the time out setting;
  - b. A detailed account of the antecedent conditions/specific behavior that led to the use of the time out setting;
  - c. The amount of time that the student was in the time out setting; and
  - d. Information to monitor the effectiveness of the use of the time out setting to decrease specified behaviors which resulted in the student being placed in the setting.
6. Information to be provided to parents:

The School District shall inform the student's parents prior to the initiation of a behavioral intervention plan that will incorporate the use of a time out setting for a student, and shall give the parent the opportunity to see the physical space that will be used as a time out setting and provide the parent with a copy of the school's policy on the use of time out settings/spaces.

Additionally, parents should be notified if their child was placed in a time out setting. Minimally, whenever a time out setting is used as an emergency intervention the parent shall be notified of the emergency intervention. Such notification will be provided the same day whenever possible. The use of a time out setting must be included on the student's IEP.

Parent reports of alleged inappropriate interventions used in a time out setting should be directed to school administrators.

## **Physical Space Used as a Time Out Setting/Space**

The physical space used as a time out setting must meet certain standards:

- a. The area shall provide a means for continuous visual and auditory monitoring of the student. (Staff assigned to monitor the time out area must be able to see and hear the student at all times and be able to communicate verbally with the student throughout the time out.)
- b. The space or setting used for an exclusionary time out must be appropriate for calming or deescalating the student's behavior.
- c. The area shall be of adequate width, length and height to allow the student to move about and recline comfortably.
- d. Wall and floor coverings should be designed to prevent injury to the student, and there shall be adequate lighting and ventilation.

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- e. The temperature of the area shall be within the normal comfort range and consistent with the rest of the building.
- f. The area shall be clean and free of objects and fixtures that could be potentially dangerous to a student and shall meet all local fire and safety codes.
- g. The setting must be unlocked and the door must be able to be opened from the inside at all times. The use of locked rooms or spaces for the purpose of time out is strictly prohibited.

(cf. [4148/4248](#) - Employee Protection)

(cf. 5141.23 - Students with Special Health Care Needs)

(cf. [5144.1](#) - Physical Restraint/Seclusion/Exclusionary Time Out)

Legal Reference: Connecticut General Statutes

[10-76b](#) State supervision of special education programs and services.

[10-76d](#) Duties and powers of boards of education to provide special education programs and services.

[10-236b](#) Physical restraint and seclusion of students by school employees. (as amended by PA 17-220 and PA 18-51)

[46a-150](#) Definitions. (as amended by PA 07-147 and PA 15-141)

[46a-152](#) Physical restraint, seclusion and use of psychopharmacologic agents restricted. Monitoring and documentation required.

[46a-153](#) Recording of use of restraint and seclusion required. Review of records by state agencies. Reviewing state agency to report serious injury or death to Office of Protection and Advocacy for Persons with Disabilities and to Office of Child Advocate. (as amended by PA 12-88)

[53a-18](#) Use of reasonable physical force or deadly physical force generally.

[53a-19](#) Use of physical force in defense of person

[53a-20](#) Use of physical force in defense of premises.

[53a-21](#) Use of physical force in defense of property.

PA 15-141 An Act Concerning Seclusion and Restraint in Schools.

State Board of Education Regulations Sections [10-76b-5](#) through [10-76b-11](#).

**Presented: 11/28/18**

**Final Approval: 12/19/18**



# HAMPTON BOARD OF EDUCATION

## 5144.4

### STUDENTS

### DISCIPLINE

#### **PHYSICAL EXERCISE AND DISCIPLINE OF STUDENTS**

The Board of Education (Board) recognizes that a positive approach toward exercise and physical activity is important to the health and well-being of students. The Board requires that each student in elementary school shall have not less than twenty minutes daily in total devoted to physical exercise, except that a Planning and Placement Team may alter such schedule for a child requiring special education and related services. Further, the Board permits, in its elementary schools, including an additional amount of time, beyond the required twenty minutes for physical exercise, devoted to undirected play during the regular school day, subject to the approval of the building administration.

All aspects of the school experience should encourage students to have a healthy attitude toward exercise and promote the life-long enjoyment of physical activity. Therefore, when school employees impose disciplinary consequences for student misconduct during the regular day, the following restrictions shall apply:

#### **1. Loss of Recess as Disciplinary Consequence**

Except as provided below, school employees may NOT prevent a student in elementary school from participating in the entire time devoted to physical exercise or undirected play in the regular school day as a form of discipline. Recess and other physically active learning opportunities may include movement-oriented learning activities in the academic environment, physical activity breaks, and regularly scheduled school wide routines and events that engage students in physical activity that is the time devoted each day (at least 20 minutes) to physical exercise in the District's elementary schools.

Loss of recess or other physically active learning opportunities as a form of discipline may be permitted on a case-by-case basis if approved in writing by the building administration prior to the imposition of the discipline. Such approval may be granted for safety reasons, as a last resort before in-school suspension, or in extraordinary situations when alternative strategies to address student misconduct have been ineffective.

This restriction shall not apply to students who are receiving in-school suspension.

#### **2. Physical Activity as Punishment**

School employees may NOT require students enrolled in grades K-12, inclusive, to engage in physical activity as a form of discipline during the school day.

#### **3. Wellness Instruction**

School employees shall not prevent students from participating in physical exercise or undirected play during wellness instruction as a form of discipline.

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This restriction does not apply to brief periods of respite/time-outs, referrals to the building administrator, or for safety reasons.

At no time shall an entire class be prevented from participating in wellness instruction or physical exercise activity as a disciplinary consequence.

The Superintendent of Schools is authorized to develop guidelines to implement this policy.

Nothing in this policy shall prevent a school employee from acting in accordance with an Individualized Education Plan (IEP) developed by the student's Planning and Placement Team (PPT).

For the purpose of this policy, "school employee" means 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 working in a public elementary, middle or high school; or any other individual who, in the performance of his or her duties, has regular contact with students and who provides services to, or on behalf of students enrolled in a public elementary, middle or high school, pursuant to a contract with the Board.

Any employee who fails to comply with this policy will be subject to discipline, up to and including termination of employment. Any contracted individual who provides services to or on behalf of District students and who fails to comply with the requirements of this policy may be subject to having his/her contract for services suspended by the District.

(cf. [6142.10](#) – Health Education Program)

(cf. [6142.101](#) – Wellness)

(cf. 6142.61 – Physical Activity)

(cf. 6142.6 – Physical Education)

Legal Reference: Connecticut General Statutes

[10-221o](#) Lunch periods. Recess (as amended by P.A. 12-116, An Act Concerning Educational Reform, P.A. 13-173, An Act Concerning Childhood Obesity and Physical Exercise in Schools and P.A. 19-173 An Act Concerning the Improvement of Child Development Through Play)

[10-221u](#) Boards to adopt policies addressing the use of physical activity as discipline. (as amended by PA 18-15)

**Presented: 10/23/19**

**Final Approval: 12/18/19**

# HAMPTON BOARD OF EDUCATION

5145

## STUDENTS

### **CIVIL AND LEGAL RIGHTS AND RESPONSIBILITIES**

The Board of Education assures district students that they shall have all the rights afforded them by federal and state constitutions and statutes. The district recognizes all federal, state and local laws in connection with these rights, and reminds students that certain responsibilities accompany these rights.

The district's aim is to provide an environment in which a student's rights and freedoms are respected, and to provide opportunities which stimulate and challenge the student's interests and abilities to his or her highest potential. These opportunities will be available as long as the student pursues these interests and studies in an appropriate manner, and does not infringe upon the rights of others.

It shall be the right of each district student:

1. to have a safe, healthy, orderly and courteous school environment;
2. to take part in all district activities on an equal basis regardless of race, sex, national origin, or disability;
3. to attend school and participate in school programs unless suspended from instruction and participation for legally sufficient cause as determined in accordance with due process of law;
4. to have school rules and conditions available for review and, whenever necessary, explanation by school personnel;
5. to be suspended from instruction only after his or her legal rights have been observed;
6. in all disciplinary matters, to have the opportunity to present his or her version of the facts and circumstances leading to imposition of disciplinary sanctions to the professional staff member imposing such sanction;
7. not to submit to a survey, analysis, or evaluation that reveals information concerning:
  - a. political affiliations or beliefs of the student or the students' parents;
  - b. mental and psychological problems potentially embarrassing to the student or his/her family;
  - c. sex behavior and attitudes;
  - d. illegal, antisocial, self-incriminating and demeaning behavior;
  - e. critical appraisals of other individuals with whom respondents have close family relationships;
  - f. legally recognized privileged and comparable relationships, such as those of lawyers, physicians, and ministers; or

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- g. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program); or
- h. religious practices, affiliations, or beliefs of the student or of the student's parents without the prior written consent of the student, if over 18 years of age, or without the prior written consent of the parent/guardian for those students under 18 years of age. However, such survey, analysis or evaluation may be conducted on a wholly voluntary basis, provided that the student and his/her parent/guardian have been notified of their rights and of their right to inspect all materials related to the above. All instructional material, including teachers' manuals, films, tapes, or other supplementary instructional material to be used shall be available for inspection by the parents or guardians of the children.

It shall be the responsibility of each district student:

1. to be familiar with and abide by all district policies, rules and regulations pertaining to student conduct;
2. to work to the best of his or her ability in all academic and extracurricular pursuits and strive toward the highest level of achievement possible;
3. to conduct himself or herself, when participating in or attending school-sponsored extracurricular events, as a representative of the district and as such hold himself or herself to the highest standards of conduct, demeanor, and sportsmanship, and accept responsibility for his or her actions;
4. to seek help in solving problems that might lead to discipline procedures;
5. to be in regular attendance at school and in class;
6. to contribute to the maintenance of an environment that is conducive to learning and to show due respect to other persons and to property;
7. to dress in accordance with standards promulgated by the Board and the Superintendent; and
8. to make constructive contributions to the school, and to report fairly the circumstances of school-related issues.

(cf. 5113 - Attendance and Excuses)

(cf. 5114 - Suspension/Expulsion/Due Process)

(cf. 5131 - Conduct)

(cf. 5145.2 - Freedom of Speech/Expression)

(cf. 5145.6 - Student Grievance Procedure)

Legal Reference: Connecticut General Statutes

Goals 2000 - Educate America Act

10-15c Discrimination in public schools prohibited.

**Tentative Approval 06/13/2007**

**Final Approval 07/11/07**

# HAMPTON BOARD OF EDUCATION

**5145.11**

## **STUDENTS**

### **POLICE IN SCHOOLS**

Schools are responsible for students during school hours which includes protecting each student's constitutional rights, assuring due process in questioning and arrest, and protecting students from any form of illegal coercion.

When police are investigating possible criminal acts which occurred, or may have occurred, on school property, or while under the jurisdiction of the school district, they may question students at school when the following procedures are observed:

1. Students will be questioned as confidentially and inconspicuously as possible.
2. An attempt will be made to notify the student's parents so that they may be present during the questioning. The school Principal, or his/her designee, will be present.
3. Preferably, the officer doing the questioning will wear civilian clothes.

When investigating a possible criminal violation occurring off school grounds or not part of a school program, Police will be encouraged to question students in their homes; however, they may be permitted to question students in the schools when the procedures outlined in 1-3 above are observed.

(cf. 1411 Law Enforcement Agencies)

**Tentative Approval 06/13/2007**

**Final Approval 07/11/2007**

# HAMPTON BOARD OF EDUCATION

5145.111

## STUDENTS

### STUDENTS/PROBATION/POLICE/COURTS

#### **Notification to Superintendent when Student Arrested for Felony**

Police who arrest an enrolled district student for a felony are required by Public Act 94-221 to notify orally the Superintendent of Schools not later than the school day following the arrest of the identity of the student and the offense or offenses for which the student was arrested and follow up in writing, including a brief description of the incident, not later than seventy-two hours of the arrest.

The Superintendent shall maintain this information confidential in accordance with 46b-124 and in a secure location and disclosed only to the Principal of the school in which such person is a student or to the Principal or supervisory agent of any other school in which the Superintendent knows such person is a student. The Principal may disclose the information only to special services staff or a consultant (such as a psychiatrist, psychologist, or social worker) for the purpose of assessing the danger posed by such person to himself, other students, school employees, or school property and effectuating an appropriate modification of such person's educational plan or placement, and for disciplinary purposes.

#### **Attendance of Students Placed on Probation by a Court**

Before allowing a student placed on probation to return to school, the Connecticut court will request from the Superintendent of Schools information on the attendance, adjustment, and behavior of the student along with the Superintendent's recommendation for conditions of sentencing or disposition of the case.

#### **School Officials and Probation Investigations**

If requested by the court prior to disposition of a case, the Superintendent of Schools, or designee, shall provide information on a student's attendance, adjustment, and behavior, and any recommendations regarding the proposed conditions of probation included in the probation officer's investigation report.

#### **School Attendance As a Condition of Probation**

Under Section 46b-140, a court may include regular school attendance and compliance with school policies on student conduct and discipline as a condition of probation.

#### **Information to Superintendents on a Student Adjudged to be a Delinquent as a Result of Felony**

Under Section 46b-124 of CGS, courts are required to release the identity of a student adjudged a delinquent as a result of felony to the Superintendent of Schools who may only use this information for school placement and disciplinary decisions.

#### **Information to Superintendents on a Student Adjudged to be a Youthful Offender**

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Under Section 54-761 of CGS, courts are required to release the identity of a student adjudged a youthful offender to the Superintendent of Schools who may only use this information for school placement and disciplinary decisions.

(cf. 1411 Law Enforcement Agencies)  
(cf. 5145.11 Police in Schools)

Legal Reference: Connecticut General Statutes  
46b-121 re juvenile records  
46b-124 re juvenile matters and the law.  
46b-134 re school officials and probation investigations.  
46b-140 re school attendance and compliance with Board policies on student conduct and discipline as a condition of probation.  
54-761 re confidentiality of records on youthful offenders.  
10-233a through 10-233g re student suspension, expulsion.

**Tentative Approval 06/13/2007**  
**Final Approval 07/11/2007**

# HAMPTON BOARD OF EDUCATION

**5145.12**

## **STUDENTS**

### **SEARCH AND SEIZURE**

Desks and school lockers are the property of the schools. The right to inspect desks and lockers assigned to students may be exercised by school officials to safeguard students, their property and school property with reasonable care for the Fourth Amendment rights of students.

The exercise of the right to inspect also requires protection of each student's personal privacy and protection from coercion. An authorized school administrator may search a student's locker or desk under three (3) conditions:

1. There is reason to believe that the student's desk or locker contains the probable presence of contraband material.
2. The probable presence of contraband material poses a serious threat to the maintenance of discipline, order, safety and health in the school.
3. The student(s) have been informed in advance that school Board policy allows desks and lockers to be inspected if the administration has reason to believe that materials injurious to the best interests of students and the school are contained therein.

Use of drug-detection dogs and metal detectors, or similar detective devices may be used only on the express authorization of the [Board] [Superintendent].

District officials may seize any item which is evidence of a violation of law, Board policy, administrative regulation or school rule, or which the possession or use of is prohibited by such law, policy, regulation or rule.

#### **Student Search**

A student may be searched if there are reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school the scope of the search must be reasonably related to the objectives of the search and the nature of the infraction.

Students may be searched by law enforcement officials on school property or when the student is under the jurisdiction of the district upon the request of the law enforcement official. Such requests ordinarily, shall be based on warrant. The school Principal or designee will attempt to notify the student's parents in advance and will be present for all such searches.

Legal Reference: Connecticut General Statutes  
54-33n Search of school lockers and property  
10-221 Boards of Education to prescribe rules  
New Jersey v. T.L.O., 469 US 325; 105 S.CT. 733

**Tentative Approval 06/13/2007**

**Final Approval 07/11/2007**



# HAMPTON BOARD OF EDUCATION

**5145.121**

## **STUDENTS**

### **SEARCH AND SEIZURE**

#### **VEHICLE SEARCHES ON SCHOOL GROUNDS**

The privilege of bringing a student-operated motor vehicle onto school premises is hereby conditioned on consent by the student driver to allow the search of that motor vehicle when there is reasonable cause for a search of that motor vehicle. The act of bringing a motor vehicle upon school premises will allow school officials to presume consent by the student, parent or guardian, or owner of the vehicle for a search of that motor vehicle. Refusal by a student, parent or guardian, or owner of the vehicle to allow access to a motor vehicle on school premises at the time of a request to search the motor vehicle will be cause for termination, without further hearing, of the privilege of bringing a motor vehicle onto school premises. The Principal, or a building administrator, may request a law enforcement officer to search a motor vehicle on school premises, subject to provisions of this policy.

(cf. 5145.12 - Search and Seizure)

Legal Reference: Connecticut General Statutes  
10-221 Boards of education to prescribe rules.  
New Jersey v T.L.O., 53 U.S.L.W. 4083 (1985)

**Tentative Approval 06/13/2007**

**Final Approval 07/11/2007**

# HAMPTON BOARD OF EDUCATION

5145.122

## STUDENTS

### SEARCH AND SEIZURE

#### USE OF DOGS TO SEARCH SCHOOL PROPERTY

The Board supports the elimination of the possession or use of illegal substances/devices. The Board wants to convey a strong message to the community, faculty, staff, and student body concerning the use or possession of illegal substances.

The Board shall permit the administration to invite law enforcement agencies or other qualified agencies or individuals to search school property with dogs trained for the purpose of detecting the presence of illegal substances, when necessary to protect the health and safety of students, employees or property and to detect the presence of illegal substances or contraband, including alcohol and/or drugs. The use of trained canine sniffing dogs is subject to the following:

1. The administration shall authorize the search and the Principal or his/her designee shall be present while the search is taking place.
2. Parents and students shall be notified of this policy through its inclusion in the student and/or parent handbook.
3. All school property such as lockers, classrooms, parking areas and storage areas may be searched.
  - a. Dogs shall not be used in rooms occupied by persons except for demonstration purposes with the handler present.
  - b. When used for demonstration purposes, the dog may not sniff the person or any individual.
4. Individual(s) shall not be subjected to a search by dogs.
5. Once notification has been given to parents and students, through the inclusion of the policies in the student and/or parent handbook, the school district will have met its obligation to advertise the searches. Additional notices need not be given and actual times or dates of planned searches need not be released in advance.
6. Only the dog's official handler will determine what constitutes an alert by the dog. If the dog alerts on a particular item or place, the student having the use of that item or place or responsibility for it shall be called to witness the search. If a dog alerts on a locked vehicle, the student who brought it onto district property shall be asked to unlock it for inspection.
7. Law enforcement agencies will be given full authorization to investigate and prosecute any person(s) found to be responsible for illegal substances(s) on school property.

(cf. - 5145.12 Search and Seizure)

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Legal Reference: Connecticut General Statutes  
54-33n Search of school lockers and property  
10-221 Boards of education to prescribe rules.  
New Jersey v T.L.O., 53 U.S.L.W. 4083 (1985)

**Tentative Approval 06/13/2007**

**Final Approval 07/11/2007**

# HAMPTON BOARD OF EDUCATION

5145.123

## STUDENTS

### SEARCH AND SEIZURE

#### USE OF METAL DETECTORS

The Board authorizes the use of hand-held or walk-through metal detectors to check a student's person or personal effects as follows:

School officials or law enforcement officers may conduct metal detector checks of groups of individuals if the checks are done in a minimally-intrusive, nondiscriminatory manner (e.g., on all students in a randomly selected class; on every third individual entering an athletic event). Metal detector checks of groups of individuals may not be used to single out a particular individual or category of individuals.

If a school official or a law enforcement officer has reasonable suspicion to believe that a particular student is in possession of an illegal or unauthorized metal-containing object or weapon, he or she may conduct a metal detector check of the student's person and personal effects.

A student's failure to permit a metal detector check as provided in this policy will be considered grounds for disciplinary action.

The Superintendent shall develop regulations for implementing this policy.

Upon enrollment and at the beginning of each school year, students and parents/guardians shall receive notice that the district may use metal detector checks as part of its program to promote safety and deter the presence of weapons. Signs shall be posted at all schools to explain that anyone maybe scanned by metal detector for guns, knives or other illegal weapons when on campus or attending athletic or extracurricular events.

(cf. 5145.12 - Search and Seizure)

Legal Reference: Connecticut General Statutes  
54-33n Search of school lockers and property  
10-221 Boards of education to prescribe rules.  
New Jersey v T.L.O., 53 U.S.L.W. 4083 (1985)

**Tentative Approval: 12/17/2008**

**Final Approval: 01/22/2009**

# HAMPTON BOARD OF EDUCATION

**5145.14**

## **STUDENTS**

### **ON-CAMPUS RECRUITMENT**

Subject to the provisions of law, all recruiters, including commercial, military and nonmilitary concerns, recruiters representing institutions of higher education, and prospective employers shall be provided equal opportunities of access to students enrolled in the District's secondary schools. Access may be granted through programs conducted by the Guidance Department. Such programs may consist of career days, college fairs, individual school visitations, in-school recruiting.

Except as provided below, military recruiters and institutions of higher education shall, upon request, be given access to the names, addresses and telephone numbers of secondary school students.

On an annual basis, the school district will notify parents/guardians of secondary school students and students 18 years of age or older, of their right to object to the disclosure of the student's name, address and telephone number to military recruiters or to an institution of higher education. If a secondary school student, who is 18 years of age or older, or the parent of a secondary school student objects in writing to the disclosure of a student's name, address or telephone number to a military recruiter or an institution of higher education, then the district shall not disclose the student's name, address or telephone number to a military recruiter or an institution of higher education without prior written consent. The objection shall remain in force until the district re-issues the annual notification referenced above, after which time the parents and/or secondary school student must inform the school district in writing again of their objection to the disclosure of the information described above.

Legal Reference: Connecticut General Statutes

- 1-210 (11) Access to public records. Exempt records.
- 10-220d Student recruitment by a regional and interdistrict specialized schools and programs. Recruitment of athletes prohibited (as amended by P.A. 12-116, An Act Concerning Educational Reform)
- 10-221b Boards of education to establish written uniform policy re treatment of recruiters. (as amended by PA 98-252)
- P.L. 106-398, 2000 H.R. 4205: The National Defense Authorization Act for Fiscal Year 2001
- Section 8025 of Public Law 114-95, "The Every Student Succeeds Act of 2015"

**Presented: 3/22/17**

**Final Approval: 04/26/17**

# HAMPTON BOARD OF EDUCATION

## 5145.15

### STUDENTS

#### **DIRECTORY INFORMATION**

Directory information means those items of personally identifiable information contained in a student education record which is not generally considered harmful or an invasion of privacy if released. The following categories are designated as directory information. The following directory information may be released to the public through appropriate procedures:

1. Student's name;
2. Student's address;
3. Student's telephone listing;
4. Student's electronic address;
5. Student's photograph;
6. Date and place of birth;
7. Major field of study;
8. Participation in officially recognized sports and activities;
9. Weight and height of athletic team members;
10. Dates of attendance;
11. Degrees or awards received;
12. Most recent previous school or program attended.

#### **Public Notice**

The District will give annual public notice to parents of students in attendance and students eighteen years of age or emancipated. The notice shall identify the types of information considered to be directory information, the District's option to release such information and the requirement that the District must, by law, release secondary student's names, addresses and telephone numbers to military recruiters and/or institutions of high education, unless parents or eligible students request the District withhold this information and provide prior written consent to release such information. Such notice will be given prior to release of directory information.

*ESSA requires the release of the student's name, address and telephone listing unless, after giving appropriate notice to parents/guardians and students eighteen years of age or older, of their right to opt-out and to require, after such opt-out, written permission to release the information.*

#### **Exclusions**

Exclusions from any or all directory categories named as directory information or release of information to military recruiters and/or institutions of higher education must be submitted in writing to the Principal by the parent/guardian, student of eighteen years of age or emancipated student with fifteen days of the annual public notice. A parent or student eighteen years of age or an emancipated student, may not opt out of directory information to prevent the District from disclosing or requiring a student to disclose their name [identifier, institutional email address in a class in which the student is enrolled] or from requiring a student to disclose a

# HAMPTON BOARD OF EDUCATION

student ID card or badge that exhibits information that has been properly designated directory information by the District in this policy.

Directory information shall be released only with administrative direction.

Directory information considered by the District to be detrimental will not be released.

Information will not be given over the telephone except in health and safety emergencies.

At no point will a student's Social Security Number or student identification number be considered directory information.

(cf. 5125 Student Records; Confidentiality)

Legal Reference: Connecticut General Statutes

1210 (11) Access to public records. Exempt records.

10221b Boards of education to establish written uniform policy re treatment of recruiters.

Federal Family Educational Rights and Privacy Act of 1974 (section 438 of the General Education Act, as amended, added by section 513 of P.L. 93568, codified at 20 U.S.C. 1232g and Final Rule 34 CFR Part 99, December 9, 2008 and December 2, 2011)

P.L. 106-398, 2000 H.R. 4205: The National Defense Authorization Act for Fiscal Year 2001.

P.L. 114-95 "The Every Student Succeeds Act" Section 8025

**Presented: 3/22/17**

**Final Approval: 04/26/17**

# HAMPTON BOARD OF EDUCATION

## 5145.2

### STUDENTS

#### **FREEDOM OF SPEECH/EXPRESSION**

The school district shall recognize and protect the rights of student expression. It will balance these rights with the interests of an orderly and efficient educational process and of a school environment suitable for healthy growth and development of all students.

The school district shall assume no responsibility for the contents of any written material produced, posted, circulated or otherwise distributed in accordance with this policy, or of student conduct if such matter or conduct is based on interests other than those of an orderly and efficient educational process and proper school environments.

Printed material produced or distributed on school district property shall be noncommercial, bear the names of at least two students Principally involved in the promotion of this material, and, when applicable, the name of the sponsoring student organization or group.

Printed material produced or distributed within the confines of school district property shall not:

1. contain libelous or obscene language;
2. advocate illegal actions;
3. contain false statements or innuendoes that would subject any person to hatred, ridicule, contempt, or injury to reputation;
4. threaten imminent disruption of the school's educational process;
5. advocate actions which would endanger student health or safety;
6. invade the lawful rights of others;
7. be sold on school property — nor can material which solicits funds or donation be circulated.

Distributors of materials will be held responsible for cleaning up litter caused by such distribution.

(cf. 1220 Citizens' Advisory Committees)

(cf. 1312 Public Complaints)

(cf. 6144 Controversial Issues)

(cf. 6161 Equipment, Books, and Materials: Provision/Selection)

Legal Reference: Civil Rights Act of 1964, Title VII, 42 U.S.C.2000-e2(a).



## HAMPTON BOARD OF EDUCATION

Equal Employment Opportunity Commission Policy Guidance (N-915.035) on Current Issues of Sexual Harassment, effective 10/15/88.

Title IX of the Education Amendments of 1972, 34 CFR Section 106.

Meritor Savings Bank. FSB v. Vinson, 477 U.S. 57 (1986)

Faragher v. City of Boca Raton, No. 97-282 (U.S. Supreme Court, June 26, 1998)

Burlington Industries, Inc. v. Ellerth, No. 97-569, (U.S. Supreme Court, June 26, 1998)

Gebbs v. Lago Vista Indiana School District, No. 99-1866, (U.S. Supreme Court, June 26, 1998)

Connecticut General Statutes

46a-60 Discriminatory employment practices prohibited.

Constitution of the State of Connecticut, Article I, Section 20.

**Tentative Approval 06/13/2007**

**Final Approval 07/11/2007**

# HAMPTON BOARD OF EDUCATION

5145.4

## STUDENTS

### NONDISCRIMINATION

#### **AMERICANS WITH DISABILITIES ACT/SECTION 504**

The Board of Education shall ensure that no student is discriminated against in programs or activities receiving federal financial assistance. Individuals protected by Section 504 of the Rehabilitation Act of 1973 and the Americans with Disability Act (ADA), as amended, are those individuals who: have a physical or mental impairment which substantially limits one or more major life activities (e.g. caring for one's self, performing manual tasks, walking, standing, lifting, bending, seeing, hearing, speaking, writing breathing, learning, reading, concentrating, thinking, communicating and working); have a record of such impairment; or are regarded as having such an impairment. Students who qualify for protection under Section 504 are: of an age during which non-disabled children are provided preschool, elementary or secondary education services; of an age during which it is mandatory under state law to provide such educational services to disabled children; or to whom a state is required to provide a free appropriate public education (e.g. under IDEA), or eligible for accommodations under the ADA.

The Board directs the administration to identify, evaluate, refer, place, provide adaptations for and review all eligible students with disabilities. A student whose disability is episodic or in remission is still eligible to be qualified under the Act. In addition, the determination that a student has an impairment that substantially limits a major life activity will be made without regard to whether mitigating measures (such as medication, devices, prosthetics, hearing aids, etc.) ameliorate the effects of the disability.

Students with disabilities pursuant to Section 504 and/or ADA shall be provided a free appropriate public education which may include, but is not limited to, providing a structured learning environment; repeating and simplifying instructions about in-class and homework assignments; supplementing verbal instructions with visual instructions; using behavioral management techniques; adjusting class schedules; modifying test delivery; using tape recorders, computer-aided instruction, and/or other audiovisual equipment; selecting modified textbooks or workbooks and tailoring homework assignments or modification of nonacademic times such as lunchroom, recess and physical education.

**Presented: 2/22/17**

**Final Approval: 3/22/17**

# HAMPTON BOARD OF EDUCATION

5145.42

## STUDENTS

### NONDISCRIMINATION

#### RACIAL HARASSMENT OF STUDENTS

The Board of Education is committed to safeguarding the rights of all students within the school district to learn in an environment that is free from racial\* discrimination, including harassment. The Board recognizes that racial harassment of students can originate from a person of the same or different race of the victim including peers, employees, Board members or any individual who foreseeably might come in contact with students on school grounds or at school-sponsored activities.

Racial harassment of students consists of different treatment on the basis of race and is recognized in two different forms:

1. when the district's employees or agents, acting within the scope of official duties, treat a student differently than other students solely on the basis of race; or
2. when the education environment is not kept free from discrimination because the harassing conduct is so severe, pervasive or persistent that it interferes with or limits the ability of a student to participate in or benefit from the services, activities or privileges provided.

The Board also prohibits any retaliatory behavior against complainants or any witnesses. Any student who believes that he/she has been subject to racial harassment should report the alleged misconduct immediately so that corrective action, up to and including discharge of an employee or suspension of a student, may be taken at once. The complainant shall not be discouraged from reporting an incident of alleged racial harassment. In the absence of a victim's complaint, the Board, upon learning of, or having reason to suspect the occurrence of any racial harassment, will ensure that an investigation is promptly commenced by appropriate individuals.

The Superintendent of Schools is directed to develop and implement specific procedures on reporting, investigating and remedying allegations of racial harassment. Such procedures are to be consistent with any applicable provisions contained in the district's policy manual, collective bargaining agreements, the tenure laws as well as other federal and state laws on racial harassment. Training programs shall be established for students and employees to raise awareness of the issues surrounding racial harassment and to implement preventative measures to help reduce incidents of racial harassment.

A copy of this policy and its accompanying regulation is to be distributed to all personnel and students and posted in appropriate places.

## HAMPTON BOARD OF EDUCATION

\*For the sake of simplicity and clarity, the term "race" shall be used throughout this discussion to refer to all forms of discrimination prohibited by Title VI - that is, race, color, and national origin.

- (cf. 0521 - Equal Opportunity - Nondiscrimination)
- (cf. 4118.113/4218.113 - Harassment)
- (cf. 5114 - Suspension/Expulsion/Due Process)
- (cf. 5131 - Student Conduct)
- (cf. 5131.2 - Assault)
- (cf. 5131.21 - Terroristic Threats/Acts)
- (cf. 5144 - Discipline)
- (cf. 5145.5 - Sexual Harassment)
- (cf. 5145.51 - Peer Sexual Harassment)

Legal Reference: Civil Rights Act of 1964, Title VI, 42 U.S.C. §2000 et seq. 34 CFR Part 1000

**Tentative Approval 06/13/2007**

**Final Approval 07/11/2007**

# HAMPTON BOARD OF EDUCATION

**5145.5**

## **STUDENTS**

### **EXPLOITATION/SEXUAL HARASSMENT**

#### **General**

Sexual harassment will not be tolerated among students of the school district, and any form of sexual harassment is forbidden whether by students, supervisory or non-supervisory personnel, individuals under contract, or volunteers in the schools. Students shall exhibit conduct which is respectful and courteous to employees, to fellow students, and to the public.

#### **Definition**

Sexual harassment is any unwelcome conduct of a sexual nature, whether verbal or physical, including, but not limited to:

1. insulting or degrading sexual remarks or conduct;
2. threats or suggestions that a student's submission to, or rejection of, unwelcome conduct will in any way influence a decision regarding that student;
3. conduct of a sexual nature which substantially interferes with the student's learning or creates an intimidating, hostile, or offensive learning environment — such as the display in the educational setting of sexually suggestive objects or pictures.

#### Complaints Procedures

The Board of Education encourages victims of sexual harassment to report such claims promptly to the Superintendent of Schools or designee. Complaints shall be investigated promptly and corrective action taken when allegations are verified. Confidentiality shall be maintained and no reprisals or retaliation shall occur as a result of good faith charges of sexual harassment.

The district shall provide staff development for district administrators and other staff and annually shall distribute this policy to staff and students.

Legal Reference: Civil Rights Act of 1964, Title VII, 42 U.S.C.2000-e2(a).

Equal Employment Opportunity Commission Policy Guidance (N-915.035) on Current Issues of Sexual Harassment, effective 10/15/88.

Title IX of the Education Amendments of 1972, 34 CFR Section 106.

Meritor Savings Bank. FSB v. Vinson, 477 U.S. 57 (1986)

Faragher v. City of Boca Raton, No. 97-282 (U.S. Supreme Court, June 26, 1998)

Burlington Industries, Inc. v. Ellerth, No. 97-569, (U.S. Supreme Court, June 26, 1998)

Gebbs v. Lago Vista Indiana School District, No. 99-1866, (U.S. Supreme Court, June 26, 1998)

Connecticut General Statutes

46a-60 Discriminatory employment practices prohibited.

Constitution of the State of Connecticut, Article I, Section 20.

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# HAMPTON BOARD OF EDUCATION

**5145.511**

## **STUDENTS**

### **EXPLOITATION: SEXUAL HARASSMENT**

#### **SEXUAL ABUSE PREVENTION AND EDUCATION PROGRAM**

##### **Definitions**

Sexual abuse refers to coerced or forced sexual contact or activity that may be ongoing or occurs over time, often within a trusting relationship. Most victims know their perpetrators. Perpetrators are usually older than their victims and may trick or force them into gradually doing the sexual behavior. The sexual behavior may not be violent and may even be pleasurable to the child, who doesn't necessarily know it is wrong. Perpetrators of ongoing sexual abuse control the child/youth through secrecy, shame, or threats. Children cannot consent to sexual contact with adults or older youth, and sexual contact is considered abuse, regardless of whether it includes touching or not.

Sexual assault usually refers to forced or unwanted sexual contact or activity that occurs as a single incident, as opposed to ongoing sexual abuse that may continue over time. It may also involve verbal or visual behaviors, or any type of pressure designed to coerce or force someone to join in the unwanted sexual contact or activity. The assault may involve a similar range of behaviors that are attempted or perpetrated against a victim's will or when a victim cannot consent because of age, disability, or the influence of alcohol or drugs. Sexual assault may involve actual or threatened physical force, use of weapons, coercion, intimidation or pressure. The offender usually takes advantage of the victim's vulnerability. Anyone can perpetrate this type of abuse - a trusted friend or family member, a stranger, a casual acquaintance, or an intimate partner.

##### **Program**

The Hampton Public Schools shall implement the Sexual Abuse and Assault Awareness and Prevention Program identified or developed, in compliance with P.A. 14-196, by the Department of Children and Families, in collaboration with the Department of Education and other assisting entities, with the goal of informing students and staff about child sexual abuse and assault awareness and available resources. The District's implementation of the Sexual Abuse and Assault Awareness and Prevention Program, per statute, shall be not later than July 1, 2016. The program shall include, but not be limited to:

1. Providing mandatory training to all District staff to ensure they are fully informed on:
  - a. The warning signs of sexual abuse and sexual misconduct involving a child, including recognizing and reporting child sexual abuse,
  - b. Mandatory reporting requirements,
  - c. School District policies pertaining to sexual abuse and sexual misconduct,
  - d. Establishing and maintaining professional relationships with students,

## HAMPTON BOARD OF EDUCATION

- e. Available resources for children affected by sexual abuse or misconduct, and
  - f. Appropriate follow-up and care for abused students as they return to the classroom setting.
2. Providing students age-appropriate educational materials designed for children in grades kindergarten to twelve, inclusive, regarding child sexual abuse and assault awareness and prevention that may include, but not be limited to:
- a. The skills to recognize:
    - i. Child sexual abuse and assault,
    - ii. Boundary violations and unwanted forms of touching and contact, and
    - iii. Ways offenders groom or desensitize victims.
  - b. Strategies to promote disclosure, reduce self-blame and mobilize bystanders.
  - c. Actions that child victims of sexual abuse and assault may take to obtain assistance.
  - d. Intervention and counseling options for child victims of sexual abuse and assault.
  - e. Access to educational resources to enable child victims of sexual abuse and assault to succeed in school.
  - f. Uniform procedures for reporting instances of child sexual abuse and assault to school staff members.

*[Note: Above items a, b, c, d, e, and f are required per P.A. 14-196.]*

The Board of Education directs the Superintendent develop administrative regulations to address the issues of students obtaining assistance, intervention and counseling options, access to educational resources and procedures for reporting instances of child sexual abuse and assault.

A student shall be excused from participating in the sexual abuse, assault awareness and prevention program offered within the school, in its entirety or any part thereof, upon receipt by the Principal or his/her designee, of a written request from the student's parent/guardian.

Any student exempted from the sexual abuse and assault awareness and prevention program shall be provided, during the period of time in which the student would otherwise be participating in such program, an opportunity for other study or academic work.

### **Reporting Child Sexual Abuse and Assault**

Students shall be encouraged to disclose abuse to a trusted adult member of the staff, including, but not limited to, teachers, administrators, nurses, coaches, and counselors. Child abuse reporting procedures will be followed for all acts of violence and sexual abuse against children as delineated in policy #5141.4, "Reporting of Suspected Child Abuse," and its accompanying regulations.

## HAMPTON BOARD OF EDUCATION

Connecticut General Statutes §[17a-101](#), as amended, requires all school employees including the Superintendent of Schools, school teachers, substitute teachers, administrators, school guidance counselors, school paraprofessionals, licensed nurses, physicians, psychologists, social workers, coaches of intramural or interscholastic athletics, or any other person, who in the performance of his/her duties, has regular contact with students and who provides services to District students, who have reasonable cause to suspect or believe that a child has been abused, neglected, or placed in imminent risk of serious harm to report such abuse and/or neglect in compliance with applicable state statutes.

An oral report by telephone or in person shall be made as soon as possible but no later than 12 hours to the Commissioner of Children and Families and to the Superintendent of Schools or his/her designee followed within 48 hours by a written report to the Department of Children and Families.

Reporting suspected abuse and/or neglect of children, in addition to the requirements pertaining to staff training, record keeping and dissemination of this policy, shall be in accordance with the procedures established and set forth in the Administrative Regulation #5151.4.

(cf. [5131.911](#) - Bullying)

(cf. [5141.4](#) - Reporting of Suspected Child Abuse)

(cf. [5145.5](#) - Sexual Harassment)

Legal Reference: Connecticut General Statutes

[17a-101q](#) Statewide sexual abuse and assault awareness and prevention program (as amended by Section 415 of the June 2015 Special Session Public Act 15-5)

**Policy presented: 04/27/2016**

**Policy approved: 05/25/2016**



# HAMPTON BOARD OF EDUCATION

**5145.51**

## **STUDENTS**

### **SEXUAL HARASSMENT**

#### **PEER SEXUAL HARASSMENT**

Peer sexual harassment is strictly forbidden in all schools within this district, on school premises and during any school programs and activities. Peer sexual harassment is any unwelcome physical or verbal conduct of a sexual nature, such as touching or grabbing or making sexual comments directed at a person because of his or her sex, which interferes with the ability of a student to receive an education.

Students are expected to treat their fellow students with dignity and respect at all times on school property and in school programs and activities and to refrain from unwelcome physical or verbal conduct of a sexual nature.

Disciplinary action may result from violations of this policy. Violations of this policy shall be reported to teachers or administrators. Students are encouraged to report sexual harassment immediately. School personnel will take prompt and fair action to investigate any report promptly and to take the appropriate measures to stop the sexual harassment.

(cf. 5145.5 - Sexual Harassment)

Legal Reference: Civil Rights Act of 1964, Title VII, 42 U.S.C. §2000-e2(a).

Equal Employment Opportunity Commission Policy Guidance (N-915.035) on Current Issues of Sexual Harassment, effective 10/15/88.

Title IX of the Education Amendments of 1972, 34 CFR Section 106

Meritor Savings Bank. FSB v. Vinson, 477 U.S. 57 (1986)

Faragher v. City of Boca Raton, No. 97-282 (U.S. Supreme Court, June 26, 1998)

Burlington Industries, Inc. v. Ellerth, No. 97-569, (U.S. Supreme Court, June 26, 1998)

Gebbs v. Lago Vista Indiana School District, No. 99-1866, (U.S. Supreme Court, June 26, 1998)

Davis v. Monroe County Board of Education, No. 97-843, (U.S. Supreme Court, May 24, 1999)

**Tentative Approval 06/13/2007**

**Final Approval 07/11/2007**

# HAMPTON BOARD OF EDUCATION

**5145.6**

## **STUDENTS**

### **STUDENT GRIEVANCE PROCEDURES**

#### Designation of Responsible Employee

The Board of Education shall designate an individual as the responsible employee to coordinate school district compliance with Title IX and its administrative regulations.

The designee, the District's Compliance Officer, shall formulate procedures for carrying out the policies in this statement and shall be responsible for continuing surveillance of district educational programs and activities with regard to compliance with Title IX and its administrative regulations.

The designee shall, upon adoption of this policy and once each academic year thereafter, notify all students and employees of the District of the name, office address and telephone number of the designee. Notification shall be by posting and/or other means sufficient to reasonably advise all students and employees.

#### Grievance Procedure

Any student or employee shall have a ready means of resolving any claim of discrimination on the basis of sex in the educational programs or activities of the District. Grievance procedures are set forth in administrative regulations.

#### Dissemination of Policy

The Superintendent of Schools shall notify applicants for admission, students, parents/guardians of elementary and secondary school students, sources of referral of applicants for admission, employees and applicants for employment that it does not discriminate on the basis of sex in the educational programs or activities which it operates and that it is required by Title IX and its administrative regulations not to discriminate in such a manner. The notification shall be made in the form and manner required by law or regulation.

Legal Reference: 20 U.S.C. 1681 - Title IX of the Educational Amendments of 1972  
34 CFR Section 106 - Title IX of the Educational Amendments of 1972

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**Final Approval 07/11/2007**

**Reapproved 11/11/16**

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# HAMPTON BOARD OF EDUCATION

**5145.71**

## **STUDENTS**

### **SURROGATE PARENT PROGRAM**

Any student requiring special education and whose natural parents are unavailable as defined by law, or who is a ward of the State, may be provided a surrogate parent appointed by the Commissioner of Education in the manner provided by law.

The function of the surrogate parent will be to act as the child's advocate in the educational decision-making process, which includes all special education identification, evaluation, placement, hearing, mediation and appeal procedures conducted for the student.

In addition, the surrogate parent will also act as the child's advocate in the evaluation and planning procedures available to children under Section 504 of the U.S. Rehabilitation Act.

Surrogate parents will be informed, by the Board as are regular parents, annually of Board policies regarding student conduct and discipline and if the Board suspends or expels a child for conduct that violates Board policy and seriously disrupts the educational process, for carrying a weapon or for selling or distributing drugs.

The law makes provision whereby a parent or legal guardian or the student for whom a surrogate parent has been appointed may contest the surrogate parent appointment.

Legal Reference: Connecticut General Statutes

10-94f Definitions.

10-94g Commissioner of education to appoint surrogate parent. Procedure for objection to or extension of said appointment.

10-94h Duration of appointment as surrogate parent. Appointment of successor surrogate parent.

10-94i Rights and liabilities of surrogate parents.

10-94j Regulations re appointment of surrogate parents.

10-94k Funding of surrogate parent program.

10-233e Notice as to disciplinary policies and actions.

Section 504 U.S. Rehabilitation Act, 29 U.S.C. 791

**Tentative Approval 06/13/2007**

**Final Approval 07/11/2007**

# HAMPTON BOARD OF EDUCATION

**5156**

## **STUDENTS**

### **RESEARCH INVOLVING STUDENTS**

All requests for the services of student volunteers in research projects, special studies, and surveys not part of the regular educational program must have parent, superintendent of schools, and Board of Education approval.

Staff members shall submit their request through regular administrative channels.

**Tentative Approval 06/13/2007**

**Final Approval 07/11/2007**